

15 February 2016

Alex Harris

Via email: fyi-request-3554-e22c0d91@requests.fyi.org.nz

Dear Mr Harris

On 15 January you made a request to the Reserve Bank under section 12 of the Official Information Act (the OIA), and in relation to the Bank's policy on charging for information provided in response to OIA requests. Your request is seeking:

- *All advice on the creation of this new policy;*
- *A copy of the old policy, or if it was never formally documented, a summary of the ways in which the new policy differs from the old; and*
- *I am not seeking copies of emails unless they constitute the primary advice on the new policy.*

Direct response to your request

In response to your request, the Reserve Bank is releasing to you documents that include the advice on creation of the policy. These documents are attached to this emailed response and are as follows:

- Policy on charging for responses to OIA requests
- Charging for OIA requests - discussion note for Senior Management Group
- Charging for OIA requests - approval memo to Senior Management Group
- Emailed advice from the Ombudsman's office (includes attachments below)
 - Attachment : Charging for OIA requests - SK comments
 - Attachment : Charging for OIA requests - approval memo to SMG - SK comments

Information has been withheld from the discussion note for Senior Management Group and from the approval memo to Senior Management Group, under the provisions of OIA section 9(2)(a), in order to protect the privacy of an individual named or otherwise identifiable in the documents.

The Reserve Bank cannot provide you with a copy of the previous policy because until December 2015 the Reserve Bank didn't have any documented policy on who should be charged or who should be exempted from charges. If such decisions were made, they were done on an ad-hoc basis. Informal practice was that we would consider charging academic

researchers, industry bodies or lobby groups, and not charge news media. Prior to having a documented policy, the Reserve Bank sought charges twice in the past decade.

The Reserve Bank has a rolling programme to continuously review all of its practices, processes and policies. These reviews have included progressively updating our OIA requests policy over the past two years, and most recently to addressing the lack of any documented policy on charging for responses to OIA requests.

Further relevant information

The Reserve Bank receives dozens of written requests for information every week and several phoned verbal requests too. Under the terms of the law all of these are Official Information requests. The verbal requests are generally minor and receive immediate response at no charge. Most written requests that we receive are also relatively minor and receive a response within 24 hours or less, at no charge. In some instances, the requesters specifically mention that they're seeking information under the terms of the OIA and these requests are always recorded as OIA requests and put through our formal OIA response process.

Since the charging policy was introduced in December 2015, the Reserve Bank has:

- received 128 written information requests that were not put through our formal OIA response process but that nevertheless required a written response from the Reserve Bank,
- worked on responses for 13 OIA requests through our formal OIA response process,
- informed requesters of charges for two responses to OIA requests, and
- received no payment for information provided in response to requests.

The volume of requests that have sent to the Reserve Bank and put through our formal OIA response process has increased significantly and needs to be managed within our limited resources. The numbers below are for requests that have been put through the Bank's formal OIA response process and include requests transferred from other departments, requests where a response is drafted on behalf of a Minister, and requests that other departments consulted the Reserve Bank about.

18 requests in calendar 2010

21 requests in calendar 2011 – up 17% from previous year

30 requests in calendar 2012 – up 42% from previous year

45 requests in calendar 2013 – up 50% from previous year

47 requests in calendar 2014 – up 4% from previous year

70 requests in calendar 2015 – up 49% from previous year

It is worth noting that section 18A(1)(a) of the Act **requires** any agency that is deciding whether or not to refuse a request on the grounds that a response involves substantial collation or research, must consider whether it could grant the request by charging.

When developing the charging policy, we liaised with the Office of the Ombudsman and also looked at a sample of 12 other agencies to see what approach they take. The policy applies to all OIA requests, and requires the Bank to work with the requester to refine their request to a scale that is less likely to incur costs. We expect many requests will not incur charges and experience to date has borne that out.

Charges are based on the volume of work required to provide information in response to a request, not on who makes a request. The policy applies regardless of the type of person making the request – so it applies to individuals, bloggers, news media, trade and industry bodies, companies etc. You can find information about the Reserve Bank's OIA requests policy here www.rbnz.govt.nz/research_and_publications/official_information/#_for_providing.

The Reserve Bank understands that this response will be published on the www.FYI.org.nz website and intends to also publish this response on its own website. www.rbnz.govt.nz/research_and_publications/official_information/

You have the right to seek a review of the Bank's decisions in relation to your request, under section 28 of the Official Information Act.

Yours sincerely



Angus Barclay
External Communications Advisor