

Hon Grant Robertson



MP for Wellington Central

Minister of Finance

Minister for Sport and Recreation

Minister Responsible for the Earthquake Commission

Associate Minister for Arts, Culture and Heritage

28 OCT 2020

Paul King
fyi-request-13908-c79af67b@requests.fyi.org.nz

Dear Paul King

Thank you for your Official Information Act (OIA) request, received on 2 October 2020 by Hon Dr Megan Woods. The request has been transferred to me as it more closely aligns with my portfolio responsibilities. You requested:

"The Southern Response website states:

"Southern Response is the government-owned company responsible for settling claims by AMI policyholders for Canterbury earthquake damage which occurred before 5 April 2012 (the date AMI was sold to IAG).

The ongoing series of earthquakes since September 2010 had a profound impact on AMI and its Canterbury customers. As a result of the unprecedented cost of earthquake claims, in April 2011, AMI received capital support from the New Zealand Government to ensure the interests of all AMI policyholders were protected and all claims would continue to be met under the terms of their policies."

- 1. Is this a true statement?*
- 2. Are former AMI customers supposed to approach some other party like AMI to have their claims settled?*
- 3. If so why and why would the above statement not say that?*
- 4. If not then why do Southern Response seem to think that they do?*
- 5. If you return to Government what will you be doing for claimants who have still not had their AMI claim settled by Southern Response?*
- 6. Are Southern Response an insurance company?*
- 7. Southern Response has been proven in Court to have committed offences commonly known as "fraud" and breaches of the Fair Trading Act and Consumer Guarantees Act while in business, what will you as Minister be doing about these offences?*
- 8. Should you as Minister be referring these offenders to the Police?*
- 9. If not, why not?*
- 10. What compensations will be paid for these frauds on homeowners?*
- 11. Will the Minister be changing the law to ensure that no time limit is applied to claims which have been delayed by fraud and not yet settled?*
- 12. Why should "fraudster" at Southern Response use up time while claimants wait for their settlements?*
- 13. When will interest be paid?*
- 14. Why can't it be paid interest on our claims and the undisputed amounts while we wait for our settlements?*

15. If the Government is short of cash then why weren't the claimants told this?
16. And why if so, is \$250 million being given to the Americas Cup yacht race for billionaires when we are so short of cash?
17. The "AMI" in the statement above, is this AMI the current company or does it refer to Southern Response (SRES) or another entity entirely?"

Please treat this as an Official Information Act Request and please make it urgent before the election if possible.

The OIA only applies to information that is already held by the Minister. In this case you ask that I form views on a number of propositions. There is no obligation on either Hon Megan Woods, or myself to create information in order to respond to a request.

I am therefore refusing your request under section 18(g):

- the information requested is not held by the department or Minister and there is no reason to think that transferring the request would yield the information from another source.

This reply addresses your request. You have the right to ask the Ombudsman to investigate and review my decision.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Grant Robertson', written over a faint circular stamp.

Hon Grant Robertson
Minister Responsible for the Earthquake Commission