

10 SEP 2018

Jake Preston
fyi-request-8507-241620d6@requests.fyi.org.nz

Dear Mr Preston

Official Information Act 1982 Request

Thank you for your request for information received on 15 August 2018. You requested that the Earthquake Commission (EQC) make available to you the following information under the Official Information Act 1982:

"In an email to George Hooper, Pat Moynihan and Hugh Cowan among others, dated 7 October 2011, the writer opines that external consultation will be required to clarify 'and if possible circuitbreaking' s17 of the Building Act.

I am requesting copies of all communication surrounding that external consultation relating to the Building Act

Further I am requesting copies of, and all communication surrounding legal opinions provided to EQC, its agents and contractors with regard to the Building Act

Finally I am requesting any documents EQC sent to Cabinet and/or the Attorney General which contain any reference to the Building Act

These OIA request refers to documents generated from 04 September 2010 through to 31 December 2013"

I am requesting copies of all communication surrounding that external consultation relating to the Building Act

As we advised on 23 August 2018, this part of your request has been transferred to the Ministry of Business, Innovation and Employment (MBIE) under section 14(b)(ii) of the Official Information Act 1982 as it is believed that the information to which this request relates is more closely connected with the functions of MBIE.

Further I am requesting copies of, and all communication surrounding legal opinions provided to EQC, its agents and contractors with regard to the Building Act

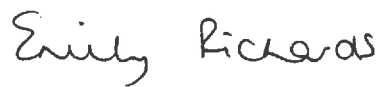
EQC frequently requests, and is with provided with, internal and external legal advice on a range of matters that may be related to the Building Act. This is often at an individual claim level and to undertake a review of the relevant records would involve extensive investigation and resource. Our initial searches of our email server resulted in more than 6,500 records using variations of the search parameters 'Building Act' and 'legal'. Therefore, this part of your request is refused under section 18(f) of the Official Information Act 1982 as *the information requested cannot be made available without substantial collation or research.*

Finally I am requesting any documents EQC sent to Cabinet and/or the Attorney General which contain any reference to the Building Act

We have no record of any documents sent by EQC to Cabinet and/or the Attorney General which contain reference to the Building Act, so this part of your request is refused under section 18(e) of the Official Information Act 1982 as *the document alleged to contain the information requested does not exist, or despite reasonable efforts, cannot be found.*

This response completes your request for information. You have the right to ask the Ombudsman to investigate and review my decision. The Ombudsman can be contacted at PO Box 10 152, Wellington 6143, or on Freephone 0800 802 602, or at <http://www.ombudsman.parliament.nz>.

Yours sincerely

A handwritten signature in black ink that reads "Emily Richards". The signature is written in a cursive, slightly slanted style.

Emily Richards

Manger, Government Relations