



24 April 2026

Ref: DOIA-REQ-0030449

George Watt

Email: fyi-request-34326-7c9941b7@requests.fyi.org.nz

Tēnā koe George

Thank you for your email of 1 April 2026 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

I am writing to request information under the Official Information Act 1982 (OIA) regarding the recent legal action instigated by the Ministry of Business, Innovation and Employment (MBIE) against the Public Service Association (PSA) concerning its flexible working policy. It is my understanding that MBIE withdrew this case approximately two days before the ERA proceedings were scheduled to commence. Given the significant expenditure of public resources involved in preparing for such litigation, I am requesting a detailed breakdown of the following:

- 1. External Legal Fees: All costs paid to external law firms, counsel, or legal consultants in relation to this specific case.*
- 2. Internal Costs: An estimate of the total hours and associated costs of internal MBIE legal staff and management dedicated to this litigation.*
- 3. Court and Administrative Fees: Any filing fees or miscellaneous costs incurred during the process.*
- 4. Settlement or Withdrawal Costs: Any costs or disbursements paid to the PSA or other parties as a result of the decision to withdraw the case.*

We have numbered the questions in your request for ease of answering. All figures provided are as at 13 April 2026.

It is important to note that MBIE did not commence legal action against the Public Service Association (PSA). MBIE has been responding to legal action undertaken by the PSA.

Question 1

The cost to MBIE for defending the legal action commenced by the PSA is \$102,451.50.

Question 2

While MBIE's Legal, Ethics and Privacy Team have been consulted during this process, legal representation for this matter has been sourced externally and the costs are listed above.

MBIE does not itemise the time internal staff take on specific tasks. Responding to issues as they arise is considered part of the business-as-usual work of those involved. Therefore, we are refusing this request under section 18(e) of the request as the information requested does not exist.

Question 3

As MBIE did not instigate the legal proceedings there have been no court costs to MBIE.

Question 4

To date, there have been no settlement or withdrawal costs.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.govt.nz.

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.

Nāku noa, nā

A handwritten signature in black ink, appearing to be 'JN', written in a cursive style.

Jennifer Nathan
Chief People Officer
People and Culture
Corporate and Digital Shared Services