

30 October 2023

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Kia ora Amy

**Your Official Information Act request, reference: GOV-028325**

Thank you for your email of 9 October 2023 to the Minister for ACC, Hon Peeni Henare, asking for information about section 140 of the Accident Compensation Act 2001. On 11 October 2023, your request was transferred to ACC under section 14 of the Official Information Act 1982 (the Act). Your request asked for the following information:

*I am writing to you in hopes that you will be able to assist me in finding case law, secondary legislation, research papers, government reports, parliamentary discussions, or any other information which includes instructions, definitions, or guidelines on how Reviewers are to conduct a hearing in accordance with section 140 of the Act...*

*To clarify, when I'm told by a reviewer that I must provide a written submission as required by Tribunals and Courts, this seems to me to be a "formal" approach. When I'm told the process is for me to state my case, followed by ACC stating their case, then me providing a rebuttal, that seems like a "formal" approach as in what happens in a Tribunal or NZ Court. I seek information which clarifies what the court considers formal vs informal...*

*I would like to better understand claimant's rights to witnesses, the necessary attributes of the principles of natural justice, due diligence in decision-making, and adopting an investigative approach...*

*To be clear, I am not seeking legal advice. I am seeking information which already exists, which will have commentaries on the interpretation of Part 5 of the AC Act.*

**We refer you to our response of 27 October 2023 (ref: GOV-028255)**

It responds to a similar request from you for information about the conduct of reviews in accordance with section 140 of the AC Act, and contains all information held by ACC, Fairway and ICRA relevant to that section.

**If you are not happy with this response**

You can contact the Ombudsman via [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phoning 0800 802 602. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Ngā mihi



Sara Freitag

**Acting Manager Official Information Act Services**  
Government Engagement