

Request for breakdown of invoice

Legislation	Official Information Act 1982, s 18(h)
Agency	District Council
Ombudsman	David McGee
Case number(s)	310652
Date	November 2011

Council concerned that request was part of a strategy to delay or avoid payment—no basis to believe request was made in bad faith—request not frivolous or vexatious—information should be released

The background to this case was as follows:

- 16 September 2010: A council issued an invoice dated 9 September 2010 for the processing of a resource consent.
- 27 September 2010: The requester rang the council seeking a breakdown of the invoice.
- 30 November 2010: The requester wrote to the council seeking a breakdown of the invoice.
- 20 December 2010: The council provided what it described as an itemised list of the charges, but which only gave a partial breakdown of one of the items on the invoice.
- 4 March 2011: The council demanded payment of the overdue amount.
- 12 March 2011: The requester reiterated its request for a full breakdown.
- 8 April 2011: The council replied to the requester, referring to the ‘detailed breakdown’ already provided, and noting the level of detail provided was on a par with what other councils would provide.

The requester complained to the Ombudsman about the council's refusal to supply the requested information, or to specify the reason for refusal in terms of LGOIMA. The Ombudsman notified the council of the complaint and sought a copy of the information at issue. The council provided two internal documents setting out the calculation of the invoice. It explained that it was refusing the request as vexatious, as it appeared to be part of a strategy by the requester to delay or avoid payment. The council pointed to the delay between the date of issue of the invoice (9 September 2010) and the date of the request (30 November 2010)—some 56 working days. It also pointed to the delay between the date of the council's first response (20 December 2010) and the date of the requester's follow-up request (15 March 2011)—62 working days.

The Ombudsman did not consider that the council had a basis to refuse the request under section 18(h), or any other ground under the LGOIMA. There was no basis to believe the request was made in bad faith, or that the requester was abusing their rights under the LGOIMA. The council agreed to release the internal documents setting out the calculation of the invoice, and the complaint was resolved.

This case note is published under the authority of the [Ombudsmen Rules 1989](#). It sets out an Ombudsman's view on the facts of a particular case. It should not be taken as establishing any legal precedent that would bind an Ombudsman in future.