



3 May 2019

DOIA 1819-1410

A Robinson

[fyi-request-9931-8ea2ca92@requests.fyi.org.nz](mailto:fyi-request-9931-8ea2ca92@requests.fyi.org.nz)

Dear A Robinson

Thank you for your email of 26 March 2019 to the Ministry of Business, Innovation and Employment requesting, under the Official Information Act 1982 (the Act), the following information:

*Could I please have a copy of the current complaint file in regards to complaints and investigations in regards to LBP Mark Hanson BP130700. I acknowledge that personal details of witnesses, etc, may be redacted. This includes copies of any complaints that didn't meet your threshold for investigation, as well as any notes, memos, recordings and witness testimony recorded by investigators or submitted by complainants.*

As previously advised, the Ministry has interpreted your request in relation to BPB Complaint No. C2-01942, which is available online here: [www.lbp.govt.nz/assets/Uploads/PDF/hanson-2019-c2-01942-redacted-not-upheld-decision.pdf](http://www.lbp.govt.nz/assets/Uploads/PDF/hanson-2019-c2-01942-redacted-not-upheld-decision.pdf). A copy of the decision has been provided with this letter.

All decisions of the Building Practitioners Board (the Board) are publically available. They contain a summary of the matters the Board considered when making its decision and the rationale behind its decision.

The complaint file you have requested is withheld on the ground that the file relates to an investigation by the Board which is not subject to the Act. Official information is any information held by a department, a Minister of the Crown or an organisation. Section 2(6)(b) of the Act excludes information held by a tribunal in relation to its judicial functions. We consider the complaint file held by the Board is information related to the Board performing its judicial functions as a Tribunal. Therefore the Act does not apply to this information.

Please note that any additional information relating to Mark Hanson is also withheld under section 9(2)(a) of the Act, to protect the privacy of natural persons. I do not consider that the withholding of this information is outweighed by public interest considerations in making the information available.

All complaints made to the Board are investigated by the Registrar of Building Practitioners and referred to the Board for decision. We have one further complaint in relation to Mark Hanson, made by yourself (CB25152), which is currently under investigation.

You have the right to seek an investigation and review by the Ombudsman of my response to your request. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Duncan', with a stylized flourish at the end.

Duncan Connor  
Operations Manager  
Market Services