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OIA-2018-3178.2

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D Maclure

fyi-request-8374-dc089563@requests.fyi.org.nz

I refer to your email of 18 December 2018, following on from your original request of 23 July 2018, made under the Official Information Act 1982 (OIA), for a list of incidents involving Scorpion tanks, from the early 1980s until their decommissioning.

You have asked for clarification of the statement in the NZDF's 20 August 2018 response to your 23 July request: *As per the Official Information Act, when declining a request that would involve substantial collation and research, an agency also needs to consider whether the collation and research could be carried out by either charging the requester for the time it would take, or by extending the timeframe for the response.*

On 20 August, the NZDF declined to meet your request under s.18(e) of the OIA.

Because you were asking for information from very many old and dispersed files, to attempt to respond to your request would involve substantial collation and research.

When declining a request under s.18(e), however, the NZDF is obliged by s.18A to consider whether charging you for the resources that a response would consume, or stretching the response period, might allow the NZDF to grant your request.

Section 18B of the Act also requires the NZDF to consider whether consulting you on your request would somehow enable you to make your request in a form that would remove the reason for declining to meet it.

The NZDF considered all three actions before notifying you that your request was being declined, because none of them would reduce the time or the difficulties associated with meeting your request.

Yours sincerely

Per
A.J. WOODS
Air Commodore
Chief of Staff HQNZDF

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