

5 December 2016

Acclaim Otago

Email: fyi-request-4844-07836cd8@requests.fyi.org.nz

Dear Acclaim Otago

Official Information Act request

Thank you for your request of 26 October 2016, asking for the following information under the Official Information Act 1982 (the OIA):

ACC's 2016 Annual Report stated "ACC accepted 1,933,629 new claims".

How many of those 1,933,629 new claims were from overseas visitors to New Zealand.

We are not able to provide this information because the document alleged to contain it does not exist, or cannot be found. This decision complies with section 18(e) of the OIA.

ACC claims data collection

While ACC does not hold the statistics you seek, an explanation of the background to why we are unable to locate or create the information you requested may assist.

The accuracy of the data ACC collects about accidents, and the individuals injured in them, is largely reliant on the information providers enter when they complete an ACC45 Claim Form. In its current form the ACC45 is electronic. There are three places where information identifying the claimant as an overseas tourist could possibly be entered:

- The physical address, i.e. it is in another country.
- Occupation is listed as 'Overseas tourist'.
- The space where a claimant can provide a description of how their injury happened includes the words 'overseas tourist' or 'visitor', or similar.

In each of these instances there is scope for the information about whether the claimant is an overseas tourist to be omitted or misstated. For example:

- They may choose the item in the 'occupation' drop-down box which most accurately identifies their occupation in their home country, not that they are a visitor to New Zealand.

- There is a large degree of variability in the words used and quality of the descriptions provided in the space for describing how the injury happened. The words may not indicate that the claimant is an overseas tourist.

These factors make it difficult for ACC to search its data to find with any degree of accuracy all claims relating to overseas tourists.

Any data where we can identify that a client is a tourist or visitor is not definitive and therefore not a true representation of the related claim numbers and costs. ACC clients are not required to identify their nationality or their visa status in New Zealand and it's also likely that an unknown number of tourists and visitors record their local accommodation at the time of their accident in New Zealand. Therefore, information regarding overseas visitor claims and costs is not - and cannot be - robust.

The reason ACC does not require the sort of information you seek is that the ACC scheme operates on a no fault basis. Cover is available by virtue of a person simply having suffered a personal injury in New Zealand.

Cover for tourists

The purpose of the ACC scheme is to provide comprehensive, no fault injury cover for people who have a personal injury in New Zealand. In doing so the scheme significantly limits a person's ability to sue for damages in respect of any personal injury they suffer in New Zealand. The resulting absence of a high volume of personal injury litigation with its associated delays, uncertainty and costs, is considered a significant advantage when New Zealand's approach to managing personal injury claims is compared to that of other countries.

Comments and queries

If you have any questions about the information provided, ACC will be happy to work with you to answer these. You can contact us at GovernmentServices@acc.co.nz or in writing to *Government Services, PO Box 242, Wellington 6140*.

You have the right to complain to the Office of the Ombudsman about our decision to withhold some of the information. You can call them on 0800 802 602 between 9am and 5pm on weekdays, or write to *The Office of the Ombudsman, PO Box 10152, Wellington 6143*.

Yours sincerely

Government Services