

Paul Kelly
Fyi-request-4298-f07cf07@requests.fyi.org.nz

Dear Mr Kelly

Official Information Request

I refer to your request dated 26 July 2016, pursuant to the Official Information Act 1982, seeking

"...all the emails and any other communications between Duncan Fernner members of the sar council, police officers and any other persons that mention me Paul Kelly or nick name PK or the [www.landsar](http://www.landsar.com) forum."

In preparing a response to your request, the Ministry of Transport has considered guidelines provided by the Office of the Ombudsman for refusing a request on administrative grounds. A copy of these guidelines can be viewed at www.ombudsman.parliament.nz/resources-and-publications/guides/official-information-legislation-guides.

A request can be refused on the grounds that it is frivolous or vexatious, if it is believed that a requester is patently abusing the rights granted by the legislation for access to information, rather than exercising those rights in good faith. The guidelines indicate that a request can be refused if the intention of that request is of a time wasting nature.

In the context of the number and nature of your previous requests, and the content of your posts on the LandSAR forum, the Ministry of Transport believes this OIA request is not made in good faith and that it is intended to waste NZSAR Secretariat and Ministry of Transport time, effort and resources.

Your request has therefore been refused under Section 18(h) of the Act as the request is considered vexatious.

Under section 28(3) of the Act, you have the right to make a complaint about the refusal of information to the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-152
WELLINGTON

Yours sincerely



Nick Brown
General Manager - Aviation & Maritime
for CHIEF EXECUTIVE

 www.transport.govt.nz

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