

Requesting official information

A BRIEF GUIDE FOR MEDIA

 **Ombudsman**

Tuia kia ōrite • Fairness for all

 **Media Freedom Committee**

You can request official information held by central or local government organisations,¹ under the Official Information Act 1982 (OIA) and Local Government Official Information and Meetings Act 1987 (LGOIMA) respectively.

‘Official Information’ includes documents and papers but also information in any format, including drafts, videos, recordings, and photos. It can also include official information held in an official’s memory or in their personal device or email account as long as it was sent, received, created or used in an official capacity.

An OIA or LGOIMA request does not need specific wording or to be in a particular format.

A request can be made with a simple phone call. As soon as you make the request for information held by the agency, by definition it’s a request for official information.

The *Principle of Availability* means an agency or council must make information available on request, unless there is good reason to withhold it.

When making an official information request, you’re required to specify the information you want with *due particularity*.

This means the agency must be able to identify what you seek.

Try and be clear and succinct on what you want and why you want it. It may help speed things up.

¹ The relevant agencies are listed in the schedules of the Ombudsmen Act, OIA and LGOIMA.

Agencies and councils are obliged to:

1. Assist you to make a request for information.

If the agency cannot identify what information is being requested, it is obliged to assist you to reformulate your request in such a way that the agency can identify it.

If the request is too broad, the agency may engage with you to help you to narrow or clarify your request. In certain circumstances this allows the agency to reset the maximum statutory timeframe for responding to your request.

2. Make and communicate a decision on a request ‘as soon as reasonably practicable’ and no later than 20 working days.

This could be as soon as ‘immediately’ if the information is easy to retrieve and review.

An agency or council typically should NOT treat a straightforward, easy-to-answer media information query as ‘a formal OIA’ which needs to go through a particular process.

3. To release information it has decided to release to you without ‘undue delay’.

4. Where it decides to withhold information, it must tell you:

- The reasons for its decision.
- About your right to complain to the Ombudsman.
- You can also ask for the grounds it used to make a decision under the OIA and LGOIMA.

5. Decide whether to transfer the request to another agency within 10 working days.

Complaints

You can complain to the Ombudsman if you don’t receive a response as soon as reasonably practicable (no later than 20 working days), or if you’re unhappy with the response. As soon as your information request is refused (even if that’s by the media team and not through a ‘formal OIA’ process), you can complain.

The Ombudsman can look at refusals, including deletions; delays and extensions; charges for providing information; the way information was provided; conditions or restrictions.

An online complaint form is available on the Ombudsman’s [website](#) or you can email info@ombudsman.parliament.nz