

Charge for supply of information about Maori interests in the management of petroleum

Legislation	Official Information Act 1982, s 15(1A)
Agency	Ministry of Economic Development
Ombudsman	John Belgrave
Case number(s)	173607
Date	May 2007

Charge avoided by allowing inspection subject to conditions

The lawyers for an iwi sought documents relating to Maori interests under section 4 of the Crown Minerals Act 1991 in the Crown's management of petroleum. The Ministry of Economic Development advised that it would require considerable labour and materials to review the 18 files at issue and imposed a charge of \$380. The lawyers complained to the Ombudsman.

During the Ombudsman's investigation the Ministry agreed to make the files available to the lawyers by way of inspection, so they could identify the specific information they wished to obtain copies of. The opportunity for inspection was made subject to the following conditions:

- That no material was removed from any file.
- That—to the greatest extent possible—the lawyers focused on documents that were relevant to the request.
- That information obtained as a result of the inspection was not used for any purpose.
- That information obtained as a result of the inspection was not communicated to any other person, or published in any way.

Once the lawyers had identified the specific information they wished to obtain copies of, the Ministry would then make a separate decision as to whether that information was able to be disclosed without conditions. This removed the Ministry's need to charge for staff time spent researching the files. The Ministry retained the right to charge for photocopying, including staff

time spent photocopying, depending on the volume of material the lawyers subsequently requested. The Ombudsman discontinued his investigation on the basis that this resolved the complaint.

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