

Request for electronic copy of proposed electorate boundaries

Legislation	Official Information Act 1982, s 18(d)
Agency	Ministry of Justice
Ombudsman	John Belgrave
Case number(s)	175682
Date	October 2007

Information was not publicly available in the form requested—s 18(d) did not apply

The Ministry of Justice refused to provide an electronic copy of proposed electorate boundaries. It relied, in part, on section 18(d) because the information was available in hard copy.

The Chief Ombudsman formed the opinion that the fact that the information was available in hard copy did not mean that the request for an **electronic** copy could be refused on the basis that it was already publicly available.

The requester was entitled to seek information in a particular form. To claim that the information was available in a different form and for that reason could be refused under section 18(d) was to ignore section 16(2) of the OIA (which generally requires agencies to make information available in the way preferred by the requester).

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