

Ref: 222579

23 March 2023

Requestor
via fyi.org.nz

Tēnā koe,

Response to your request for Official Information

On 8 March 2023 you requested the following information from the Human Rights Commission (“the Commission”) under the Official Information Act 1982 (“OIA”):

Section 2 of the Human Rights Act 1993 provides no statutory definition for the word "human", nor can one be found in any NZ law dictionary or legal paper, thus, it's not publicly available in a manner appropriate to the explicit expectation of the public.

While it is already known that the administering agency for said Act is the Ministry of Justice, this request seeks to know whether or not a legal definition for the word "human" is HELD by HRC.

To further clarify, this request is not a request for a definition of the word "human", as that may constitute giving 'legal advice', on which you cannot give; rather this request is to know if HRC holds in its database a definition for "human".

In response to your request, we confirm that the information you have requested is not information that is held by the Commission, but would need to be created.¹ As you are aware, the interpretation provisions of the Human Rights Act 1993, under which the Commission operates, do not include a definition of “human”.² Under section 18(e) of the OIA, we are therefore declining your request because the requested document does not exist.

As the National Human Rights Institution, the Commission works to promote respect for, and understanding and appreciation of human rights in Aotearoa New Zealand society in accordance with domestic law and the international human rights framework.³

Alternative avenues

If you are not satisfied with this response, under the Official Information Act you are entitled to complain to the Ombudsman’s Office. Information about how to make a complaint is available at www.ombudsman.parliament.nz or on freephone 0800 802

¹ See Office of the Ombudsman ‘[Information not held](#)’ (August 2019), at p.3.

² Human Rights Act 1993, s2.

³ See further information at https://www.ohchr.org/en/ohchr_homepage.

602.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Philippa', with a long horizontal flourish extending to the right.

Philippa Moran

Legal Advisor | Kaitohu Ture

New Zealand Human Rights Commission | Te Kāhui Tika Tangata