MINISTRY OF BUSINESS, INNOVATION & EMPLOYMENT
HIKINA WHAKATUTUKI

The Release of Official Information under the Official Information Act 1982

1. Request for official information received in writing: in person, by telephone, fax or email

2. Send requests to Ministerial Services to be acknowledged and logged into database

3. Is the requester a person entitled to requests this information? s 12

No → 3.1 Advise the requester and Ministerial Services

Yes ↓

4. A decision on the request must be made and sent to the requester as soon as possible, but no later than 20 working days after receipt. s 15

→ 4.1. You can extend if:
- There is a large quantity of information, or
- Extensive consultation is needed

You must notify the requester in writing within the original 20 working day timeframe. s 15A

→ 4.2 You can decide whether to charge for processing the request - *see Ministry of Justice Charging Guidelines*. s 15

Yes ↓

5. Is it clear what the requester is asking for? s 13

No → 5.1 Contact the requester and request more details. This can be verbal (but its good to confirm it in writing)

Yes ↓

6. Should the Ministry handle this request? s 14
Note: Transfers must be done within 10 working days, unless you have extended your timeframe.

No → 6.2 Consult with the relevant agency and notify the requester and agency of the transfer.

← 6.1 Transfer the request if:
- Another agency holds the information
- The information was authorised by another agency
- Another agency is more closely connected to the information

You can transfer all or part of the request as appropriate

Yes ↓

7.2 Are there any administrative reasons to refuse all or part of the requests? s 18

Yes → 7.1.1 Refuse the request and advise the requester of the reason and their right to complain to the Ombudsman. s19

No → 7.1 Are there any conclusive reasons for withholding all or some of the information? s 6

Yes → 8.1 Withhold the information and advise the requester of their right to complain to the Ombudsman. s 19

No → 7.3 Are there any other reasons to withhold all or some of the information? s9

Yes → 8.2 Is there any public interest consideration that outweighs the need to withhold the information? s 9

Yes → 9 Withhold the information Advise the requester of reason and their right to complain to the Ombudsman. s 19

No → 8.23 Release the information in full

Quick links:
Ombudsman's guidelines
www.ombudusman.govt.nz
The Official information Act
www.legislation.govt.nz
State Services Commission guidelines on consulting and transferring
www.ssc.govt.nz

Simple Checklists:
- ✓ Clearly defined the scope of the request
- ✓ Identified all relevant information
- ✓ Made any appropriate redactions
- ✓ Kept Ministerial Services up-to-date on any date-changes
- ✓ Peer review
- ✓ Approval by Manager

If appropriate:
- ✓ Approved by Legal
- ✓ Approved by Communications
- ✓ Consulted or briefed the Minister

RELEASED UNDER THE OFFICIAL INFORMATION ACT