

Hon Grant Robertson

MP for Wellington Central
Minister of Finance
Minister for Sport and Recreation
Minister for Cyclone Recovery
Leader of the House



7 March 2023

Canterbury Victim
fyi-request-21219-353b1729@requests.fyi.org.nz

Dear Canterbury

Thank you for your Official Information Act request, received on 10 February 2023. You requested:

You have correctly stated that I have a legal right to ask the Ombudsman to investigate. However, I also have a legal right to request a section 23 responses, and you have a legal responsibility to provide them. I have asked for several in the course of these OIA requests and you have not provided any,

Please provide a Section 23 response on your decision to intentionally violate New Zealand law by not providing information you are legally required to under the Official Information Act.

Section 23 applies where a Minister has made a decision in respect of an identifiable person in their personal capacity.

Section 23 states that where a Minister or organisation has made a decision in respect of a person in their personal capacity, that person has the right to be given a written statement of:

- a. Findings on material issues of fact.
- b. Reference to information on which findings were based.
- c. Reasons for the decision or recommendation.

For section 23 to apply there needs to be a decision or recommendation made *in respect of a person* that affects them personally. Your request does not meet the criteria of section 23.

This reply addresses the information you requested. 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'.

Hon Grant Robertson
Minister of Finance