



07 SEP 2016

Chris Gousmett  
fyi-request-4388-bc299196@requests.fyi.org.nz

Reference: OIA-2016/17-0065

Dear Chris

**Official Information Act request relating to Ōtākaro Ltd**

I refer to your Official Information Act 1982 (the Act) request received on 7 August 2016. You requested the following:

*"...all information relating to consideration as to whether Otakaro Ltd. (a Crown company) should be subject to:  
A. The Public Records Act  
B. The Official Information Act."*

Ōtākaro Limited was incorporated under the Public Finance Act 1989 as a Schedule 4A company. As such, it automatically became subject to the Ombudsmen Act 1975 (see Part 2 of Schedule 1) and, correspondingly, the Official Information Act (see section 2 definition of "organisation").

Whether an entity is subject to the Public Records Act 2005 (PRA) depends on whether it is a "public office" as defined in section 4 of the PRA. The Chief Archivist has issued a recommendation that Ōtākaro Limited is not a public office and I enclose a copy of that recommendation for your information. We do not hold any further documents on this matter.

**Information being released**

I have decided to release the relevant parts of the documents listed below.

Item	Date	Document Description/Subject	
1.	10 February 2016	Cabinet paper	Incorporation and Initial Funding Arrangements for CrownCo
2.	29 February 2016	Cabinet paper	Public Finance (Ōtākaro Limited) Order 2016
3.	29 February 2016	Cabinet Minute	CAB-16-MIN-0052.02
4.	4 April 2016	Chief Archivist Recommendation	Public Office Status Recommendation for Ōtākaro Limited

You are entitled to ask the Ombudsman to review this response under section 28(3) of the Act. You can contact the Ombudsman online via the Ombudsman website, by email ([info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)) or by post to The Ombudsman, PO Box 10152, Wellington 6143. Further details can be found on the Ombudsman website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Yours sincerely



Kelvan Smith  
**Director, Greater Christchurch Group**