



Official Information Amendment Act 2003

Public Act 2003 No 90
Date of assent 21 October 2003
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Official Information Amendment Act 2003.
- (2) In this Act, the Official Information Act 1982 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 New sections 18A and 18B inserted

The principal Act is amended by inserting, after section 18, the following sections:

“18A Requests involving substantial collation or research

- (1) In deciding whether to refuse a request under section 18(f), the Department, Minister of the Crown, or organisation must consider whether doing either or both of the following would enable the request to be granted:

“(a) fixing a charge under section 15:

“(b) extending the time limit under section 15A.

“(2) For the purposes of refusing a request under section 18(f), the Department, Minister of the Crown, or organisation may treat as a single request 2 or more requests from the same person—

“(a) that are about the same subject matter or about similar subject matters; and

“(b) that are received simultaneously or in short succession.

“18B Duty to consider consulting person if request likely to be refused under section 18(e) or (f)

If a request is likely to be refused under section 18(e) or (f), the Department, Minister of the Crown, or organisation must, before that request is refused, consider whether consulting with the person who made the request would assist that person to make the request in a form that would remove the reason for the refusal.”

4 Publication setting out functions of Departments and organisations

Section 20 of the principal Act is amended by inserting, after subsection (2), the following subsection:

“(2A) In complying with subsection (2), the Ministry of Justice may publish a new edition or supplementary material on an Internet website and in an electronic form that is publicly accessible (at all reasonable times), so long as the Ministry also publishes that edition or material in any other manner and form that is necessary in the light of the need specified in subsection (4).”

5 Functions of Ombudsmen

Section 28 of the principal Act is amended by repealing subsection (3), and substituting the following subsections:

“(3) An investigation and review under subsection (1) or subsection (2) may be made by an Ombudsman only on complaint being made to an Ombudsman in writing or orally.

“(3A) A complaint made orally must be put in writing as soon as practicable.”

6 First Schedule amended

- (1) The First Schedule of the principal Act is amended by omitting the item “Airport Companies (as defined in section 2 of the Airport Authorities Act 1966)”, and substituting the item “Airport Companies (as defined in section 2 of the Airport Authorities Act 1966) in which more than 50% of the ordinary shares are owned by, or by any combination of, the Crown, any local authority (as defined in section 2 of that Act), or any council-controlled organisation (as defined in section 6 of the Local Government Act 2002)”.
- (2) The First Schedule of the principal Act is amended by omitting the item “Fruit Distributors Limited”.

Legislative history

16 October 2003	Divided from Statutes Amendment Bill (No 3), third reading
21 October 2003	Royal assent

This Act is administered in the Ministry of Justice.
