

16 September 2019

Jacob
C/o *FYI.org.nz*

By email: fyi-request-11144-e8ac0df2@requests.fyi.org.nz

Dear Jacob

**Transfer of part of request to Inland Revenue under the Official Information Act 1982
and clarification of remaining part of request**
Our Ref: OIA353/1

Transfer of part of request

1. I refer to your email received by the Crown Law Office on 5 September 2019, requesting information under the Official Information Act 1982 (**OIA**). Crown Law has transferred part of your request to the Inland Revenue Department (**Inland Revenue**) under section 14(b)(i) as some of the information to which your request relates is not held by Crown Law, but may be held by that agency.
2. There are two parts to your request which it is believed the relevant information is held by Inland Revenue. The first relates to certain costs incurred by Inland Revenue in relation to the underlying prosecution matter in CRI-2013-485-0058, [2013] NZHC 3474. The second part concerns additional costs incurred by Inland Revenue in relation to the three civil proceedings mentioned in your request.
3. You will hear further from the Inland Revenue regarding these parts of your request.

Clarification of request

4. In your request you ask for the total costs incurred by IRD in relation to the prosecution in cases numbers CRI-2013-485-0058 [2013] NZHC 3474, CIV-2015-485-208 [2015] NZHC 3095, CIV-2015-485-209 and CIV-2015-485-210.
5. I note that the latter three proceeding numbers mentioned above and in your request relate to the Commissioner of Inland Revenue's substantive application to prohibit Mr Kamal from acting as a company liquidator for a period of up to five years and are civil matters as opposed to prosecution matters. The citation [2015] NZHC 3095, referred to in your request, only relates to the interlocutory decision of Associate Judge Smith with respect to an application to vary discovery orders.¹

¹ *The Commissioner of Inland Revenue v Kamal* [2015] NZHC 3095.

6. Can you please clarify whether your request is seeking the “total costs incurred by IRD” solely in relation to this interlocutory decision or the “total costs incurred by IRD” with respect to all steps taken in these civil proceedings?

Yours faithfully

Crown Law



Joseph Mara

Assistant Crown Counsel