

12 July 2024

Anon

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Kia ora

Your Official Information Act request, reference: GOV-033037

Thank you for your emails of 13 June 2024, asking for the following information under the Official Information Act 1982 (the Act):

- 1) Rules listed in GOV-032587 that begin with the letter A.
- 2) Rules related to decisions.
- 3) Rules related to care indicators. When these came into effect and archived rules and dated over the last 20 years.

On 13 June 2024 you sent three emails asking for copies of particular business rules, which are listed within our response dated 11 June 2024 (GOV-032587). In total, the number of rules you have requested comes to 123 individual business rules.

I refer to ACC's letter to you of 5 July 2024 explaining in detail why ACC asked you on 24 June 2024 for information about yourself and the reasons for this official information request.

You had declined to provide the further information ACC requested because you did not consider ACC was entitled to ask for it. Since 5 July you have still not provided the information sought.

Today is the last of the 20 working days in which ACC may respond to your official information request without a time extension. For the reasons set out below, ACC is declining your request.

ACC's reasons now to decline your request are that:

- ACC has recently received a large number of apparently closely related official information requests that also appear to be made by or on behalf of the same person. There have been at least 40 requests over the past two months.
- These information requests require considerable expense and effort for ACC to respond to. ACC estimates that it is currently allocating more than the equivalent of one full time employee to respond to each of these requests separately, despite the fact that they seem closely related. It would likely require even more expense and effort to produce all of the information sought in each of these requests.
- Unfortunately, the three emails that make up the request that this email is about, seem to be one of these 40 related requests. Because you have not provided ACC with information asked for to confirm whether your request is one of many related requests, ACC has decided that your request is probably one of these many related requests.
- The way that you, or people acting for you, appear to have asked for a wide range of information in many separate requests rather than include all questions in one request, interferes with ACC's ability to determine whether and how it might be able to apply various provisions of the Official

information Act to deal with your request. Those provisions relate to whether the requests taken as a whole require substantial collation or research so as to:

- allow ACC to decline some or all of the requests under s18(f) of the Act;
 - consider combining your request with any other requests made by you under s18A(2) of the Act;
 - fully to consider fixing a charge for providing the documents concerned under s15 and s18A(1) of the Act.
- Because your request appears to be part of a wider course of conduct making numerous official information requests in a way that prevents ACC from applying the parts of the Official Information Act that protect agencies from being put to unreasonable effort and expense in responding to official information requests, ACC considers that your request is frivolous or vexatious in terms of s18(h) of the Act.
 - Also, the specific parts of your request for all rules that begin with the letter A, and for archived rules for the last 20 years, are so wide and indiscriminate as to appear on their face to be frivolous and vexatious and are also declined for that reason under s18(h) of the Act. These parts of your requests taken by themselves would require substantial collation or research for ACC to comply with and are declined under s18(f) of the Act. ACC did not consider it was appropriate to levy a charge for providing the information sought in these parts of your request, given all of the circumstances set out in this message.
 - Your entire request is therefore refused.

If ACC is wrong and your request is not one among many related requests then please let me know urgently, or if you prefer, take the issue to the Ombudsman in the way set out at the end of this message.

Finally, ACC did consider whether to extend the time for ACC to respond to your request, but the seven days that have passed since ACC's email to you of 5 July 2024 seemed sufficient for you to have considered ACC's detailed responses on why it is allowed to ask you for personal and other information about your request.

ACC sought the same information from each of the requestors in as many of the related requests as it has been able to identify, and has not received that information from any of them.

If you are not happy with this response

You can contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi



Christopher Johnston
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Government Engagement