



New Zealand Fire Service

**National Headquarters
Level 9, AXA Centre
80 The Terrace
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Wellington
New Zealand**

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20 August 2012

**Alex Harris
By email: fyi.org.nz**

Dear Alex

OFFICIAL INFORMATION REQUEST – LAW COMMISSION’S REVIEW OF THE OFFICIAL INFORMATION ACT

I refer to your information request dated 30 July 2012.

I attach copies of the following information which is covered by your request:

- **Email: Review of the Official Information Act, dated 24 December 2010**
- **Email: NZFS comments to Law Commission on OIA, dated 24 December 2010**
- **Email: Draft comments to Law Commission on OIA, dated 23 December 2010**
- **Email: The Public’s Right to Know, dated 19 November 2010**
- **Email: FW: Official Information Act – Law Commission Issues Paper ‘The Public’s Right to Know’, dated 15 November 2010**

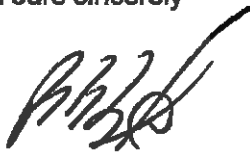
Certain information is withheld in reliance on section 9(2)(a) of the Official Information Act 1982, which relates to the privacy of natural persons.

If you wish to discuss any aspect of your request or this response, or if you need any further help, please contact Joy Campbell, Legal Counsel (joy.campbell@fire.org.nz).

You have the right to contest the decision to withhold information by seeking an investigation and review of that decision by the Ombudsman, whose address for contact purposes is:

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Baxter', written in a cursive style.

Paul Baxter
Chief Executive & National Commander

[REDACTED]

From: Official Information Act [OfficialInformationAct@lawcom.govt.nz]
Sent: Friday, 24 December 2010 10:31 a.m.
To: [REDACTED]
Subject: Review of the Official Information Act

Thank you for your email.

This is an automatic reply to acknowledge receipt of your email.

Law Commission
Level 19, HP Tower, 171 Featherston Street PO Box 2590, Wellington

Telephone 04 473 3453
Fax 04 471 0959
Website: <http://www.lawcom.govt.nz>

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This e-mail message has been scanned and cleared by MailMarshal

[REDACTED]

From: [REDACTED]
Sent: Friday, 24 December 2010 10:31 a.m.
To: 'officialinfo@lawcom.govt.nz'
Subject: Official Information Legislation Review
Attachments: NZFS comments to Law Commission on OIA 24dec2010.pdf

Hello

I attach the comments of the New Zealand Fire Service on issues discussed in the Law Commission's paper, 'The Public's Right to Know'.

Please let me know if you have any questions or comments

Thank you

Regards

[REDACTED]

[REDACTED]

**New Zealand Fire Service
National Headquarters
Level 9, AXA Centre
80 The Terrace
Wellington**

DDI: [REDACTED]
Mobile: [REDACTED]
Fax: 04 496 3700

[REDACTED]

Chapter 2

<p>Q 1 & 2</p>	<p>The New Zealand Fire Service ('NZFS') supports the proposals to clarify which agencies are covered by the OIA.</p> <p>The OIA currently states that the New Zealand Fire Service Commission ('Commission') is subject to the OIA.</p> <p>The Commission is the governing body of the NZFS and the National Rural Fire Authority.</p> <p>The Commission is not the same entity as the hundreds of volunteer fire brigades ('VFBs'). VFBs are usually incorporated societies, are not organs of the Commission but have an agreement for service with the Commission.</p> <p>Despite the wording of the Schedule of the OIA and the separation of VFBs from the Commission, the Office of the Ombudsman recently deemed VFBs to be employees of the Commission in order to apply the provisions of the Act to them.</p> <p>NZFS accepts that information held by VFBs about the delivery of fire prevention and response services is Commission information and subject to the OIA. However, this should not require any strained interpretation.</p> <p>A clarification of the entities that Parliament intended the OIA to apply to might avoid this type of exercise.</p>
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<p>Q 8 and para 3.25</p>	<p>NZFS agrees that the OIA should continue to be based on a case by case model.</p>
<p>Q 9</p>	<p>NZFS agrees that clarification and certainty could be gained through enhanced guidance.</p> <p>NZFS also strongly supports the suggestion that more guidance and training should be given to agencies.</p>
<p>Q 10</p>	<p>NZFS agrees that there should be a compilation and analysis of, and commentary on the case notes of the Ombudsmen.</p>
<p>Q 11</p>	<p>NZFS agrees that there should be greater access to, and reliance on the case notes as precedents.</p>
<p>Q 12</p>	<p>NZFS agrees that more information and guidance should be available, with greater use of case notes. Given the case by case nature of the application of the Act, this would be very helpful.</p>
<p>Q 13</p>	<p>NZFS agrees that there should be a dedicated and accessible website.</p>

Chapter 4

Q 14 & 15	NZFS supports the proposal to clarify the meaning of 'constitutional conventions' in section 9(2)(f) of the OIA.
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Chapter 5

Q 16	<p>NZFS does not agree that the commercial withholding ground should continue to be confined to situations where the purpose is to make a profit.</p> <p>NZFS often enters commercial arrangements with external entities. While NZFS does not carry out activities for profit, it must operate within the commercial market to get goods and services.</p> <p>The commercial withholding ground needs further examination, as traditional public sector / private sector boundaries are eroding all the time, and parties increasingly are working in partnership.</p>
Q 17	NZFS supports a statutory amendment to support a wider definition of the commercial withholding ground.
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Q 19	NZFS agrees that the OIA should continue to apply to information in which intellectual property is held by a third party.
Q 21	In NZFS' view, the public interest factors should be included in guidance, rather than in an amendment to the Act.
Q 22	<p>As noted above, NZFS experiences difficulties with the commercial withholding ground, as NZFS holds information in which it shares an interest with other parties who are 'for profit'.</p> <p>In NZFS view, there is a risk to public safety if NZFS cannot control the use and integrity of its information (for instance datasets of spatial /localities information).</p>

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Q 23	<p>NZFS supports the proposal to alter the privacy grounds for withholding information, to one enabling withholding such information if releasing it would "unreasonably" infringe on a person's privacy.</p> <p>NZFS operates in a robust employment relations environment. NZFS frequently receives requests which are declined on the basis that there are reasonable grounds to believe that the release of information may present a risk to the safety of an individual.</p> <p>NZFS would be reluctant to see any reduction in the grounds for declining requests on the basis of protecting the privacy of others.</p>
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Chapter 7

Q 28	NZFS supports amendment to the 'will soon be publically available' ground, as this will provide greater certainty to those dealing with requests for information.
Q 29 and Q30	<p>The NZFS strongly supports the proposal in the paper that new grounds for declining an information request be added that protect information supplied in the course of an investigation or inquiry.</p> <p>The NZFS requests regarding investigations in 2 contexts – firstly employment relations, and secondly fire investigations.</p> <p>In the context of the employment relations environment NZFS receives requests which risk intimidation of witnesses and/or inappropriate attempts to interfere with the legitimate process of an investigation.</p> <p>The NZFS is often able to decline these requests on the basis that the information is 'evaluative material'. Employment law may also dictate whether a requester is entitled to receive the information.</p> <p>Any steps that could protect those who, in good faith, provide information to investigations and inquiries would be most welcome.</p> <p>In addition, NZFS receives many requests for information about NZFS' fire investigations, both from Police and insurers. Clear guidelines and examples could help give greater certainty about the scope of what may be withheld where NZFS is holding information relevant to a Police investigation.</p>

Chapter 8

Q 31	NZFS agrees that the Act should not contain a codified list of public interest factors, but supports more guidance being provided on public interest factors.
Q 33	NZFS agrees that the public interest test should be contained in a separate provision. This will make application of the Act clearer for agencies responding to requests.
Q 34	NZFS does not agree to a new requirement for confirmation that the public interest tests have been considered and which ones have been relied on for withholding.

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Q 35	NZFS agrees that the phrase 'due particularity' should be redrafted for clarity.
Q 36	NZFS agrees that agencies should consult with requesters where there is a request for a large amount of information. This should assist both agencies and requesters.

Q 37	<p>NZFS agrees with the suggestion that where a request lacks due particularity, the 20 working day period should only run from the date on which the request has been satisfactorily refined.</p>
Q 38, & paras 9.23 & 9.24	<p>NZFS agrees with the proposal that time spent on review and assessment should be taken into account and that the Act should be amended to clarify this.</p> <p>NZFS supports the suggestion that regulations on charging would contain the items listed in paragraph 9.23.</p> <p>NZFS supports the suggestion that charging should apply, in appropriate circumstances, to research and assessment even where the information is eventually withheld. OIA requests can be a large burden on agencies' resources, even where information is withheld. This requirement may also discourage frivolous and vexatious requests for obscure information or large volumes of information.</p>
Q 39	<p>NZFS agrees that it may be useful to define 'substantial' by reference to the size and resources of an agency.</p> <p>However, while a number of agencies, like NZFS, are large in terms of employee numbers, resources for responding to requests for information are still relatively small. We would therefore suggest that the reference should be to the resources of the agency which are available for responding to requests, rather than having a focus on the 'size' of the agency.</p>
Q 41 & 42, & paras 9.23, 9.24 & 9.25	<p>NZFS agrees that the conduct of the requester should be able to be taken into account in assessing if a request is vexatious.</p> <p>NZFS has experienced incidents in the past, where certain parties sought to overwhelm the organisation's overall administrative and management capability by overloading it with OIA requests. In some instances the organisation received the same request, differing in minor ways, from hundreds of persons.</p> <p>NZFS recognises the place of the OIA to allow requesters to pursue issues in this environment. However, in NZFS' view the use of requests to overwhelm an agency's administrative resources is not within the intent of the Act.</p> <p>Therefore the NZFS supports the paper's recommendation to define vexatious and frivolous requests, and the paper's recommendations about declaring requesters vexatious.</p> <p>NZFS would however also support provision for agencies to be able to take into account the 'surrounding circumstances'. NZFS has had instances of numerous and large requests from a number of requesters at the same time, rather than from a single requester.</p> <p>NZFS would support a clarification to the definition of 'vexatious' that it contains an element of bad faith. This may be clearer for agencies and requesters.</p>
Q 43	<p>NZFS supports the proposal to introduce new grounds for refusal if information (or substantially the same information) has already been provided.</p>

Q 45 & para 9.42	NZFS supports the proposal that agencies should be able to ask requesters to provide reasons for their request where this might help refine overly broad requests.
Q 46	<p>NZFS agrees with the proposals, that the OIA should state that requests may be oral or written, and do not need to refer to the OIA. This would provide clarity for agencies and requesters.</p> <p>However, for a geographically spread agency like NZFS, which has a presence in almost every community the country, it is difficult to manage verbal requests at a local level. It is preferable that OIA requests are in writing, so they may be properly monitored and assessed.</p>
Q 47	NZFS agrees, more information for requesters should assist them with formulating requests.

Chapter 10

Q 48	NZFS agrees the 20 working day limit for decisions should remain.
Q 49	NZFS agrees, this clarification about releasing information as soon as practicable would assist agencies and requesters.
Q 50	<p>NZFS agrees that there should not be a statutory requirement that requests are acknowledged.</p> <p>OIA requests already present time challenges in agencies that do not have large resources available for OIA requests. The requirement for further correspondence would simply increase pressure on agencies.</p>
Q 51	<p>NZFS agrees that the complexity of material should be a ground for extending the time limit.</p> <p>Many requests NZFS receives are complex and may require the compilation of information from our various Regions. Often requests cannot be actioned within the standard timeframe.</p>
Q 52	<p>NZFS does not support extension by agreement.</p> <p>A requester may be unwilling to extend a timeframe, even where an agency will need the extension to action the request for various reasons.</p>
Q 53	<p>NZFS strongly supports the proposal that flexibility should be retained. OIA requests are of varying complexity.</p> <p>In addition agencies will have differing capabilities to deal with OIA requests. Agencies will generally resource for an average level of requests, rather than peak levels, which may arise in relation to a particular policy or incident. It is not reasonable to expect agencies to provide resources on short notice for unexpected spikes in numbers of requests.</p>
Q 54 & para 10.25	NZFS supports the proposal that the Ombudsmen continue to provide guidance on the handling of urgent request.

	<p>imposing additional requirements under the OIA may provide more grounds for vexatious complaints of non-compliance against agencies.</p> <p>NZFS supports the suggestion that requesters need to explain reasons why a request is urgent. NZFS receives many 'urgent' requests, which appear to NZFS to be routine requests.</p>
Q 56	<p>NZFS agrees that there should not be a mandatory requirement to consult with third parties.</p> <p>It is not always practical or possible to consult with third parties. In NZFS view, the existing protections for third party interests give sufficient protection.</p> <p>Since requests are on a case by case basis, it may however be helpful for the Ombudsmen to provide additional guidance on when it is appropriate to consult with third parties.</p>
Q 57	<p>NZFS agrees that there should be a requirement to give notice where significant third party interests are at stake.</p>
Q 58	<p>NZFS suggests a 10 working day notice period for third parties to respond to these notices, rather than 5 working days. The 5 working day period may not be adequate for third parties to assess the request.</p> <p>NZFS also suggests that significant where third party notice is required, this should be a ground for extension of the time agencies have to advise the requester of the decision on release.</p>
Q 59	<p>NZFS agrees that the Act should provide for partial transfers.</p>
Q 62	<p>NZFS does not agree that electronic provision of information should always be at the preference of the requester.</p> <p>In some instances it may be more appropriate that hard copies of documents are released, given the risk of alteration of electronic information.</p>
Q 64	<p>NZFS agrees that where appropriate (for instance large volumes of information are requested in hard copy) costs should be recoverable from the requester.</p>
Q 65 and paras 10.73 to 10.95	<p>NZFS strongly supports a clarification under the Act about the ability of agencies to place conditions on the release of information.</p> <p>In NZFS' view, the current provisions are not adequate, and the ability to place conditions on reuse must be made clear.</p> <p>Agencies need greater certainty around the safety of information released so they may have some protection against the misuse of that information.</p> <p>Given the difficulties suggested in the paper in framing the conditions that may be imposed and how conditions could be enforced, further guidance from the Ombudsmen should be considered.</p> <p>NZFS does not support the suggestion in the paper that there could be a ground for complaint where a requester believes that information should have been proactively disclosed.</p> <p>NZFS supports the provision of a discretion for agencies to charge for the</p>

	decision making process, including consultation and deliberation. This process can be difficult and time consuming.
Q 66	NZFS supports the promulgation of regulations to set out a clear framework for charging. NZFS agrees with the Law Commission's view in the issues paper that agencies err on the side of not charging for requests for information, often due to uncertainty about appropriate charging practice.

Chapter 11

Q 69	NZFS agrees that the Act should set out the full process for complaints.
Q 72	NZFS does not agree that there should be a further ground of complaint if notice is not given to third parties.
Q 75	NZFS strongly disagrees with the proposal that the Ombudsmen be given the final power of decision.
Q 76	NZFS strongly disagrees with the proposal that the veto be removed.
Q 81	NZFS agrees that the complaints processes should be aligned.
Q 82	NZFS agrees that the Ombudsman should have a power to publicly draw attention to the conduct of the agency, rather than imposing a financial or penal sanction.

Chapter 12

Q 86	NZFS does not support the proposal that agencies be required to proactively release official information. Agencies produce large volumes of 'official information'. A requirement for proactive disclosure could be impractical for agencies and impose additional and unwarranted costs on the agency. Agencies should have discretion to proactively disclose information as they see fit. Good practise will mean that agencies will proactively disclose information where they receive large numbers of requests for that information or type of information.
Q 89	NZFS does not support a requirement for explicit publication schemes.
Q 90	In NZFS' view, disclosure logs should not be mandatory.
Q 91	In NZFS' view, proactive disclosures should have the same protection as releases of information requested.

Chapter 13

Q 92	NZFS strongly supports the inclusion of a function of providing advice and guidance to agencies and requesters.
Q 93	NZFS strongly supports the proposal that the Act should include a function of promoting awareness and understanding, and providing education and training.
Q 95	NZFS does not agree that agencies should be required to submit statistics.
Q 96	NZFS agrees that an audit function does not need to be included in the OIA. Many agencies have their own internal audit and legislative compliance programmes, and will be subject to audit by Audit New Zealand.
Q 98	NZFS agrees that the Ombudsmen should continue to receive and investigate complaints.
Q 99	NZFS agrees that the Ombudsmen should be responsible for providing guidance and advice. Given the years of carrying out OIA functions, the Ombudsmen would be best placed to carry out this function.
Q 100	In NZFS' view, the Ombudsmen should be responsible for the promotion etc of official information and training.
Q 103	NZFS agrees with the paper's recommendation about possible oversight of the OIA by the Department of Internal Affairs (particularly given the Department's oversight of the Public Records Act 2005 and Archives NZ).

Chapter 15

Q 106	NZFS agrees that the OIA should be redrafted. This could assist in making the OIA more readable and more readily understood by agencies and requesters.
Q 108	NZFS does not support the paper's proposal to enable complaints to be made to the Ombudsmen about alleged non-compliance with the Public Records Act 2005.

[REDACTED]
From:

Sent:

To:

Subject:

Attachments:

[REDACTED]
Thursday, 23 December 2010 5:50 p.m.

[REDACTED]
Draft comments to Law Commission on OIA (table)
Draft comments to Law Commission on OIA (table).docx

H [REDACTED]

Suggest changes tracked in red. Remind about the closing date. I may wish to consult the Minister's office abt a couple of points.

Cheers
[REDACTED]

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	<p>Imposing additional requirements under the OIA may provide more grounds for vexatious complaints of non-compliance against agencies.</p> <p>NZFS supports the suggestion that requesters need to explain reasons why a request is urgent. NZFS receives many 'urgent' requests, which appear to NZFS to be routine requests.</p>
Q 56	<p>NZFS agrees that there should not be a mandatory requirement to consult with third parties.</p> <p>It is not always practical or possible to consult with third parties. In NZFS view, the existing protections for third party interests give sufficient protection.</p> <p>Since requests are on a case by case basis, it may however be helpful for the Ombudsmen to provide additional guidance on when it is appropriate to consult with third parties.</p>
Q 57	<p>NZFS agrees that there should be a requirement to give notice where significant third party interests are at stake.</p>
Q 58	<p>NZFS suggests a 10 working day notice period for third parties to respond to these notices, rather than 5 working days. The 5 working day period may not be adequate for third parties to assess the request.</p> <p>NZFS also suggests that significant where third party notice is required, this should be a ground for extension of the time agencies have to advise the requester of the decision on release.</p>
Q 59	<p>NZFS agrees that the Act should provide for partial transfers.</p>
Q 62	<p>NZFS does not agree that electronic provision of information should always be at the preference of the requester.</p> <p>In some instances it may be more appropriate that hard copies of documents are released, given the risk of alteration of electronic information.</p>
Q 64	<p>NZFS agrees that where appropriate (for instance large volumes of information are requested in hard copy) costs should be recoverable from the requester.</p>
Q 65 and paras 10.73 to 10.95	<p>NZFS strongly supports a clarification under the Act about the ability of agencies to place conditions on the release of information.</p> <p>In NZFS' view, the current provisions are not adequate, and the ability to place conditions on reuse must be made clear.</p> <p>Agencies need greater certainty around the safety of information released so they may have some protection against the misuse of that information.</p> <p>Given the difficulties suggested in the paper in framing the conditions that may be imposed and how conditions could be enforced, further guidance from the Ombudsmen should be considered.</p> <p>NZFS does not support the suggestion in the paper that there could be a ground for complaint where a requester believes that information should have been proactively disclosed.</p> <p>NZFS supports the provision of a discretion for agencies to charge for the</p>

	decision making process, including consultation and deliberation. This process can be difficult and time consuming.
Q 66	NZFS supports the promulgation of regulations to set out a clear framework for charging. NZFS agrees with the Law Commission's view in the Issues paper that agencies err on the side of not charging for requests for information, often due to uncertainty about appropriate charging practice.

Chapter 11

Q 69	NZFS agrees that the Act should set out the full process for complaints.
Q 72	NZFS does not agree that there should be a further ground of complaint if notice is not given to third parties.
Q 75	NZFS strongly disagrees with the proposal that the Ombudsmen be given the final power of decision.
Q 76	NZFS strongly disagrees with the proposal that the veto be removed.
Q 81	NZFS agrees that the complaints processes should be aligned.
Q 82	NZFS agrees that the Ombudsman should have a power to publicly draw attention to the conduct of the agency, rather than imposing a financial or penal sanction.

Chapter 12

Q 86	NZFS does not support the proposal that agencies be required to proactively release official information. Agencies produce large volumes of 'official information'. A requirement for proactive disclosure could be impractical for agencies and impose additional and unwarranted costs on the agency. Agencies should have discretion to proactively disclose information as they see fit. Good practise will mean that agencies will proactively disclose information where they receive large numbers of requests for that information or type of information.
Q 89	NZFS does not support a requirement for explicit publication schemes.
Q 90	NZFS does not agree that disclosure logs should <u>not</u> be mandatory.
Q 91	In NZFS' view, proactive disclosures should have the same protection as releases of information requested.

Chapter 13

Q 92	NZFS strongly supports the inclusion of a function of providing advice and guidance to agencies and requesters.
Q 93	NZFS strongly supports the proposal that the Act should include a function of promoting awareness and understanding, and providing education and training.
Q 95	NZFS does not agree that agencies should be required to submit statistics.
Q 96	NZFS agrees that an audit function does not need to be included in the OIA. Many agencies have their own internal audit and legislative compliance programmes, and will be subject to audit by Audit New Zealand.
Q 98	NZFS agrees that the Ombudsmen should continue to receive and investigate complaints.
Q 99	NZFS agrees that the Ombudsmen should be responsible for providing guidance and advice. Given the years of carrying out OIA functions, the Ombudsmen would be best placed to carry out this function.
Q 100	In NZFS' view, the Ombudsmen should be responsible for the promotion etc of <u>official information</u> OIA and training.
Q 103	NZFS agrees with the paper's recommendation about possible oversight of the OIA by the Department of Internal Affairs (in particular as the <u>particularly given the Department's</u> has an information management function, including oversight of the Public Records Act 2005 and Archives NZ).

Chapter 15

Q 106	NZFS agrees that the OIA should be redrafted. This could assist in making the OIA more readable and more readily understood by agencies and requesters.
Q 108	NZFS does not support the paper's proposal to enable complaints to be made to the Ombudsmen about alleged non-compliance with the Public Records Act 2005.

[REDACTED]

From: [REDACTED]
Sent: Friday, 19 November 2010 12:48 p.m.
To: [REDACTED]
Subject: the Public's Right to Know

Hi [REDACTED]

- Support it's timely review needs to be updated as technology and way information is disseminated certainly has changed, eg wikis, blogs even intranet wasn't around at the writing of this legislation.
- Support clear guidance through examples, and precedent, provided on website.
- Just a note on the charging – the better the organisation is about managing its information (including tools that could do a “vetting” process) the quicker the turn-around etc, regardless of the quantity/size / substantial amount of information requested. Perhaps not helpful in this context – however push for organisations to improve their information management.
- Have concerns about the “reuse” of information and agree with your comment [REDACTED] that there should be explicit provision. There needs to be some safety around how an organisation conducts its business without fear that it could be misused externally through an OIA request.
- Strongly support that the act should specifically require four functions (refer point 64) and that the oversight function requires a responsible agency. My view is the DIA because of its information management function (PRA is the responsibility of Archives NZ – now under DIA). Keeps all in one big happy family.
- Don't think we need an Information Commissioner Office – too board a title, and costly to establish, maintain etc.

And finally

- Absolutely agree that there would be grounds for complaint to the Ombudsmen or another body if agencies do not keep information in accordance with the PRA!

[REDACTED] this is the only time I want to spend on this.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Records = evidence + accountability + protection
Systems = tools + rules + habits

[REDACTED]

From: [REDACTED]
Sent: Monday, 15 November 2010 6:33 p.m.
To: [REDACTED]
Subject: FW: OFFICIAL INFORMATION ACT - LAW COMMISSION ISSUES PAPER ' THE PUBLIC'S RIGHT TO KNOW'

From: [REDACTED]
Sent: Monday, 15 November 2010 4:15 p.m.
To: Senior Management Team; Area Managers; [REDACTED]
Cc: [REDACTED]
Subject: OFFICIAL INFORMATION ACT - LAW COMMISSION ISSUES PAPER ' THE PUBLIC'S RIGHT TO KNOW'

Good Afternoon

The Law Commission has released an issues paper, "The Public's Right to Know", on the Official Information Act 1982 ("Act").

You can find the issues paper and a useful summary (including a list of all the questions raised) on the [Law Commission website](#).

The review recommends significant changes to the Act, and poses a large number of questions about the issues raised, including:

- Whether more clarity is needed about the **withholding grounds**, and whether this should be in regulations or guidance
- What the scope of the ground of withholding to protect commercial interests should be
- Whether changes to the **privacy withholding ground** are needed
- The scope of the **maintenance of law withholding ground**
- Whether guidance should be given or clarifications should be made to the **public interest test**
- Whether changes should be made to the **timeframes** for decisions on requests and the release of information, **consultation with third parties**, the way information is released, **control on uses of released information** by requesters, and **charging**
- Whether changes should be made to the **complaints process**, and what (if any) **remedies** there should be
- A **proactive approach to disclosure**
- **Oversight of the Act**, including investigation, guidance, and education

The Law Commission has called for submissions by 10 December 2010.

We will coordinate a response for the New Zealand Fire Service through National Headquarters. Please forward any comments that you have on the issues paper to me, [REDACTED] by 3 December 2010.

If you have any questions in the meantime can you please contact me.

[REDACTED]
Business Administrator

New Zealand Fire Service Commission
d/di: [REDACTED]
cell: [REDACTED]