

Our ref 525207
11 May 2020



Mr George Morrison

By email: via fyi.org.nz

Dear Mr Morrison

I write to you on behalf of the Chief Ombudsman, Peter Boshier. Thank you for your request received via FYI.org.nz on 24 April 2020.

While Ombudsmen are not subject to the Official Information Act 1982 (OIA), successive Ombudsmen have endeavoured to respond within the spirit of the legislation while having regard to confidentiality requirements in the Ombudsmen Act 1975. I am responding to you on that basis.

At the time the government was considering the use of its powers under the Epidemic Preparedness Act 2006, officials from the Ministry of Justice and Department of Internal Affairs made enquiries of the Chief Ombudsman's staff about whether temporary amendments to the OIA and Local Government Official Information and Meetings Act 1987 (LGOIMA), respectively, would be necessary or desirable in the circumstances. No officials proposed the suspension of the OIA or the LGOIMA in its entirety.

The Chief Ombudsman's staff advised them that, with the exception of certain changes to Part 7 of LGOIMA intended to allow local authorities to hold meetings while under lockdown,¹ they saw no need to temporarily amend any other part of the Acts.

The Chief Ombudsman also discussed the issue with the Solicitor-General, and they agreed that the law was robust and flexible enough and there were no provisions which required temporary amendment or suspension.

Yours sincerely

A handwritten signature in black ink, appearing to read "A Schröder".

Alex Schröder
Manager – Strategic Advice

¹ For more information about these changes, see the relevant part of the guide: *FAQs about official information requests during COVID-19*, available at: <https://www.ombudsman.parliament.nz/resources/faqs-about-official-information-requests-during-covid-19>, last accessed 7 May 2020.