



Official Information Amendment Act 2015

Public Act 2015 No 29
Date of assent 25 March 2015
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- Title**
This Act is the Official Information Amendment Act 2015.
- Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act

This Act amends the Official Information Act 1982 (the **principal Act**).

4 Section 12 amended (Requests)

(1) After section 12(1), insert:

“(1AA) A request under subsection (1)—

“(a) may be made in any form and communicated by any means (including orally); and

“(b) does not need to refer to this Act.”

(2) After section 12(3), insert:

“(4) A department or Minister of the Crown or organisation to which an oral request is made under subsection (1) may, if written clarification is reasonably necessary, ask the person making the request to put the request in writing to clarify the request.

“(5) If the person declines or is unable to put the request in writing, the department or Minister of the Crown or organisation must record its understanding of the request and provide a copy of the record to the person.”

5 Section 14 amended (Transfer of requests)

In section 14,—

(a) after “the information”, insert “, or some of the information,”;

(b) after “transfer the request”, insert “, or relevant part of the request,”.

6 Section 15 amended (Decisions on requests)

After section 15(1), insert:

“(1AA) If a request (the **original request**) is amended or clarified after the date on which it is received, the department or Minister of the Crown or organisation that receives the request may treat the amended or clarified request as a new request that, for the purposes of subsection (1), replaces the original request.

“(1AB) However, subsection (1AA) does not apply if—

“(a) the original request is amended or clarified because the department or Minister of the Crown or organisation to

which the request was made sought an amendment to, or a clarification of, the request; and

- “(b) the department or Minister of the Crown or organisation did not seek that amendment or clarification within 7 working days after receiving the original request.”

7 Section 16 amended (Documents)

After section 16(1), insert:

- “(1A) Subject to subsections (2) and (3), information made available in any of the ways listed under subsection (1) may be made available in electronic form or by electronic means.”

8 Section 18 amended (Refusal of requests)

In section 18(e), after “or”, insert “, despite reasonable efforts to locate it.”.

9 Section 28 amended (Functions of Ombudsmen)

- (1) Replace section 28(4) with:

- “(4) For the purposes of subsection (1)(a), a refusal to make official information available includes, without limitation, a failure by a department or Minister of the Crown or organisation to comply with section 15(1)—

“(a) as soon as is reasonably practicable, or at the latest within 20 working days, after receiving a request; or

“(b) within an extended time limit notified under section 15A(3) to the person who requested the information.”

- (2) After section 28(5), insert:

- “(6) If an Ombudsman receives a complaint that a department or Minister of the Crown or organisation has refused to make official information available for any of the reasons specified in section 18(e) to (g), the Ombudsman may notify the Chief Archivist appointed under the Public Records Act 2005.”

Legislative history

19 March 2015	Divided from Statutes Amendment Bill (No 4) (Bill 188–2)
24 March 2015	Third reading
25 March 2015	Royal assent

This Act is administered by the Ministry of Justice.
