

B Fairburn

By email to: fyi-request-16929-a950b910@requests.fyi.org.nz

Thursday, 21 October 2021

Dear B Fairburn

Official Information Act (OIA) request – partial transfer of request relating to parking enforcement at Te Pūkenga and its subsidiaries (refers MBIE’s Code of Conduct for Parking Enforcement on Private Land)

Your OIA request of 29 September 2021 to Te Pūkenga was transferred to Unitec New Zealand Limited (**Unitec**) on 12 October 2021.

The requested information is set out below:

1. ~~Are Te Pūkenga, any of its subsidiaries [Unitec] or their parking enforcement contractors signatories to the [MBIE Code of Conduct for Parking Enforcement on Private Land]?~~
No.

2. ~~Which subsidiaries of Te Pūkenga have contracts [Does Unitec have a contract] with [LPR Enforcement Services Ltd]?~~
No.

3. ~~If Te Pūkenga, its subsidiaries, [Unitec] 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?~~

Unitec is not required to form an opinion or create information in order to respond to a request. Accordingly, this request is declined on the grounds set out in section 18(e) of the Official Information Act 1982.

4. ~~Have subsidiaries of Te Pūkenga [Has Unitec] in fact been “Misrepresenting Authority” as explained by MBIE in [section 5.6] of the Code?~~

5. ~~Have Te Pūkenga [Has Unitec] 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?~~

No. Unitec issues parking fines to vehicles that breach the terms and conditions of Unitec’s parking terms and conditions under its authority as owner or occupier of the relevant parking facilities.

6. ~~Have Te Pūkenga or any of its subsidiaries [Has Unitec] directly or through their agent~~

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LPR, taken punitive action of any nature against any staff or student for non-payment of "fines"?

Unitec does not take punitive action against staff members for non-payment of parking fines. For students, a 'hold' will be put on their file which stops them re-enrolling until the fine is paid (although, the hold can be overruled with the permission of the Head of School).

8. Are there penalty clauses in any of the contracts ~~Te Pūkenga or any of its subsidiaries~~ have [Unitec has] 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"?

9. Please provide details of any revenue sharing arrangements set out in contracts between LPR and [Unitec] ~~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)?

10. When contracts were negotiated and subsequently awarded for supply of "parking enforcement" services by ~~Te Pūkenga or its subsidiaries~~ [Unitec] to LPR, were these contracts awarded by an open or invited tender process?

11. How many parking enforcement companies were invited to submit proposals or tenders to provide those services?

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?

13. Were contracts awarded to LPR after negotiation with LPR, but without receiving or considering written proposals or submissions from other candidates?

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

Not applicable. Unitec does not contract with or engage LPR Enforcement Services Limited in any capacity relating to parking enforcement. Accordingly, these requests are declined on the grounds set out in section 18(e) of the Official Information Act 1982.

Under section 28(3) of the OIA you have the right, by way of complaint to the Ombudsman, to seek an investigation and review of the above decisions. Information on how to contact the Ombudsman can be found at www.ombudsman.parliament.nz or phone 0800 802 602.

Yours faithfully

UNITEC NEW ZEALAND LIMITED (t/a Unitec Institute of Technology)



Gus Gilmore
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