

Hon Julie Anne Genter

Minister for Women

Associate Minister of Transport

Associate Minister of Health

Minita mō ngā Wāhine

Minita Tuarua mō ngā Take Waka

Minita Tuarua mō te Manatū Hauora



18 December 2019

Thomas Harvey

fyi-request-11615-90bb0bc4@requests.fyi.org.nz

Tēnā koe e Thomas

I refer to your request of 6 November 2019, pursuant to the Official Information Act 1982 (OIA), seeking:

“all information you hold in a ministerial capacity regarding the interpretation or potential amendment of the provisions of section 168A of the Land Transport Act 1998”.

Your request has been interpreted as information contained in documents or emails (documents) received by my Office from the date I was appointed Associate Minister of Transport to the date of your request (6 November 2019).

Seventeen documents have been identified as being in scope. I have assessed these as follows:

- four documents are already available online on the webpages of the Regulatory Review Committee. The web links to these documents are contained in the attached table
- three documents are being released to you in full
- five have been withheld in full under section 9(2)(f)(iv) of the OIA, as these are still under active consideration
- three documents are being released to you with certain information withheld under one or both of the following sections of the OIA:
 - section 9(2)(a), which relates to the protection of privacy of natural persons
 - section 9(2)(f)(iv), which relates to maintaining the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- two documents are being released to you with redactions to exclude content that is out of scope of your OIA request.

I have excluded documents that dealt with the administrative process by which Waka Kotahi NZ Transport Agency has declared certain vehicles not to be motor vehicles in the past. This exclusion is on the grounds that the documents focused on the interpretation of section 41 of the Legislation Act 2012 rather than on the interpretation of s168A.

In regard to the information that has been withheld under section 9 of the OIA, I do not think there are any countervailing considerations that make it desirable, in the public interest, to make the information available.

You have the right under section 28(3) of the OIA to make a complaint about the withholding of information to the Ombudsman at info@ombudsman.parliament.nz

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Julie Anne Genter', written in a cursive style.

Hon Julie Anne Genter
Associate Minister of Transport