



6 May 2025

s 9(2)(a)

Official information request

Our ref: R00910

Tēnā koe s 9(2)
(a)

Thank you for your Official Information Act 1982 (OIA) request received on 2 April 2025.

You requested:

1. *Please provide a copy of the following policies:*
 - a. *Official Information Act 1982 (OIA) policy*
 - b. *Ministerial consultation policy (this is about how the Ministry determines what OIAs are sent for Ministerial FYI or consultation)*
 - c. *OIA publishing response policy (this is about the publication of OIA replies to your external website and how you decide what requests are published)*
 - d. *OIA charging policy*
 - e. *Privacy Act policy*
 - f. *Proactive release policy*
2. *If no policy exists, please provide any process maps, approval/sign-out procedures, guidance, desk file, memo, aide memoire etc, that outlines how the Ministry approaches the above. My specificity is to provide you with an idea of the information I am looking for. It's not intended to limit my request.*
3. *A copy of any policy when managing OIA requests from your own employees. Please also include this if the Ministry has volunteers. If no policy exists, please provide any process maps, approval/sign-out procedures, guidance, desk file, memo, aide memoire etc.*
4. *Please provide a copy of the following practice/process documentation/information:*
 - a. *OIA processing e.g., how the Ministry manages an OIA request from receipt to the final response/decision being sent.*
 - I. *Please include any consideration processes or guidelines e.g., how the Ministry seeks clarification of a request or requester eligibility, how the Ministry triages requests, how the Ministry scopes requests etc.*

5. A copy of any induction and/or training material that the Ministry provides to its employees or volunteers – either as an onboarding module or other e-learning module in respect of:
 - a. the OIA and your obligations as a public servant; and
 - b. the Privacy Act
6. A copy of any templates that your OIA team uses. This is intended to capture teams that receive, manage and respond to OIA and Privacy Act requests.

Item 1 of your request

Parts of request	Comment
a. Official Information Act 1982 (OIA) policy	See Appendix 1: <i>Internal policy Official Information Policy</i>
b. Ministerial consultation policy (this is about how the Ministry determines what OIAs are sent for Ministerial FYI or consultation)	Appendix 1 - refer to the section: <i>Working with Ministers' offices</i>
c. OIA publishing response policy (this is about the publication of OIA replies to your external website and how you decide what requests are published)	Appendix 1 - refer to the section: <i>Publishing</i>
d. OIA charging policy	While the Ministry's OIA Policy contains a statement indicating “ <i>where appropriate the Ministry may consider charging to recover costs</i> ”, the Ministry has no charging policy at this time
e. Privacy Act policy	See Appendix 2: <i>Internal policy Privacy</i>
f. Proactive release policy	See Appendix 3: <i>Internal policy Proactive Release of Official Information</i>

Items 2 and 4 of your request

All OIA requests are managed in accordance with the Official Information Act 1982.

Please also refer to **Appendix 4**, which is an internal process guide, which the Ministerial Services Team uses in managing OIA requests.

Item 3 of your request

The Ministry does not have a distinct policy for managing OIA requests raised by its current or former employees. If such a request were to be received, the Ministerial Services Team would be guided by its internal policies and manage the request appropriately in accordance with the Official Information Act and the Privacy Act.

If a request were to involve employment-related information, the matter would be referred to the Ministry's People Team and managed appropriately in accordance with the Privacy Act 2020, the Ministry's people-related policies, and any employment-related legislation that would apply.

Item 5 of your request

Please refer to the attached **Appendices 1 and 2**.

In addition, the Ministry has an internal Learning and Development page on its intranet where various online modules and resources are made available for staff to access. Staff are encouraged to complete online learning modules relating to privacy, which are linked to the [Office of the Privacy Commissioner's website](#)¹, and OIA-related learning modules, which are linked to [Te Puna Matauranga | Ombudsman New Zealand website](#)²

The Ministry also uses the Office of the Ombudsman's [Official Information Act guides and resources](#)³ which are published on the Ombudsman website for reference and guidance.

Item 6 of your request

Please refer to the attached **Appendix 5** for copies of templates used by the Ministerial Services Team in managing OIA requests.

Right of review

If you wish to discuss this decision with us, please contact hello@regulation.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi

s 9(2)(a)



Aisling Risdon
Head of Ministerial Services
Ministry for Regulation

¹ <https://elearning.privacy.org.nz/>

² <https://learnonline.ombudsman.parliament.nz/login/index.php>

³ <https://www.ombudsman.parliament.nz/resources/official-information-act-guides-and-resources>

LIST OF DOCUMENTS ATTACHED

Appendix 1: *Internal Policy | Official Information Policy*

Appendix 2: *Internal Policy | Privacy*

Appendix 3: *Internal Policy | Proactive Release of Official Information*

Appendix 4: *Internal OIA Guide*

Appendix 5: *Templates*



Internal policy | Official Information Policy

Version	2.0	Contact	Ministerial services lead
Policy Owner	Ministerial services lead	Approved	21 October 2024
SharePoint	Internal policies	Due for Revision	March 2025

Scope

This policy applies to all **staff** (permanent employees, fixed term employees, secondees, and consultants and contractors who conduct in-house Ministry core work) at the Ministry for Regulation (**the Ministry** or **we/our**) in order to comply with the Ministry's obligations under the Official Information Act 1982 (**the OIA**) as well as to meet the Ministry's goal of promoting initiatives to increase the availability of official information to the New Zealand public.

The Ministry has a related policy of promoting proactive release of official information [Internal policy | Proactive Release of Official Information](#) in the absence of an official information request.

Individuals (ie natural persons) have the right to access personal information about themselves under the Privacy Act 2020 via the Ministry's privacy policy [Internal policy | Privacy](#).

Principles

Open government is one of five principles in the Public Service Act 2020 (**the Public Service Act**) and at its core it is about improving transparency of the workings of government, citizen participation and accountability of the government to the New Zealand public.

In carrying out our official information processes under the OIA, the Ministry will:

- meet all legislative requirements and observe the spirit of the OIA;
- demonstrate integrity, honesty and sound judgement in the timely management of official information requests;
- take account of the particular needs of the requester and release official information in accessible and usable forms where possible;

- support increased proactive release in line with the OIA’s purpose of progressively increasing the availability of official information, including the publication, where appropriate, of responses to requests under the OIA;
- consider, where appropriate, what additional messaging could be included to promote understanding of the Ministry’s functions to stakeholders;
- consider the need to inform or consult third parties about requests for official information that concern them;
- consider the need to inform or consult with relevant Minister(s) about requests for official information;
- co-operate fully with any investigation by the Office of the Ombudsman into a review of a decision under the OIA.

Implementing this policy

All staff should familiarise themselves with the “official information - common matters to be mindful of” in [Appendix A](#).

Training and resources for staff in respect of official information may be available on the learning & development intranet page [Learning & Development](#) or will be made available in the future under the performance policy [Internal policy | Performance](#).

Processing a request:

A request for official information (**Request**) from a requester may be formally sent to the Ministry or it may be received by a member of staff. It may be in any form and communicated by any means (including orally or through social media) and does not need to refer to the OIA. The Request needs to be immediately sent to Ministerial services (hello@regulation.govt.nz) for processing including calculation of timings.

Ministerial services will be responsible for managing the response to the Request in a timely manner including dealing with any transfers to other agencies or consultation with third parties. Requesters may ask for official information to be provided urgently but need to provide reasons why their Request should be treated as urgent. Where appropriate the Ministry may consider charging to recover costs. The OIA allows agencies to charge for official information. The decision to charge is the responsibility of the Head of Ministerial services, following consultation with the Head of Legal and Finance.

Working with Ministers’ offices

Ministerial services will carry out any Minister(s) office consultation and transfers. The Ministry will consult the relevant Minister, or it may be appropriate to transfer the Request to the relevant Minister, if the Request relates to that Minister’s functions or

Cabinet material. Under the ‘no surprises’ rule in the Cabinet Manual, the Ministry will notify the relevant Minister’s office of a Request that involves matters that may be controversial or become the subject of public debate or where particularly sensitive or potentially controversial official information may be released. Such a notification is not consultation and should not unduly delay the release of information.

Signing-off a Request

The response to the Request should be signed off in accordance with the delegations policy [Internal policy | Delegations](#). Engagement team review of a draft response is required in respect of a Request that came from media as defined in the media policy.

Publishing

Ministerial services will publish the response to a Request which is appropriate for wider publication. The response to a Request standardly includes advice to the requester that the Ministry may publish a copy of the response on the Ministry for Regulation website. If published, all requester data, including name and contact details, will be removed. Publication of appropriate responses will occur in accordance with the proactive release of official information policy [Internal policy | Proactive Release of Official Information](#).

Reporting

Every six months, or as additionally required by the Public Service Commissioner, Ministerial services will provide comprehensive information on the number of Requests received and the number of complaints notified by an Ombudsman. The Ministry will record how we are meeting the timeliness requirements of the OIA and additional timeliness performance information.

Related policies and more information

[Internal policy | Proactive Release of Official Information](#)

[Internal policy | Privacy](#)

[Internal policy | Delegations](#)

Relevant legislation

- [Official Information Act 1982](#)

APPENDIX A – Official information – common matters to be mindful of

What is “official information”?

Official information is **any information held** by an agency.

The full definition of official information is in section 2 of the OIA and includes:

- documents, reports, memoranda, letters, texts, emails and draft documents;
- non-written information, such as digital, video or tape recordings;
- manuals which set out internal rules, principles, policies or guidelines for decision making, and reasons for decisions that have been made about an individual;
- information which is known (to the Ministry) but not written down (for example, knowledge of staff of the Ministry that is held in their official capacity).

Note that official information may include information held by independent contractors carrying out particular work on behalf of the Ministry.

What is a request?

A member of staff may be asked questions by people as part of their normal working engagement, but if answered promptly and fully, then the Ministry’s expectation is that no further internal OIA notification or process is required (unless it is a question or request which would be usefully recorded as an example of stakeholder interest).

There are also specific requests under the OIA where different considerations may apply: such as requests for internal rules/guidelines for decision-making under section 22; for a written statement of reasons for a decision made by the agency in respect of the requester under section 23; or for information held by an agency in respect of a requesting corporate entity under section 24.

What are the deadlines?

Prompt engagement is needed if involved in processing a request under the OIA:

- If the Ministry needs clarity from the requester about a request, this should be done promptly and preferably within 7 working days after receiving the request;
- If a request must be transferred to another agency (because the Ministry believes another agency holds the official information which is more closely connected to that agency’s functions) this should be done promptly and preferably within 10 working days after receiving the request;

- A decision on a request needs to be made and communicated to the requester as soon as reasonably practicable and no later than 20 working days after receiving the request (and if not sent with the decision, proceed to provide the official information without delay), unless extended under the next bullet;
- If the Ministry is to seek an extension to the timeframe for the decision, this must be notified to the requester as soon as reasonably practicable and no later than 20 working days after receiving the request. Extensions need to be requested for valid reasons (generally processes such as consultation with third parties or relevant Ministers are ordinarily expected to be managed within the deadlines).

How are requests answered?

The Ministry is required under the OIA to give reasonable assistance to a requester (this does not generally extend to being obliged to form an opinion or create information). The OIA is underpinned by a principle of availability so that official information should be made available unless there are conclusive reasons (section 6 of the OIA), good reasons where public interest considerations don't favour release (section 9 of the OIA) or administrative reasons (section 18 of the OIA) to withhold it.

Further information is available from Ministerial services and via the Ombudsman website and guidelines [Ombudsman guidelines](#).

OIA affects other Ministry policies

Staff should keep in mind the Ministry's obligations under the OIA:

- in procurements with third parties which should recognise these obligations [Internal policy | Procurement](#);
- when drafting documents, creating content and communicating internally and externally etc all of which may be released. Digital and physical information needs to be readily accessible to assist with processing any requests under the OIA. Accessibility, for example, is one of the requirements of the Ministry's information and records management policy [Internal policy | Information and Records Management Policy](#) for robust information and records management to enable the Ministry to remain accountable, transparent and responsive.



Internal policy | Privacy

Version	2.0	Contact	Chief Legal Officer
Policy Owner	Chief Legal Officer	Approved	21 October 2024
SharePoint	Internal policies	Due for Revision	March 2025

Scope

This policy applies to all **staff** (permanent employees, fixed term employees, secondees, and consultants and contractors who conduct in-house Ministry core work) at the Ministry for Regulation (**the Ministry or we/our**) when they are collecting, using, disclosing, storing and giving access to personal information.

This privacy policy is also to be considered in conjunction with:

- information and record keeping at the Ministry under the information and records management policy [Internal policy | Information and Records Management Policy](#);
- official information requests under the official information policy [Internal policy | Official Information Policy](#) or proactive release under the proactive release of official information policy [Internal policy | Proactive Release of Official Information](#);
- the requirement for acceptable use by staff of Ministry information systems and information in the acceptable use policy [Internal policy | Acceptable Use Policy](#); and
- the information security requirements in the protective security policy [Internal policy | Protective Security](#).

Principles

Context

The Privacy Act 2020 (the **Privacy Act**) governs the collection of personal information by the Ministry. Thirteen privacy principles in the Privacy Act outline the reasons why personal information may be collected, where it may be collected from, how it may be

collected, how personal information is used and stored, and detailing individuals' rights to gain access to their personal information, and to correct it.

The Privacy Commissioner monitors and enforces compliance with the Privacy Act including building and promoting an understanding of the privacy principles, investigating complaints about breaches of privacy and receiving notifiable privacy breaches.

Principles

- All personal information we hold will be managed and used in accordance with the Privacy Act;
- The Ministry will promote a culture in which personal information is protected and respected;
- The Ministry intends that individuals will feel confident that the Ministry is a trusted guardian of their personal information.

Implementing this policy

Common definitions that are used in this policy are set out in Appendix A ([Appendix A](#)).

Collection of personal information

Reference: IPP 1 [Office of the Privacy Commissioner | Principle 1 - Purpose for collection of personal information](#) IPP 2 [Office of the Privacy Commissioner | Principle 2 - Source of personal information - collect it from the individual](#) IPP 3 [Office of the Privacy Commissioner | Principle 3 - Collection of information from subject - what to tell the individual](#) IPP 4 [Office of the Privacy Commissioner | Principle 4 - Manner of collection](#)

We collect, use and store personal information to perform our functions and responsibilities and only if collection is necessary for those functions and responsibilities.

We will generally collect personal information from the individual concerned rather than from third parties unless there is a lawful reason for doing otherwise. We will only collect personal information by means that are lawful, fair and do not intrude unreasonably on an individual's personal affairs. When collecting personal information from third parties, we obtain consent from the individual concerned.

When collecting personal information, we will inform the individual concerned of:

- the purposes for collection;
- who will receive the personal information;

- what could happen if the individual concerned does not provide the personal information we need; and
- the individual’s rights under the Privacy Act including to access and request correction of that personal information.

At the beginning of any project planning or review, managers and their team should undertake a brief privacy analysis and, if necessary, a privacy impact assessment, where personal information is involved. Teams should engage with the privacy officer for advice when preparing these documents.

For the purposes of undertaking a privacy analysis or a privacy impact assessment, the Privacy Commissioner’s privacy impact assessment toolkit, including brief analysis template is available here: [Office of the Privacy Commissioner | Privacy Impact Assessment Toolkit](#).

Storage of personal information

Reference: IPP 5 [Office of the Privacy Commissioner | Principle 5 - Storage and security of information](#)

We commit to storing personal information with reasonable safeguards against loss and disclosure.

The Ministry holds personal information about staff. The Ministry has been entrusted with this personal information and is committed to its protection and management. The protective security policy [Internal policy | Protective Security](#) sets out an approach to classification and storage of such personal information in the Ministry’s information systems. Personal information about staff can only be accessed on a “need to know” basis as detailed in the acceptable use policy [Internal policy | Acceptable Use Policy](#).

We will store personal information in accordance with the Public Records Act 2005 including disposal authorities as issued by the Chief Archivist referred to in the information and records management policy [Internal policy | Information and Records Management Policy](#).

Privacy incidents

We have clear, consistent processes for reporting, managing and escalating privacy incidents.

The Chief Legal Officer is the privacy officer appointed by the Ministry for the purposes of the Privacy Act. The privacy officer will:

- monitor compliance with the Privacy Act and this policy;

- advise the Executive Leadership Team about any risks to the Ministry's ability to protect and manage the personal information it holds;
- review and refresh this policy to continually lift our performance;
- perform an advisory role in the development of privacy analyses and privacy impact assessments.

If staff become aware of a potential unauthorised intentional or accidental disclosure or loss of personal information, including a near miss (**privacy incident**), that member of staff should contact their manager and the privacy officer, within 24 hours of becoming aware of the incident or as soon as practicable.

While the Ministry is committed to meeting its obligations under the Privacy Act, we understand that sometimes mistakes happen. By communicating potential privacy incident early, it is easier to mitigate the impact.

If action is required, the privacy officer will work with the manager and member of staff to endeavour to reduce the impact and the likelihood of further privacy incidents occurring.

The privacy officer will record the appropriate information about a privacy incident in the privacy breach register. If a notifiable privacy breach occurs, the privacy officer will notify the Privacy Commissioner as soon as practicable and liaise with the member of staff and their manager for notification of any affected individuals as soon as practicable.

Best practice standards

We commit to ensuring we have effective policies and processes which reflect the most up-to-date best practice standards.

The Executive Leadership Team is to set the tone from the top to create and nurture a respectful privacy culture at the Ministry.

Privacy by design is to be embedded into our systems and work programmes so that privacy protection is at the forefront of any systems and work programmes that may involve personal information.

The Ministry will not:

- use/disclose personal information without taking reasonable steps to ensure it's accurate, up to date, complete and not misleading
- retain personal information for longer than required for lawful purpose;
- use personal information for any other purpose than originally collected for, unless necessary on specific grounds or authorised by individual concerned;

- disclose personal information for any other purpose than originally collected for, unless necessary on specific grounds or authorised by or to individual concerned.

Training and resources for staff in respect of privacy practices are available on the learning & development intranet page [Learning & Development](#). The Legal team are also available for assistance and advice.

Privacy requests

Reference: IPP 6 [Office of the Privacy Commissioner | Principle 6 - Access to personal information](#) IPP 7 [Office of the Privacy Commissioner | Principle 7 - Correction of personal information](#)

We facilitate access to and respect an individual's right to seek amendment of factually incorrect personal information as a key priority.

An individual is entitled to receive on request:

- confirmation whether the Ministry holds any personal information about them;
- access to their personal information, and

the individual may request correction of that personal information.

We commit, when requested or on our own initiative, to take steps to ensure personal information is accurate, up to date, complete and not misleading. We will deal with an individual's request by correction or by attaching the individual's statement of correction to the personal information.

A request for their personal information (**privacy request**) from an individual (or that individual's representative) may be formally sent to the Ministry or it may be received by a member of staff. An individual or that individual's representative may also similarly request that their personal information held by the Ministry be corrected (**correction request**).

In any of these cases, the privacy officer will confirm how the privacy request or correction request will be processed including calculation of timings. The privacy officer will determine whether the privacy officer, the recipient of the privacy request/correction request, or another member of staff will be responsible for completing the privacy request or correction request in a timely manner including dealing with any transfers to other agencies.

The response to a privacy request or correction request should be signed off in accordance with the delegations policy [Internal policy | Delegations](#).

Link to official information requests

If a request is received that relates to:

- personal information but is not from the individual or that individual's representative; or
- their own private information (from an entity rather than an individual)

then such requests should be notified and processed under the official information policy [Internal policy | Official Information Policy](#).

Related policies and more information

[Office of the Privacy Commissioner | Privacy Impact Assessment Toolkit](#)

Learning & Development intranet page [Learning & Development](#)

Information and records management policy [Internal policy | Information and Records Management Policy](#)

Official information act policy [Internal policy | Official Information Policy](#)

Proactive release of official information policy [Internal policy | Proactive Release of Official Information](#)

Acceptable use policy [Internal policy | Acceptable Use Policy](#)

Protective security policy [Internal policy | Protective Security](#)

Delegations policy [Internal policy | Delegations](#)

Relevant legislation

- Privacy Act 2020

APPENDIX A – Definitions

individual	Under section 7 of the Privacy Act, an individual means a natural person, other than a deceased natural person.
notifiable privacy breach	Under section 112 of the Privacy Act, notifiable privacy breach means a privacy breach that it is reasonable to believe has caused serious harm to an affected individual or individuals or is likely to do so.
personal information	Under section 7 of the Privacy Act, personal information means information about an identifiable individual.



Internal policy | Proactive Release of Official Information

Version	2.0	Contact	Head of Ministerial services
Policy Owner	Head of Ministerial services	Approved	21 October 2024
SharePoint	Internal policies	Due for Revision	March 2025

Scope

This policy applies to all **staff (employees)** (permanent and fixed term employees), secondees, and consultants and contractors who conduct in-house Ministry core work at the Ministry for Regulation (**the Ministry or we/our**) when the Ministry is considering proactively releasing information.

The official information policy [Internal policy | Official Information Policy](#) applies generally in respect of the Ministry's obligations under the Official Information Act 1982 (**the OIA**) and also when considering requests for release of official information (as opposed to proactively doing so under this policy).

The privacy policy [Internal policy | Privacy](#) also applies to the extent that any information being considered for proactive release includes personal information.

Principles

Open government is one of five principles in the Public Service Act 2020 (**the Public Service Act**) and at its core it is about improving transparency of the workings of government, public participation and accountability of the government to the New Zealand public.

The Ministry has the goal of promoting initiatives to increase the availability of official information to the New Zealand public, so in proactively releasing official information that is of public interest, the Ministry will:

- enable more effective public participation in the making and administration of laws and policies;
- promote the accountability of Ministers and officials;
- protect official information to the extent consistent with public interest and the preservation of personal privacy.

Implementing this policy

Ministerial services will undertake proactive release in accordance with this policy.

The Ministry may choose to make redactions when proactively releasing information. The Ministry may decide to provide additional information and/or an explanation for redacting some information, so as to provide proper context for the proactively released information.

The information that will be considered for proactive release under this policy includes:

- formal advice to the Minister for Regulation such as reports or briefings (but excludes administration information such as meeting arrangements and agendas, speaking points and event run sheets);
- titles of the advice provided to the Minister for Regulation;
- responses, and information that has been released by the Ministry, to a requester in respect of a request under the official information policy [Internal policy | Official Information Policy](#);
- Ministry information which the Ministry believes may be of interest to the public, such as strategic intentions and OIA statistics;
- Other information, such as research reports or publications and information that is regularly requested from the Ministry under the OIA.

The information that is not capable of being considered for proactive release under this policy includes:

- Cabinet material as only Ministers may approve the proactive release of Cabinet material;
- Briefings to Incoming Ministers.

Consultation

Ministerial services will carry out any consultation with parties involved in the creation of a document being considered for release, where necessary.

Working with Ministers' offices

Ministerial services will carry out any Minister(s) office consultations or notifications.

If proactive release of the information is likely to attract public comment, the relevant Minister(s)' office is to be notified before the information is scheduled to be released. Ministerial services will also consult with the Engagement team.

The Minister is to have the opportunity to agree or disagree to the Ministry's formal advice to the Minister being proactively released.

Due diligence

Proactive release is different from a release of information under the OIA. Proactively releasing information does not give the Ministry the same protections from sanctions as would apply if the Ministry released the same information via a request under the OIA. This is because section 48 of the OIA protects agencies such as the Ministry, from liability (for example, defamation, copyright, privacy or breach of contract) that may otherwise result from releasing information in good faith "pursuant to the OIA".

Accordingly, Ministerial services will carry out the following due diligence process on each document being considered for proactive release:

- applying an assessment of withholding grounds under the OIA, privacy considerations under the Privacy Act 2022, confidentiality requirements under the protective security policy [Internal policy | Protective Security](#) and the terms of any other applicable legislation;
- a risk assessment in respect of any potential liability (civil or criminal) that might result (for example, defamation, copyright or breach of contract);
- considering if any other contextual information is required to make sense of the information.

The Ministry also generally:

- releases its officials' names and work emails unless there is good reason not to;
- withholds mobile phone numbers as they are often used for both work and personal purposes.

Publication timeframes

Ministerial services will publish the information being proactively released on the Ministry's proactive release webpage.

Formal advice to Ministers being considered for proactive release should be published at the earliest possibility and generally not later than 60 working days from the decision being made by the Ministers in respect of the advice.

This timeframe depends on timing sensitivities, such as:

- advice that is still under active consideration;

- advice that relates to other decisions that are to be publicly announced, but where the announcement is scheduled to take place outside the above timeframe.

If the Head of Ministerial services decides to delay the timing of the proactive release, the decision should be recorded together with the scheduled date for proactive release.

Publication of responses to a request for official information under the official information policy [Internal policy | Official Information Policy](#) should generally occur within a month of the response being sent to the requester, but no earlier than one day after it was sent, to provide the requester time to consider the response.

The timing for publication of Ministry or other information being proactively released, will be determined by the Head of Ministerial Services.

The Ministry may update the proactively released information published on the Ministry's proactive release webpage:

- to withdraw redactions where the Ministry determines at a later date that more information can be released;
- if following a successful challenge to the Ombudsman regarding the Ministry's response to a request for official information, a new response is made.

Related policies and more information

Official information policy [Internal policy | Official Information Policy](#)

Privacy policy [Internal policy | Privacy](#)

Protective security policy [Internal policy | Protective Security](#)

Relevant legislation

- Public Service Act 2020
- Official Information Act 1982
- Privacy Act 2020

Internal OIA Guide

On this page:

1. Overview
2. Lifecycle chart
3. OIA received – Logging, acknowledgement, reports in scope + assigning
4. Writing the response – scoping + drafting (Advisor/Senior Advisor)
5. Review + signout – peer review + HoMS final review + no surprises to MO
6. Complete – sending the official response + SharePoint admin
7. Signed Ministerial OIA responses
8. OIA extensions
9. OIA transfers

1. Overview

- a. The Ministerial Services team is responsible for preparing responses to requests made under the Official Information Act 1982 (OIA). Ministerial Services manages responses to requests received by both the Ministry for Regulation and the Minister.
- b. Requests made under the OIA must be responded to as soon as reasonably practicable, and no later than 20 working days after receiving the request.

2. Lifecycle chart

Agency OIA – 20 working days			
OIA received	Writing the response	Review + sign out	Complete
Logging + acknowledgement	Scoping	SME/Peer review	Sending the response
Assigning (triage)	Drafting	HoMS final review	SharePoint admin

Ministerial OIA – 15 working days			
OIA received	Writing the response	Review + sign out	Complete
Logging	Scoping	SME/Peer review	Sending response to MO
Assigning (triage)	Drafting	HoMS final review	SharePoint admin

Coordinator
Advisor / Senior Advisor
Mins Team
HoMS

3. OIA received

Logging

- a. All OIAs that come in will need to be logged in the Ministerial workflow.
 - Received - date that it has been received by the Ministry/office. For Ministerial OIAs (DSOIA), enter the date that the office received it.

- Due - use [OIA calculator](#) (automatically calculates the 20 working days and takes non-working days into consideration)
For Ministerial OIAs (DSOIA), the office will send through their own due date as they require time to review the draft response.

Acknowledgement email (not currently required due to active auto response)

- Once the OIA has been logged, an acknowledgement email needs to be sent to the requester.
 - Use the [OIA acknowledgement template](#)
 - Copy and paste this as the reply and add in their name, our reference number and date received/date due.

Reports in scope + owner notification

- If straightforward, start a reports-in-scope Excel sheet before handing over to an advisor.
This helps track the different reports/papers that are involved with the request.
 - Add a reports-in-scope Excel sheet to the workflow folder of the OIA.
 - Fill out the columns of the sheet with details from the [Ministerial Papers tracker](#)
 - Number – Number that report is listed in the OIA request
 - Date – Date that the report was delivered
 - Ref – Tracking number (MFR2025-xxx)
 - Title – Title of paper
 - Decision – Title release, report release
 - Ground – Leave blank (not noted in tracker)
 - Owner/Contact - Owner of report
 - Notes – Any relevant notes from the tracker
- Forward the OIA request email to the owner of the report to let them know that the advisor/senior advisor will be in touch soon for scoping. Note down the release decision for the owner to confirm.

Assigning

- Daily triage sessions are held where advisors discuss and agree OIA work allocation.

4. Writing the response – scoping + drafting

- Advisor will scope, gather and prepare material, draft the response letter and consult internally and externally.

5. Review + signout – peer review + HoMS final review + no surprises to MO

- Advisor will ensure draft response and material in scope are consulted for SME and peer reviews before providing to the Head of Ministerial Services for final review and approval.
- Advisor to ensure to send to Minister's Office, a copy of response to OIA requests from the media as part of 'No surprises' (at least a day before due date to requestor).

6. Complete - Sending the response + SharePoint admin

- Email response letter and any appendices to requester
- Sharepoint admin (updating columns, all files/emails in folder)
 - Columns - status, date sent, reply, outcome, OIA ground

7. Signed Ministerial OIA Responses (DSOIA)

- a. Final signed copies of Ministerial OIAs will be sent from the Ministers office. File these in the corresponding Sharepoint folder.
- b. Forward the email to the Advisor.
- c. If they come back with comments, let the Advisor know in the email.

OIA Extensions

- a. If an extension is needed, Advisor will ensure to discuss this with the HoMS and prepare the extension letter to send to the requestor

OIA Transfers

- a. All incoming OIAs are logged in the workflow. Other agencies requesting to transfer a request to MfR are not logged until a formal letter of transfer is received.
- b. An advisor/senior advisor will handle OIA transfers.
- c. All OIA transfers must be completed within 20 days of receiving the OIA.

OIAs transferred to MfR (from other agency)	Transferring OIAs out of MfR (to other agency)
<ol style="list-style-type: none">1. Other agency will get in touch with MfR to ask if they can transfer the request. Flag this to the team.2. Advisor/senior advisor to confirm if we accept/decline.3. Accepted - other agency to send formal letter of transfer to MfR. Declined – Not logged4. Once letter received, OIA to be logged in the workflow and treated as usual. The due date is 20 working days from the date of transfer. All related emails/documents to be saved in SharePoint folder. Note the transfer details (who/date/etc) in the notes section of the workflow entry.	<ol style="list-style-type: none">1. Log incoming OIA in workflow.2. Advisor/senior advisor to get in touch with other agency to confirm that the OIA can be transferred.3. 2x formal letters of transfer to be drafted and sent (requester and receiving agency).4. Workflow updates: Status – complete Outcome – transferred All related emails/documents to be saved in SharePoint folder

Template for acknowledging incoming agency correspondence

Copy the text of each acknowledgement below to a signature or quick part in Outlook for easy access:

Agency OIA

Tēnā koe [name]

Our reference: R00XXX

Thank you for your email. We are managing your request in accordance with the Official Information Act 1982.

We will respond to you as soon as possible and no later than [date]. If we are unable to respond by then, we will notify you of an extension.

We may also contact you if we need to clarify your request or transfer it to another agency.

If you wish to clarify your request or no longer require the information you have requested please contact us at hello@regulation.govt.nz quoting the reference above.

Ngā mihi

Ministerial Services, Organisational Enablement

Ministry for Regulation

īmēra: hello@regulation.govt.nz



www.regulation.govt.nz

Prep sheet for OIAs and PQs

Date created	Click here to enter a date.		
Request type	Choose an item.		
Reference number	Click here to enter text.		
Requester	Click here to enter text.		
Assigned to	Click here to enter text.		
Purpose – what is the request? <ul style="list-style-type: none"> • Is clarification required? • Does the request belong to us, or should it be transferred? • Think about why the information is being requested. Sometimes it might be useful to provide more information than the requester has asked for. • If there are any similar previous requests consider whether that information could be useful for the current request. • Is any of the requested information already in the public domain? 	Click here to enter text.		
Similar previous requests	Click here to enter text.		
Drafter and key contacts <i>Who is the primary drafter and who else should be consulted?</i> <u>Structure a draft response to guide drafters.</u> <i>Who might need to be informed in case they have supporting information?</i>	Click here to enter text.		
Key message(s) for response <i>What are the key messages we want communicated in our response?</i> <i>What decisions have we made about how the requested is interpreted?</i> <i>Consider these types of questions when forming the structure of your initial draft response.</i>	Click here to enter text.		
Other key stakeholders <i>Who do we need to consult with or inform? Consider:</i> <ul style="list-style-type: none"> • Media advice • Legal advice • Redactions that need review • Minister's office • Other agencies 	Click here to enter text.		
Sign out <i>Who should approve and sign out the response?</i>	Click here to enter text.		
Will the response be published? If not, why not?	Click here to enter text.		
Last day to clarify (7 working days)	Click here to enter a date.		
Last day to transfer (10 working days)	Click here to enter a date.		
Date response due to GE <i>Consider:</i> <ul style="list-style-type: none"> • The information being requested • Experience of the drafter • Time required for review/sign out 	Click here to enter a date.		
Minister due date <i>Ministerial consultation is required for all PQs and Minister OIAs. PQs have a turnaround time of 4 days.</i> <i>For OIAs, the Minister's office require:</i> <ul style="list-style-type: none"> • 2 full days for agency OIAs that require informing • 5 full days for agency OIAs that require consultation • 6 full days for Minister OIAs 	PQ Inform agency OIA Consult agency OIA Minister OIA	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Click here to enter a date. Click here to enter a date. Click here to enter a date. Click here to enter a date.
Statutory due date (20 working days)	Click here to enter a date.		
Any other supporting information			



STANDARD TRANSFER

This can be sent via email, from hello@regulation, doesn't need to be in an official 'letter'

Attach:

1. *Original request (as an email attachment)*
2. *Letter to requester (as a PDF)*

Tēnā koe Agency

Our ref: XXXX

On **date**, the Ministry for Regulation received an Official Information Act 1982 (OIA) request from **name**. They requested the following:

Quote request here

For the reasons set out in the attached letter to **name**, this request is being transferred **in full/in part** to your agency for response.

Please treat this email as a formal transfer of **this request/part XX of this request** under section 14 of the Official Information Act. A response must be provided to the requester as soon as possible and no later than 20 working days after the date of this transfer.

Please find attached:

- copy of official information request from **requester**, dated **date**
- copy of letter sent to **requester**, dated **date**

Ngā mihi

[Name] (pronoun)

Ministerial Services, Organisational Enablement

Ministry for Regulation

īmēra: hello@regulation.govt.nz



**Ministry for
Regulation**

STANDARD CLARIFICATION

This can be sent via email, from hello@regulation, doesn't need to be in an official 'letter'

Tēnā koe **Name**

Our ref: XXXX

Thank you for your Official Information Act 1982 (OIA) request, received on **[DATE]**. You requested the following:

Quote request here

We are seeking clarification on your request. Can you please confirm **XXXX**.

Please note, if you do amend or clarify your request, this will be a new request for the purpose of calculating the maximum statutory timeframe for response—see section 15(1AA) of the OIA.

Ngā mihi

[Name] (pronoun)

Ministerial Services, Organisational Enablement

Ministry for Regulation

īmēra: hello@regulation.govt.nz



www.regulation.govt.nz

CLARIFICATION – SUBSTANTIAL COLLATION

This can be sent via email, from hello@regulation, doesn't need to be in an official 'letter'

Tēnā koe Name

Our ref: XXXX

Thank you for your Official Information Act 1982 (OIA) request, received on [DATE]. You requested the following:

Quote request here

Your request as currently framed will be very difficult to meet without substantial collation or research. We have identified a large amount of information potentially in scope of your request and each item will require a manual assessment to categorize and determine its relevance to your request. Attempting to provide this information to you would place undue strain on the Ministry for Regulation resources.

As it currently stands, we may have to refuse your request under section 18(f) of the OIA, which applies where the information cannot be made without substantial collation or research. We are therefore seeking clarification or refinement of your request to enable us to respond.

Could you please confirm whether you are prepared to amend your request and if so, reply to this email before XXX / as soon as possible and advise how you would like to clarify or reduce the scope of your request.

Please note, if you do amend or clarify your request, this will be a new request for the purpose of calculating the maximum statutory timeframe for response—see section 15(1AA) of the OIA.

Ngā mihi

[Name] (pronoun)

Ministerial Services, Organisational Enablement

Ministry for Regulation

īmēra: hello@regulation.govt.nz



www.regulation.govt.nz



Ministry for
Regulation

[date]

[First Name Last Name]

[Organisation]

[Address/email address]

Official information request

Our ref: XXX

Tēnā koe [Name]

Thank you for your official information request received on [date]. You requested:

[Quote request here - italicised]

We have transferred your request to [Agency].

Part of the information to which your request relates is not held by the Ministry for Regulation but is believed to be held by [Agency]. In these circumstances, we are required by section 14 of the Official Information Act to transfer your request.

[Agency] will contact you concerning [choose an item]. We will respond to the other parts of your request no later than [date].

Commented [NB1]: Delete if this is a full transfer

Ngā mihi

[Manager name]

[Manager position]

Ministry for Regulation



[date]

[First Name Last Name]

[Organisation]

[Address/email address]

Official information request

Our ref: R00[XXX]

Tēnā koe [Name]

Thank you for your Official Information Act 1982 (OIA) request received on [date]. You requested:

[write OIA request here, italicised. If it is long, add as Appendix A]

On [date], you clarified your request to [outline revised request].

Commented [NB1]: Delete if not required

On [date], we transferred part of your request concerning [part of request transferred] to [agency].

Commented [NB2]: Delete if not required

Extension of timeframe to make a decision

The OIA requires that we advise you of our decision on your request no later than 20 working days after the day we received your request. Unfortunately, it will not be possible to meet that time limit. We are therefore writing to notify you of an extension of the time to make our decision, to [date].

OR

Extension of timeframe to transfer your request

The letter is to advise you that it may be necessary to transfer [part of request transferred] to [agency] and that we are extending the 10 working-day time limit available to make this transfer, to [date].

This extension is necessary because [Choose an item].

Commented [NB3]: Include for any extension

Right of review

If you wish to discuss this decision with us, please contact hello@regulation.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision.

Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi

[Manager name]

[Manager position]

Ministry for Regulation



Ministry for
Regulation

[date]

[First Name Last Name]

[Organisation]

[Address/email address]

Official information request

Our ref: XXX

Tēnā koe [Name]

Thank you for your official information request received on [date]. You requested:

[Quote request here - italicised]

We have transferred your request to [Agency].

Part of the information to which your request relates is not held by the Ministry for Regulation but is believed to be held by [Agency]. In these circumstances, we are required by section 14 of the Official Information Act to transfer your request.

[Agency] will contact you concerning [choose an item]. We will respond to the other parts of your request no later than [date].

Commented [NB1]: Delete if this is a full transfer

Ngā mihi

[Manager name]

[Manager position]

Ministry for Regulation

This template can be used in an email or placed at the start of an OIA response word document

OIA details

Assigned to:			
OIA Reference No:			
Name of Requestor:			
Media:			
Political Party:			
Organisation:			
Date Request Received:	[enter date]	Due to Requestor:	[enter date]
Extended:		Requestor Sought	
Full Transfer Required:		Which Agency:	
Partial Transfer Required:		Which Agency:	

Wording of the Request

XXX

- XXX
- XXX

Documents Table

No documents fall within the scope of this request

OR

The following documents fall within the scope of this request:

- XXX
- XXX

Commented [NB1]: If there are many documents, use the spreadsheet template

Consultations that have occurred

XXXX

Memorandum



To: Name, Private Secretary to Minister for Regulation
From: Advisor Name, Ministry for Regulation
Date: XX
Re: OIA Request: R00XXX
Action Note the attached letter to XXXX XXXX, responding to their OIA request
Deadline: XX Month

Minister's Office actions

Note the attached information for release to [Name]

OIA Reply (MFR-25OIAXXXX): Seeking information about XXXXXX

Background

On XX the Ministry for Regulation received an Official Information Act request from XXXX XXXX of XXX. The request was for the following:

1. Add the request here.

We intend to send our response to the request on XX. The proposed response is attached for your information.

Risk

We consider the release of this information to be low / medium / high risk.

Risk mitigation

None required. / Provide details of risk mitigation if required.

Communications implications

No communications implications are expected.

Commented [NB1]: Discuss with comms and engagement as needed.

OIA Withholding Grounds

6(c) - Maintenance of the law

Section 6(c) of the OIA, as the release of this information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

6(d) - Endanger the safety of any person

Section 6(d) of the OIA, as the release of this information would be likely to endanger the safety of any person.

9(2)(a) - Privacy of natural persons

Section 9(2)(a) of the OIA, to protect the privacy of natural persons, including that of deceased natural persons.

9(2)(b) - protect information where the making available of the information—

Section 9(2)(b) of the OIA, to protect information where the making available of the information—

- (i) would disclose a trade secret
- (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

9(2)(ba) - protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information –

Section 9(2)(ba) of the OIA, to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information –

- (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
- (ii) would be likely otherwise to damage the public interest

9(2)(f) - Section 9(2)(f) of the OIA, to maintain the constitutional conventions for the time being which protect—

Section 9(2)(f) of the OIA, to maintain the constitutional conventions for the time being which protect—

- (i) the confidentiality of communications by or with the Sovereign or her representative
- (ii) collective and individual ministerial responsibility
- (iii) the political neutrality of officials
- (iv) the confidentiality of advice tendered by Ministers of the Crown and officials.

9(2)(g)(i) - free and frank expression

Section 9(2)(g)(i) of the OIA, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty.

9(2)(h) - maintain legal professional privilege

Section 9(2)(h) of the OIA, to maintain legal professional privilege.

9(2)(i) - commercial activities

Section 9(2)(i) of the OIA, to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

9(2)(j) - disadvantage, negotiations (including commercial and industrial negotiations)

Section 9(2)(j) of the OIA, to enable a Minister of the Crown or any department or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

OIA Refusal Grounds

18(d) - publicly available

Section 18(d) of the OIA, as the information requested is or will soon be publicly available.

18(e) – documents

Section 18(e) of the OIA as the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found

18(f) – substantial collation

Section 18(f) of the OIA, as the information requested cannot be made available without substantial collation or research

18(g) – data not held

Section 18(g) of the OIA, as the information requested is not held by the department or Minister of the Crown or organisation and the person dealing with the request has no grounds for believing that the information is either—

- (i) held by another department (for itself and for a departmental agency hosted by it or an interdepartmental executive board serviced by it) or interdepartmental venture or Minister of the Crown or organisation, or by a local authority; or
- (ii) connected more closely with the functions of another department (for itself and for a departmental agency hosted by it or an interdepartmental executive board serviced by it) or interdepartmental venture or Minister of the Crown or organisation or of a local authority;

18(h) – frivolous or vexatious

Section 18(h) of the OIA, as the request is frivolous or vexatious or that the information requested is trivial.