



2 May 2024

Mr Nick Coyle

Email: fyi-request-26192-c27c8d68@requests.fyi.org.nz

OIA 2324-2309

Dear Mr Coyle

Thank you for your email of 23 April 2024 to the Ministry of Business, Innovation and Employment requesting, under the *Official Information Act 1982* (OIA), information from the Department of Labour's '*Review of Risk Management and Safety in the Adventure and Outdoor Commercial Sectors in New Zealand 2009/10*'.

You had requested:

"I would like to limit my request to any key memos, reports or opinions (policy or legal) which discussed the 'wider policy question' referred to in the key findings:

Relying solely on the legislation poses problems:

The HSE Act is primarily designed for safety in employment. Customers are covered by the reference to 'others in the workplace'. There is a wider policy question here about whether this is the best fit for this sector in which the primary focus is the safety of consumers. However, the working group acknowledges that the legislation itself is workable."

I am writing to confirm the rescoping of your request in conversation with my team member Susan Adams earlier today, in relation to the wider policy question mentioned above:

Any information contained in final drafts of key memos, reports, policy advice or legal opinions, which summarises how the *Health and Safety in Employment Act 1992* applied to situations like adventure tourism, in which the primary focus is the safety of consumers.

As advised, the Ministry needs to extend the time available to answer your request. The Ministry's response will be with you no later than 30 June 2024.

The reason for the extension is that your request necessitates a search through a large quantity of information and meeting the original time limit would unreasonably interfere with our operations.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

As advised, we will respond to you sooner if we are able to. In the meantime, please contact Susan Adams if you have any further questions about your request.

Yours sincerely

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

Hayden Fenwick
Manager, Health and Safety Policy Team
Labour, Science and Enterprise Branch
Ministry of Business, Innovation and Employment