

11 February 2019

Alex Harris
fyi-request-9404-f831d964@requests.fyi.org.nz

REF: OIA-4591

Dear Alex

Request made under the Official Information Act 1982

Thank you for your email of 15 January 2019 requesting the following information under the Official Information Act 1982 (the Act):

'On 16 July 2018 you refused a request made over FYI by Tom Atkinson for onramp signals data under s9(2)(ba)(i) of the Act (your ref: OIA-3843. On FYI as <https://fyi.org.nz/request/7881-access-to-raw-data-concerning-motorway-onramp-signals>). Your justification was that the information was provided by an external supplier and that providing it to third parties violated the agreement with the supplier. I would like to request the following under the OIA:

- * the identity of the supplier;*
- * whether the supplier was hired by NZTA to collect the data;*
- * NZTA's agreement with them;*
- * any advice on that agreement, and specifically on its consistency with NZTA's obligation under the Official Information Act.'*

The supplier of the software used to obtain onramp traffic signal data is Roads and Maritime Services (RMS), a New South Wales government agency established on 1 November 2011. RMS provided a licence to use its software as per the terms and conditions set out in the *SCATS and SRMS Software User Licence Agreement*.

In accordance with your request, please find a copy of this agreement attached.

Certain information has been withheld under section 9(2)(a) of the Act. This section allows for the withholding of information to protect the privacy of natural persons including that of deceased natural persons.

With respect to the information that has been withheld, I do not consider there are any other factors which would render it desirable, in the public interest, to make the information available.

The SCATS agreement was signed by representatives of RMS and the Transport Agency on 22 March 2013. A search of our business repository system has not been able to locate any advice held from that time. Therefore, this part of your request has been declined under section 18(e) of the Act as the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse this part of your request. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

If you would like to discuss this reply with the Transport Agency, please contact Jackie Smith, Senior Customer Access Representative, by email to jackie.smith@nzta.govt.nz or by phone on 0800 822 422.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Neil Walker', with a long horizontal flourish extending to the right.

Neil Walker

Senior Manager Journey Management Centre