



## Internal policy: Ministry for Regulation Official Information Policy

<b>Version</b>	3.0	<b>Contact</b>	Head of Ministerial and Strategic Services
<b>Policy Owner</b>	Deputy Chief Executive/Organisational Enablement	<b>Approved</b>	11 June 2026
<b>SharePoint</b>	Internal policies	<b>Due for Revision</b>	11 June 2028

### Scope

---

This policy applies to all staff (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) in order to comply with the Ministry's obligations under the Official Information Act 1982 (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 in the absence of an official information request.

Individuals (i.e. natural persons) have the right to access personal information about themselves under the Privacy Act 2020 via the Ministry's privacy policy.

### Principles

---

Open government is one of five principles in the Public Service Act 2020 (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.

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;
- cooperate 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 or will be made available in the future under the performance policy.

### **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 and Strategic Services ([hello@regulation.govt.nz](mailto:hello@regulation.govt.nz)) for processing including calculation of timings.

Ministerial and Strategic 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 and Strategic Services, following consultation with the Head of Legal and Finance. Please refer to “Charging for Official Information Requests” in Appendix B for more information.

### **Working with Ministers’ offices**

Ministerial and Strategic 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. 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 and Strategic Services will publish the response to a Request which is appropriate for wider publication. Please refer to “Factors for assessing OIA responses for proactive release” in the Proactive Release of Official Information Policy for more information.

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.

### **Reporting**

Every six months, or as additionally required by the Public Service Commissioner, Ministerial and Strategic 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**

---

- Official information policy
- Privacy policy
- Delegations policy
- 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.

The Ministry will release staff names and official titles where doing so is appropriate and consistent with the OIA, taking into account privacy, safety, and the nature of the individual’s involvement in the matter.

Please note that 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.

## 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 and Strategic services and via the Ombudsman website and 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.

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 for robust information and records management to enable the Ministry to remain accountable, transparent and responsive.

# Appendix B: Charging for Official Information Requests

The Ministry for Regulation may charge for supplying official information under section 15 of the Official Information Act 1982 (OIA) and in accordance with the Ministry of Justice OIA Charging Guidelines and the Chief Ombudsman's guidance. Charging is not the default and will only be considered where a request imposes significant resource demands.

For example, charges may be imposed when:

- The request requires considerable staff time or resources to search, collate, research, redact, scan, copy, or peer review information, or
- The requester has previously made a large volume of time-consuming requests, and costs associated with future requests are being recovered.<sup>1</sup>

The Ministry will not charge for:

- time spent deciding whether to release information
- administrative costs (e.g., cover letters, briefings, formatting)
- locating information due to poor record-keeping
- requests for personal information about the requester.

## Decision-Making and Notification Process

- The decision to charge is made by the Deputy Chief Executive, Organisational Enablement in consultation with the Head of Ministerial and Strategic Services and Head of Legal.
- The Ministry will communicate the charge and rationale to the requester as soon as practicable, with an opportunity to refine the scope of the request to facilitate processing and potentially reduce or eliminate charges.
- The Ministry will consider the public interest, hardship, and the roles of MPs, parliamentary research units, and the news media when deciding whether to charge.
- The requester will be advised of their right to complain to the Ombudsman about any charge.
- The Ministry will maintain records of all costs and calculations associated with charging for official information requests, to ensure transparency and facilitate review.

## Compliance with Charging Guidelines

All decisions about charging must be made in line with:

---

<sup>1</sup> Page 4, [A guide to charging for official information under the OIA and LGOIMA](#)

- the Ministry of Justice OIA Charging Guidelines (<https://www.justice.govt.nz/about/official-information-act-requests/charging-guidelines-for-oia-requests/>)
- the Ombudsman's Guide to Charging (<https://www.ombudsman.parliament.nz/resources/charging-guide-charging-official-information-under-oia-and-lgoima>)

Staff must refer to these guidelines for all aspects of charging, including when charges may apply, calculation of charges, and communication with requesters.