



LEGAL SERVICES

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30 January
Dave Lane
NZ Open Source Society
Via email: fyi-request-2222-b855f6d5@requests.fyi.org.nz

Dear Dave

RE: Request for information Under the Official Information Act 1982

I refer to your request under the Official Information Act 1982 (the Act) to Victoria University of Wellington (Victoria) for the following information:

“I would like to have an account of total expenditure for proprietary software (end user and client access) licenses and subscription fees (e.g. for cloud services), including contributions to national/gov't agreements, over the past 5 years, broken down by year totals.”

And subsequent conversation with Stuart Haselden, Victoria’s ITS Director, where I understand you expressed an interest in the above information being further broken down by vendor.

The below table contains the total cost of software purchases and maintenance fees paid by Victoria in each of the years you requested.

Financial Year	Total
2010	2,657,981
2011	2,582,689
2012	3,400,441
2013	3,162,563
2014*	2,666,088

*figure is to the end of November 2014

You have asked for the information in regard to “proprietary software” please note that in some instances a commercial vendor may have included or modified an open source component as part of the product offered.

Victoria is declining to provide the information broken down by vendor, on the basis that releasing this information would be likely to unreasonably prejudice the commercial position of the vendors. Further, Victoria’s ability to carry out commercial negotiations, without prejudice or disadvantage, would be compromised. Accordingly this information is withheld under sections 9(2)(b)(ii) and 9(2)(j) of the Act.

You have a right to seek review of Victoria's decision to withhold information by way of complaint to an ombudsman.

I trust the above information is helpful.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'K. Tuck', with a stylized flourish at the end.

Karla Tuck
Legal Counsel