

22 September 2023

Wayne Bosley

Email: c/-fyi-request-23957-4b9241c7@requests.fyi.org.nz

Dear Mr Bosley,

OFFICIAL INFORMATION ACT 1982 (OIA) – REQUEST FOR INFORMATION - CHRISTCHURCH INTERNATIONAL AIRPORT LIMITED (CIAL)

1. We write further to our email of 28 August 2023, acknowledging receipt of your email of 25 August 2023 (via the third party public platform fyi.org.nz) in which you requested the following information pursuant to the OIA:

“Could you confirm for me the standing search terms/alerts CIAL has in place to track announcements, research and news about climate change.” (the “Request”)

2. CIAL will provide you with the requested information where it is able. However, you will note within this letter that it is occasionally unable to release requested information if it would prejudice or disadvantage CIAL's commercial activities. Before we answer your specific query, it may be helpful to provide some context to this.
3. The OIA permits an organisation to refuse to release requested information it holds if the withholding of such information is necessary to enable the organisation to carry out its commercial activities or negotiations without prejudice or disadvantage (s 9(2)(i) and s9(2)(j) OIA) provided that such withholding is not outweighed in the circumstances by the public interest in making the specific information available. For example, while it may be in the public interest to understand that CIAL is investigating the feasibility of establishing an airport in Central Otago that does not mean CIAL must share every detail of its plans, analysis, work or negotiations within specific work streams.
4. As you may be aware, CIAL is a council-controlled trading organisation that has been specifically established to operate and manage its business as an independent commercial undertaking for the purposes of making a profit, and to follow generally accepted commercial practices and disciplines. CIAL is not a public body collecting and spending public funds. It operates as a wholly commercial, standalone entity. Due to the size and scale of those activities it is one of only three major airports in New Zealand regulated under Part 4 of the Commerce Act 1986.
5. As an airport, CIAL has a further overriding obligation under the Airport Authorities Act 1966, and reinforced by the Civil Aviation Act 2023, to act as a commercial undertaking. It does so in a commercially competitive environment both domestically and internationally, where its competitors are not under corresponding disclosure requirements.

6. The responsibilities of the CIAL communications team include researching, tracking and responding to media coverage of CIAL, the sectors it operates in, and other areas of interest to CIAL. CIAL engages the services of a third-party media monitoring agency to provide it with copies of such publicly available media articles. That agency does so electronically through the use of search terms applied across media databases. In respect of those search terms please refer to the response to a previous request made to CIAL under the Official Information Act which is publicly available on the FYI.org website at the following link <https://fyi.org.nz/request/23703-search-queries-relating-to-central-otago-airport-project#incoming-90374>.
7. You will note that climate change is not a specific search term within this list. The search terms in place provide CIAL with information relevant to its operations in addition to the expertise and knowledge our teams build through their work.
8. We trust we have answered your requests for information. If you require any further information or we have in some way misinterpreted your requests, please let us know.
9. You have the right to seek an investigation and review by the Ombudsman of the decisions contained in this letter. Information about how to contact the Ombudsman or make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely

CIAL LEGAL TEAM

Email: legal@cial.co.nz