

29 October 2024

M Bell
fyi-request-28613-c284c6f5@requests.fyi.org.nz

Ref: OIA 116399

Tēnā koe

Official Information Act request: Failure to comply

Thank you for your email of 2 October 2024, requesting, under the Official Information Act 1982 (the Act), information regarding prosecutions for failing to comply with the Act. Specifically, you requested:

Since the act is the law of NZ, under the Official Information Act 1982 please provide how many prosecutions there have been for any that are subject to the act that have actually been convicted of failing to comply with the act. To be specific I am asking for prosecutions of any that are subject to the act where they failed to comply with the act in response to receiving a lawful official information act request.

Please provide this data year by year since the OIA 1982 came into law.

Your request for this information is refused under section 18(e) of the Act, as the information does not exist. The Act does not create criminal offences, so it is not an offence to fail to comply with it. Instead, the Act creates a mechanism for people to complain to the Ombudsman about certain decisions that organisations make under the Act. The Ombudsman receives and investigates hundreds of complaints each year. The Ombudsman regularly publishes detailed data about those complaints. You can find that information on the Ombudsman's website at: ombudsman.parliament.nz/resources.

If you require any further information, please contact Media & Social Media Manager Joe Locke at media@justice.govt.nz.

Please note that this response, with your personal details removed, may be published on the Ministry website at: justice.govt.nz/about/official-information-act-requests/oia-responses/.

If you are not satisfied with this response, you have the right to make a complaint to the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to info@ombudsman.parliament.nz or by phone on 0800 802 602.

Nāku noa, nā



Louise Ainsley
Manager, Ministerial Services