

30 April 2012

Alex Harris

By email to: requests@fyi.org.nz

Dear Alex Harris

OFFICIAL INFORMATION ACT REQUEST

I refer to your request of 30 March 2012 under the Official Information Act 1982 (the Act) regarding the RadioLive show broadcast on 30 September 2011, which was hosted by the Rt Hon John Key.

With reference to the Electoral Commission's subsequent referral of an alleged breach of section 70 of the Broadcasting Act 1989 to the Police you have requested:

"A copy of all material forwarded to police regarding this complaint.

Any subsequent correspondence or communication with the Police regarding this complaint."

The following documents come within the scope of your request and are enclosed:

1. Referral letter dated 8 February 2012 from Chief Electoral Officer to Police
2. Electoral Commission's decision dated 8 February 2012
3. Copies of correspondence with RadioLive prior to the broadcast
4. A transcript of the broadcast
5. Copies of the complaints received
6. Response from RadioLive dated 11 October 2011
7. A copy of the Broadcasting Standards Authority's decision on the show
8. A copy of the Electoral Commission's 'Media Handbook 2011 General Election and Referendum'
9. The relevant provisions of the Broadcasting Act
10. Email correspondence between Police and the Electoral Commission dated 22 February, 27 and 28 March 2012.

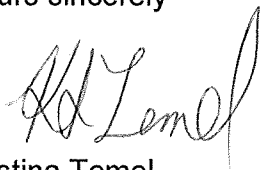
Information relating to some of the individuals referred to in the documents has been withheld to protect their privacy.

The following has not been provided:

Crown Law's advice to the Electoral Commission, which is withheld pursuant to section 9(2)(h) of the Act on the basis it is subject to legal professional privilege and the withholding of the information is not outweighed by other considerations which render it desirable, in the public interest, to make that information available.

You have the right under section 28(3) of the Act to complain to the Ombudsman about the decision to withhold information or if you are not satisfied with the response to your request.

Yours sincerely

A handwritten signature in black ink, appearing to read "Kristina Temel". The signature is fluid and cursive, with the first name "Kristina" and last name "Temel" clearly distinguishable.

Kristina Temel
Manager Electoral Policy

Encs