

20 October 2021

B Fairburn

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Dear B Fairburn

### Official Information Act request re parking enforcement

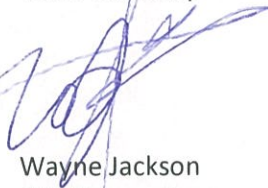
We are in receipt of your Official Information Act request as transferred to Nelson Marlborough Institute of Technology (NMIT) by Te Pūkenga. Our response to your questions follow:

Information request	NMIT response
1. Are Te Pūkenga, any of its subsidiaries or their parking enforcement contractors signatories to the [MBIE Code of Conduct for Parking Enforcement on Private Land]?	NMIT's parking services provider is a signatory to the <i>Code of Practice for Parking Enforcement on Private Land</i> (Code of Practice).
2. Which subsidiaries of Te Pūkenga have contracts with [LPR Enforcement Services Ltd]?	NMIT has no connection to LPR.
3. If Te Pūkenga, its subsidiaries, or LPR are not signatories to the Code; would meeting the standards of conduct as defined by the Code and as administered by MBIE, clearly define a fair and reasonable absolute minimum standard of conduct for parking enforcement by a New Zealand Tertiary Education Institute?	Not applicable as NMIT's parking enforcement provider is a signatory to the Code of Practice.
4. Have subsidiaries of Te Pūkenga in fact been "Misrepresenting Authority" as explained by MBIE in [section 5.6] of the Code?	NMIT has not been "misrepresenting authority" as explained by MBIE in [section 5.6] of the Code of Practice.
5. Have Te Pūkenga or any of its subsidiaries or agents been granted special authority to issue "fines" or demand payment of punitive fees to Staff or Students for this or any other reason?	NMIT has not been granted special authority and clearly outlines its parking policy on signage around campus to alert staff, students and members of the public that a breach notice will be issued if they fail to adhere to NMIT's parking policy.

<p>6. Have Te Pūkenga or any of its subsidiaries directly or through their agent LPR, taken punitive action of any nature against any staff or student for non-payment of “fines”?</p>	<p>NMIT does not take punitive action directly against any staff or students. Action on breach notices is taken through an agent that has signed MBIE’s Code of Practice. These notices also outline the process to be followed in the event that an individual wants to challenge or dispute such notices. NMIT has no connection to LPR.</p>
<p>7. Ara Institute of Canterbury Ltd issue a “fine” (as defined by them) of \$65 for a breach of carpark terms and conditions where the full daily parking fee is \$5. Is \$65 a fair and reasonable estimate of any tangible loss to Ara due to non-payment of one \$5 daily parking fee? Please provide full details of how this sum was calculated.</p>	<p>Not applicable to NMIT.</p>
<p>8. Are there penalty clauses in any of the contracts Te Pūkenga or any of its subsidiaries have with LPR, to compensate LPR, if for any reason LPR were no longer able to demand payments for “breaches of terms and conditions of car parking”?</p>	<p>NMIT has no connection to LPR.</p>
<p>9. Please provide details of any revenue sharing arrangements set out in contracts between LPR and Te Pūkenga and its subsidiaries. How is the share of revenue received from parking fees and fines divided between the parties to the contract(s)?</p>	<p>NMIT has no connection to LPR.</p>
<p>10. When contracts were negotiated and subsequently awarded for supply of “parking enforcement” services by Te Pūkenga or its subsidiaries to LPR, were these contracts awarded by an open or invited tender process?</p>	<p>NMIT has no connection to LPR.</p>
<p>11. How many parking enforcement companies were invited to submit proposals or tenders to provide those services?</p>	<p>NMIT parking enforcement was not put out for tender.</p>
<p>12. Was compliance with, or being a signatory to the MBIE Code of Conduct, a qualifying criteria in selection of candidates for provision of parking enforcement services?</p>	<p>Yes.</p>

13. Were contracts awarded to LPR after negotiation with LPR, but without receiving or considering written proposals or submissions from other candidates?	NMIT has no connection to LPR.
14. Please provide all documents related to how privacy of information collected about staff and student movements held by LPR is guaranteed by Te Pūkenga or its subsidiaries in order to comply with the Privacy Act 2020.	NMIT has no connection to LPR.

Yours faithfully



Wayne Jackson  
Chief Executive