

5 September 2023

Grace Haden
fyi-request-23603-16d80571@requests.fyi.org.nz

REF: OIA-13189

Dear Grace

Request made under the Official Information Act 1982

Thank you for your email of 26 July 2023 requesting the following information under the Official Information Act 1982 (the Act):

By way of OIA please provide all documentation which gives a back ground to the creation of the words Waka kotahi including consultation with the public with regards to the adoption of the maori name for a crown entity

Provide the legislative references which create any legality to the words Waka Kotahi and approvals from parliament for this creation showing who approved this and when

Please provide the costs of rebranding and trademark costs etc. associated to making Waka Kotahi the main name as opposed to the legal name coming first

Also provide documentation which show why the name was not trademarked and the consequences of any one registering a company Waka Kotahi Ltd

I am particularly concerned that assigning undefined non legal terms to legal entities which can confuse the public and potentially opens the door for fraudulent on the public. Please provide all documentation which show that consideration of a undefined name has on accountability to the public .. frequently in news articles the statement is made that waka Kotahi is doing this or that.. how can an undefined name act or hold assets .. please provide any evidence you can that justifies the use of this undefined name

On 23 August 2023, we wrote to you to advise that we were refusing three aspects of your request, name:

- Background to our 2019 name change
- Consultation with the public
- Rebranding costs.

We also advised you that we were extending the part of your request relating to the trademarking of our name by 10 working days, to 6 September 2023. I am now in a position to respond to this remaining aspect of your request.

Regarding your queries on legality and trademarks, both of our active trademark cases are available on the New Zealand Intellectual Property Office's (IPONZ) Trade Mark Case search tool:

<https://app.iponz.govt.nz/app/Extra/IP/TM/Qbe.aspx>

As a result, I can confirm that the name Waka Kotahi NZ Transport Agency was trademarked in 2019. The total cost for legal fees and IPONZ filing fees was \$5,865.00 (including GST), as at September 2019.

As you point out, "New Zealand Transport Agency" is still our legal name under the Land Transport Management Act, and this is the name that is used when signing legal documents. Waka Kotahi operates under a different trading name than our legal name, this is a standard practice for many public and private organisations which have a trading name and a legal name.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse parts of this request. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

In line with Waka Kotahi policy, this response will soon be published on our website, with personal information removed.

If you would like to discuss this reply with Waka Kotahi, please contact Ministerial Services by email to official.correspondence@nzta.govt.nz

Yours sincerely

A handwritten signature in blue ink that reads "S. A. Moore". The signature is written in a cursive style with a large initial 'S'.

Stephen Moore
Senior Manager, Channels and Standards