

19 February 2024

Chris Johnston
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Tēnā koe Chris

Your request for official information, reference: HNZ00034115

Thank you for your email on 7 December 2023, asking for information relating to the transfer of your request from the Ministry of Health | Manatū Hauora to Health New Zealand | Te Whatu Ora under the Official Information Act 1982 (the Act).

On 26 January 2024, Health New Zealand extended the time available to respond to your request to 20 February 2024. Please find each part of your request addressed below.

- 1) *What is the basis on which this is being transferred because you believe the information is held or available elsewhere?*

Reasons that agencies should transfer requests for information are set out in section 14 of the Act. The transfer in question (our reference HNZ00033452) was made under section 14(b)(i) of the Act, which is applicable when all or some of the information requested “is not held by the department or venture or Minister of the Crown or organisation but is believed by the person dealing with the request to be held by another department (for itself and for a departmental agency hosted by it or an interdepartmental executive board serviced by it) or interdepartmental venture or Minister of the Crown or organisation, or by a local authority”. I should emphasise that if the requirements of section 14(b) of the Act are met then an agency has no choice but to transfer the request.

- 2) *Please confirm that you have the ability to answer the OIA in the required statutory timeframe.*

Health New Zealand endeavours to respond to all requests for information within the statutory timeframes set out by the Act. You will be aware that Health New Zealand has extended the timeframe available to respond to your request HNZ00033452, which is provided for in section 15 of the Act.

- 3) *Please provide proof or detailed reasoning that your answer in (1) and (2) is the case. For example you might say that while MoH analysts have access to a database that Health NZ physically hosts the required databases and the MoH has no copy.*

By accepting transfer of your request Health New Zealand has confirmed it is appropriate for us to respond.

- 4) *Do you have any conflicts of interest that will prevent you answering my OIA to the best of your ability? For example if you believe your organisation is unable to answer this OIA because of a known and recognised public liability, court action or criminal culpability of an employee In which case you would say “yes we have a conflict therefore we need to refer the query on to an org that can also answer, even though we have the technical capability to answer*

When responding to a request, Health New Zealand will consider any other obligations against the requirements of the Act.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

As this information may be of interest to other members of the public, Health New Zealand may proactively release a copy of this response on our website. All requester data, including your name and contact details, will be removed prior to release.

Nāku iti noa, nā

A handwritten signature in black ink that reads "Danielle Coe". The signature is written in a cursive style with a large, sweeping initial 'D'.

Danielle Coe
Manager (OIA) Government Services
Office of the Chief Executive