



9 November 2017

Alex Harris
fyi-request-6607-295818ee@requests.fyi.org.nz

147 Lambton Quay
Wellington 6011
Phone +64 4 495 7200
dia.govt.nz

Dear Alex Harris

I refer to your email of 28 September 2017 to the Ministry of Justice requesting information under the Official Information Act 1982 (the Act). You asked for:

Any advice on reform of the OIA or LGOIMA in the last five years.

As you were notified on 11 October 2017, the part of your request relating to the Local Government Official Information and Meetings Act 1987 (LGOIMA) was transferred to the Department of Internal Affairs (the Department) for response, as the Department administers that Act.

In your email you noted that your request was related to the Law Commission's report *The Public's Right to Know: Review of the Official Information Legislation*. You noted that some of the review's core recommendations for reform of the legislation have not been implemented. The Government Response to the Law Commission's report was presented to the House of Representatives on 4 February 2013 and is the primary source of information about why substantive reform of the legislation was not proceeded with. The Government Response is publicly available on the Law Commission's website at www.lawcom.govt.nz/our-projects/official-information-act-1982-and-local-government-official-information-act-1987.

As you noted in your email, recent changes to the LGOIMA have been minor changes that have occurred through Statutes Amendment Bills. While these minor changes may be outside your area of interest, I have included information about them for the sake of completeness.

The first of these occurred in 2013, when an Act amending LGOIMA was divided from the Resource Management Reform Bill (Bill 93–2) by committee of the whole House, third reading on 27 August 2013. These were changes necessary to bring the LGOIMA in line with the changes occurring at the time to the Resource Management Act 1991.

Amendments to the LGOIMA were also enacted through the Local Government Official Information and Meetings Amendment Act 2015. Some of these changes were made as a result of the Law Commission's recommendations. A copy of the Amendment Act, which lists the changes made, is available on the New Zealand Legislation website www.legislation.govt.nz by searching the title.

As you may know, this Amendment Bill was separated from the Statutes Amendment Bill (No 4) 2014 after it was divided by the Committee of the Whole House on 19 March 2015. The Bill and its associated reports and advice are publicly available on the Parliament website at www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/OODBHOH_BILL12990_1/statutes-amendment-bill-no-4. This includes the Select Committee report on the parts of the Bill that relate to the LGOIMA and the Departmental report, which includes advice given by the Department to the Select Committee.

The Department provided advice to the then Minister of Local Government in the form of a briefing about the information to be provided to the Select Committee during consideration of the Bill. Please find this attached.

The Department was also requested to provide answers to queries by the Māori Party about details relating to clauses in the Amendment Act in order to determine reconfirmed support for the Bill after the 2014 election. This advice is also attached.

It is possible that there will be further minor amendments to LGOIMA in any Statutes Amendment Bill approved for introduction to the House in mid-2018.

I trust this information is of assistance. You have the right, under section 28(3) of the Official Information Act, to make a complaint to an Ombudsman and seek an investigation and review of my response to your request. The contact address is: Office of the Ombudsman, PO Box 10152, Wellington. 6143. Alternatively, you can phone 0800 802 602 or email info@ombudsman.parliament.nz.

Yours sincerely



Karen Hope-Cross
Director Operational Services
Policy Group