



NEW ZEALAND  
**CUSTOMS SERVICE**  
TE MANA ĀRAI O AOTEAROA

**WELLINGTON**

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PROTECTING NEW ZEALAND'S BORDER

24 August 2012

Alex Harris

Email address: [fyi-request-439-2914b5a6@requests.fyi.org.nz](mailto:fyi-request-439-2914b5a6@requests.fyi.org.nz)

Dear Alex Harris

**Request for Information under the Official Information Act 1982**

I refer to your request, which was received by the New Zealand Customs Service (Customs) on 31 July 2012, for information relating to the Law Commission's review of the Official Information Act 1982.

In relation to Customs' submission you have requested:

- a copy of the submission
- all drafts, advice, and internal communications (including emails) relating to that submission.

Your request for this information has been dealt with under the provisions of the Official Information Act 1982.

With regard to the first part of your request, this is refused pursuant to section 18(d) of the Official Information Act 1982 on the grounds that Customs' December 2010 submission is already publicly available on the Law Commission's website. It can be viewed at the following address:

[www.lawcom.govt.nz/sites/default/files/publications/2012/08/all\\_submissions\\_nzlc\\_ip18\\_0.pdf](http://www.lawcom.govt.nz/sites/default/files/publications/2012/08/all_submissions_nzlc_ip18_0.pdf).

The second part of your request is very broad, and our investigations have identified that Customs has a significant quantity of material that would fall within its scope. It is estimated that reviewing and collating this material may take in excess of 40 hours of staff time and result in a release document of between 500 and 1,000 pages.

The material includes more than 200 archived emails relating to Customs' submission, many of which are either administrative in nature (for instance, arranging meeting times or access to files) or about the style and format of the submission document (for example, comments such as "*I have done a general tidy-up – removing extra full-stops and spaces etc, and making sure the questions and answers line up*"). Material of this nature is unlikely to enhance your, or the public's, understanding of the Law Commission's review.

Therefore Customs considers the public interest reasons that support the release of the information are not sufficient to justify the expenditure of public funding that would be necessary to make the information available.

Customs is keen to assist you with your request, and suggests you may like to consider the following two alternative courses of action. You could either:

- modify the scope of your request to reduce the amount of material to be considered, or
- agree to pay for the release of the material you have requested, as provided for within section 15 of the Official Information Act 1982.

For your information, in accordance with the Ministry of Justice's current charging guidelines staff time would be charged at a rate of \$38 per half hour (with the first hour free) and photocopying at a rate of 20 cents per page (with the first 20 pages free). By way of a rough guide, this means that the total charge for the information you have currently requested would be likely to exceed \$3,000. An extension of time limit pursuant to section 15A of the Official Information Act 1982 would also be necessary, since it would not be possible for Customs to complete the required review, copying and collation of the material by the original due date of 28 August 2012.

If you would like to discuss the alternatives set out above please telephone Shirley Tarrant at the Wellington Customhouse – (04) 901 4500.

Under sections 19 and 28(3) of the Official Information Act 1982 you have the right to seek an investigation and review of this decision by making a complaint to the Office of the Ombudsman.

Yours sincerely



John Duxfield  
Group Manager Intelligence, Planning & Coordination