

7 June 2016

David Lawson  
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Dear Mr Lawson

### Official Information Act Requests

We refer to your email dated 2 April 2016 requesting information in the form of written statements subject to section 23. An extension of time to 7 June 2016 was notified to you on 2 May 2016 by letter.

#### Your requests

Your email seeks to make twenty-two (22) separate section 23 requests.

#### Our approach to your “section 23 requests”

In the context of your requests to ACC, for section 23 of the Official Information Act 1982 (OIA) to apply, the request must be about a decision or recommendation by ACC that is specifically about you in your personal capacity. It will not apply to a decision or recommendation regarding some other person or class of persons more generally, or decisions on policies or public issues more generally.

#### Our response

ACC has determined that none of your requests fall within the scope of section 23 of the OIA. This is essentially because they seek written statements about specific things, such as whether a particular doctor is qualified to specialise in the field of neurosurgery or why a form used does not have an ACC categorisation number. These requests do not pertain to a specific decision on the part of ACC for which a section 23 written statement of reasons may be prepared and provided to a requestor.

In terms of those parts of your request seeking an explanation or an opinion, we note a distinction under the Act exists between a request for information already known to and held by an agency (official information); and a request to an agency to form an opinion or provide an explanation or comment and thus create new information to answer the request (not official information). Accordingly, we will not be providing you with any explanation or opinion connected to your 22 requests.

#### Queries or concerns

You have the right to complain to the Office of the Ombudsman about our response. You can call them on 0800 802 602 between 9am and 5pm on weekdays, or write to *The Office of the Ombudsman, PO Box 10152, Wellington 6143*.

Yours sincerely

**Government Services**