



FAQs for agencies: official information requests during a general election

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The ‘general election period’

What does the ‘general election period’ mean?

For the purposes of this document, the ‘*general election period*’ refers to the period from the start of the ‘*pre-election*’ period on 7 August 2026, to the last date the House of Representatives can meet following the establishment of a new Government. The 2026 General Election will be held on Saturday 7 November 2026.

What is the timeline for the 2026 ‘general election period’?

The indicative timeline for the 2026 General Election is in the table below.

Date	General election event
21 January 2026	Prime Minister announced that the 2026 General Election will be held on Saturday 7 November 2026
7 August 2026	Regulated period for election advertising expenses begins (pre-election period)
1 October 2026	The 54th Parliament (House of Representatives) is dissolved
4 October 2026	- Writ day – Governor-General issues formal direction to the Electoral Commission to hold the election - Last day to ordinarily enrol to vote (late enrolments must cast special votes) - Official campaigning begins; radio and television advertising begins
21 October 2026	Overseas voting begins
25 October 2026	Last day to enrol to vote in the election
26 October 2026	Advance voting begins
6 November 2026	The regulated election advertising period ends; all election advertising must be taken down by 11:59pm
7 November 2026	- Election Day: voting places open from 9.00am to 7.00pm - Preliminary election results released progressively after 7:00pm
27 November 2026	Official election results declared
3 December 2026	Last day for return of the writ
Within 6 weeks after return of the writ	First sitting of 55 th Parliament (new House of Representatives)

Following announcement of the results, a caretaker Government will be put in place until the new Government is sworn in. Prior to this, politicians will decide on the formation of the new Government and announce the Ministerial List.

Tools and strategies for managing requests

What are some of the tools and strategies for managing official information requests during the general election period?

Some of the tools and strategies for managing official information requests at this time include:

- **Communicate with the public** about how your agency is handling official information requests at this time. A good place to do this is on your agency's website.
- Consider **proactively publishing** information that is likely to be in demand over the general election period. Proactively publish official information request responses that are likely to be in the wider public interest.
- Ensure **proper triage and scoping** of requests as soon as possible after they are received. This will set you up for timely, clear and effective communication and consultation with requesters.
- As part of the triage process, identify those requests that warrant **urgent or priority** treatment, such as requests for information about topical issues.
- Ensure that **records** created or received by agencies and ministers in the conduct of their affairs are handled in accordance with the **Public Records Act 2005**¹ and, where relevant, the **Cabinet Manual 2023**.²
- **Communicate promptly and clearly with individual requesters** about any difficulties you are experiencing in processing their request, and the implications for your response time.
- Effective **consultation with requesters** will enable you to gain a proper understanding of what they are seeking and how it can be provided without an unnecessary or unreasonable amount of work.
- Seek early **amendment or clarification** of broad or unclear requests. If you do this within the first seven working days, this will mean any amended or clarified request can be treated as a new request, for the purpose of calculating the maximum statutory time limit for a response.³

¹ The [Public Records Act 2005](#) establishes the regulatory framework for information and records management throughout the public sector. 'Public records' are documents or other records compiled, recorded, or stored in any form that are created or received by public offices, including Ministers, in the conduct of their affairs.

² The [Cabinet Manual 2023](#) contains guidance on the handling of Ministerial records (see paras 2.86-2.87, 6.65-6.6, and 8.104-8.124 in particular).

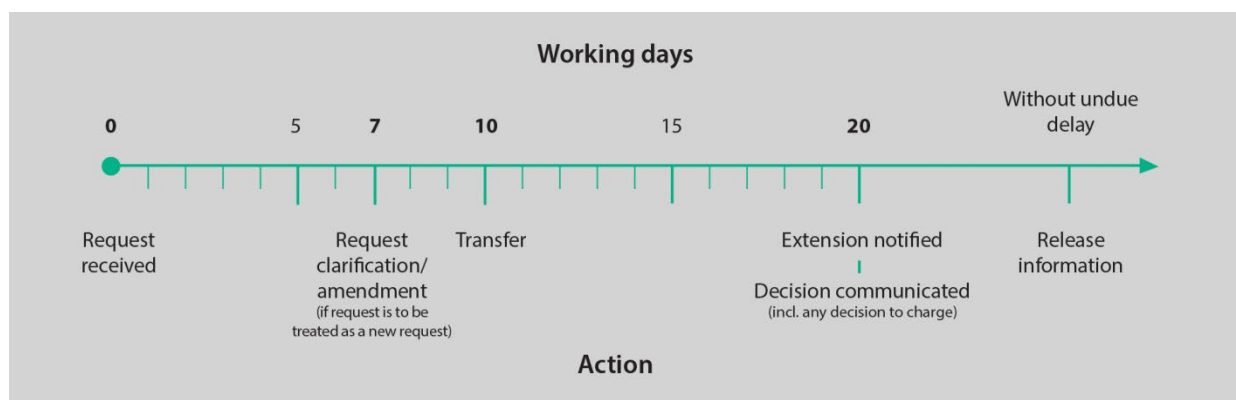
³ For more information about managing large requests, see our guide to [Substantial collation or research](#) at pages 15–27, and the troubleshooting tips in our guide to [Processing OIA requests](#) at pages 40–43.

- Consider **alternative ways of meeting the request** where it is not possible to provide exactly what has been requested, in the way preferred by the requester. This could include:
 - releasing a subset or sample of the information at issue;
 - releasing other information;
 - releasing the information in an alternative form (like a summary); or
 - releasing the information with conditions.

See more information about these options in our [Substantial collation and research guide](#).
- Consider whether charging would enable you to meet requests that would otherwise need to be refused because of the amount of work that would be required. See more information in our [Charging guide](#).

Key timeframes

What are the timeframes under the Official Information Act (OIA) during the general election period?



All official information timeframes remain the same during the general election period.

Individual requesters should also be kept up to date about their requests, particularly if there are any unavoidable delays.

An agency's legal timeframe requirements for responding to requests for official information are to:

- make a decision and communicate it to the requester '*as soon as reasonably practicable*' and no later than 20 working days after the day on which the request is received; and
- make available any official information it has decided to release without '*undue delay*'.

These legal timeframes will be viewed by the Ombudsman within the context of the general election. For example, requesters may be seeking information which is relevant to and may inform the public before the general election, and this should be taken into account in considering any request for urgency. Where necessary in a particular case, additional timeframe requirements are to:

- request clarification of a request within 7 working days, if the amended request is to be treated as a new request that restarts the maximum time limit for response;⁴
- transfer a request to another agency promptly, and no later than 10 working days after the day on which the request is received;
- extend the maximum time limits to make a decision or transfer a request, within 20 working days after the day on which the request was received.

The requester has asked for an urgent response, what do we need to do?

A requester may ask that a request be treated as urgent and, if so, must give the reasons for seeking the information urgently.⁵ An agency should consider any request for urgency, and assess whether it would be reasonable to give the request priority. A key issue to be aware of is whether the requester is seeking the information prior to the election to help inform the electorate.

Notwithstanding a request for urgency, the agency's legal obligations remain the same:

- to make and communicate the decision on the request as soon as reasonably practicable and no later than 20 working days after the day on which the request was received; and
- to release any official information without undue delay.

However, a genuine and legitimate need for urgency may affect when it is '*reasonably practicable*' to make a decision on the request, and what would constitute '*undue delay*' in releasing the information.

Things that might warrant a request being given more urgent treatment at this time include information needed allow the electorate to cast an informed vote.

At any time, other reasons for urgency include when information is needed to help people participate in the political process, or when inform is sought about decisions that involve public health and safety, or that affect someone's financial circumstances, housing situation or family circumstances.

⁴ If clarification is sought by the agency after the first 7 working days, or if the requester declines to clarify or amend the request, the agency must respond to any amended or clarified request within the original time limit – s 15(1AB) of the OIA and s 13(8) of the Local Government Official Information and Meetings Act (LGOIMA).

⁵ See s 12(3) OIA and s 10(3) LGOIMA.

If there is an administrative burden in making information available urgently, an agency may wish to consider fixing a charge. Any charge to supply information can include *‘any costs incurred pursuant to a request of the applicant to make information available urgently’*.⁶ However, any decision to charge should consider whether reduction or waiver of any proposed charge may be appropriate having regard to the circumstances of the requester and the public interest in release of the information.

What if we can’t answer a request on time during the general election period?

If you are still within the original 20 working day period, consider whether an extension is warranted. See [‘Extensions’](#) for further information on the criteria for extensions.

If it looks like you will be unable to meet the original or extended time limit, consider contacting the requester to let them know the current state of play and reasons for delay. Requesters will appreciate being kept informed and may be more understanding if the agency ends up in breach of the timeframe requirements.

Another option is to provide a staged reply. If part of the response is ready to go, there is often no need to hold that up to deal with the remaining issues. This approach may be especially relevant during the general election period where information may have a high public interest attached.

Requesters are entitled to complain to the Ombudsman if they do not receive the decision on their request within the original or extended timeframe. Delay and extension complaints will be triaged and dealt with immediately, with an emphasis on early resolution where possible. We will take the election and associated circumstances into account when deciding how to deal with complaints about delays or extensions.

Is proactive release a good option during the general election period?

If agencies can identify information relevant to the election that is likely to be (or has been) the subject of requests, then proactively releasing this information will help to ease the burden of multiple requests.

Proactive release of information to the public promotes good government, openness and transparency and fosters public trust and confidence in agencies. It also has administrative benefits for the agency, including by reducing requests for information that is already publicly available, and allowing for greater ease of handling of the requests that are received.

See the Ombudsman’s [Proactive release guide](#), and [Publicly available information guide](#) for more information.

⁶ See s 15(2) and s 13(3) of LGOIMA.

Can we refuse a request on the basis we are planning to proactively publish the information?

An agency may choose to proactively publish information that is likely to be the subject of requests during this period. If agencies can identify that the specific information that has been requested is or will soon be publicly available, section 18(d) of the OIA⁷ allows an agency to refuse the request.

The discretion to refuse a request on this basis must be exercised reasonably, with regard to the particular circumstances of each case. It is important during an election period to give consideration to whether the requester is seeking the information to help inform the electorate, and, if so, whether the information could be made available sooner than the planned release date. In such cases, it may not be reasonable to refuse the request on the basis that the information will be soon be publicly available.

You may also wish to refer to our [Publicly available information guide](#).

Extensions

Can we extend the timeframe for responding because of the general election?

Agencies may only extend the maximum response timeframe for the reasons set out under the OIA. The permissible reasons for extension are where:⁸

- the request is for a large quantity of information or requires a search through a large quantity of information **and** meeting the original time limit would unreasonably interfere with the operations of the agency; or
- consultations needed to make a decision on the request mean a proper response cannot reasonably be made within the original time limit.

At least one of these factors (volume or consultations) must be present in a particular case to justify an extension.

For example, you might need to consult with others to make a decision, such as the requester, internal agency staff, any interested third parties, other agencies, or Ministers, and they may not be readily available or reachable. Generally, internal consultation within your agency which would normally be undertaken during the course of processing an information request, would not provide a reasonable basis for an extension.

Provided the extension is for a permissible reason, the impact of the general election period (including any reasons for dealing with the request urgently) could be a relevant factor in

⁷ Section 17(d) of LGOIMA.

⁸ See s 15A(1)(a) and (b) OIA and s 14(1)(a) and (b) LGOIMA.

deciding whether ‘meeting the original time limit would **unreasonably** interfere with the operations of the agency’ or whether ‘a proper response to the request cannot **reasonably** be made within the original time limit’.

There is also scope to consider the impact of the general election period in setting the period of the extension. Extensions must be for ‘a reasonable period of time having regard to the circumstances’.⁹ See [‘How long is “a reasonable period of time” for extensions during the general election period?’](#)

An agency will be expected to justify any extensions to an Ombudsman on complaint.

Can an agency extend the timeframe for responding to requests because the Minister is not available for consultation?

The fact that Ministers may not be readily available during the election period is not a reason for an agency to delay processing requests for information. The information itself should still be able to be considered by the agency. The OIA does not require an agency to consult a Minister before responding to a request for official information. If an extension is to be made on the grounds of Ministerial consultation, the agency would need to be able to explain why it is necessary to consult with the Minister—as distinct from simply informing the Minister of its decision under the ‘no surprises’ policy—before making its substantive decision on the request.

For more information see our guide [Dealing with OIA requests involving Ministers: A guide to transfer, consultation, and the notification of decisions on OIA requests](#).

Can Ministers extend the timeframe for requests they receive during the general election period?

Ministers should put in place arrangements in their office so information requests can be responded to as usual during the election period. Even if Ministers are travelling or busy with other commitments, they should set time aside to support their ministerial staff with information requests as needed.

Any decision to extend the timeframe for responding to an information request needs to align with the OIA, as discussed above under [‘Can we extend the timeframe for responding because of the general election period?’](#)

Can we do a blanket extension for all the requests we are currently dealing with?

No. The decision to extend and the period of the extension must be based on the circumstances of each particular request.

⁹ See s 15A(2) OIA and s 14(2) LGOIMA.

Agencies may find it helpful to have an initial triage process so they can assess the urgency or priority of each request and prioritise accordingly.

How long is ‘*a reasonable period of time*’ for extensions during the general election period?

A ‘*reasonable period of time*’ is not defined in the OIA—what amounts to a reasonable period of time for an extension will depend on the circumstances of the particular case.

Agencies may take into account the impact of the general election period on their operations in deciding what a reasonable period of time is. If the information requested is important to inform the electorate from a public interest perspective, a reasonable period of time is likely to be shorter than it is for other information.

Agencies should be realistic about what they are likely to be able to achieve in setting the period of an extension. They can also reassure requesters that they will aim to process the request faster if that is possible.

Transfers

Can we transfer a request to another Minister or agency that may hold the requested information?

The requirement to transfer arises only where the information:¹⁰

- is not held by the agency or Minister, but is believed by the person dealing with the request to be held by another agency or Minister; or
- is believed by the person dealing with the request to be more closely connected with the functions of another agency or Minister.

Where the above circumstances apply to part of the information requested, only the relevant part of the request should be transferred, rather than the request in its entirety. The transfer should make it clear what parts of the request are being retained by the original agency, and what parts are being transferred.

Any decision to transfer a request to another agency or Minister for response must be made promptly and no later than **10 working days** after the day on which the agency or Minister received the request (unless a valid [extension](#) is made within the original time limit).¹¹ The requester must be informed that the request has been transferred.

¹⁰ See s 14 OIA and s 12 LGOIMA.

¹¹ See ss 14 and 15A OIA and ss 12 and 14 LGOIMA.

Requests for official information involving Ministers

What information held by Ministers is subject to the OIA?

Ministers are subject to the OIA, but only information held in their official Ministerial capacity is ‘official information’.¹² This generally includes:

- briefings, reports and Ministerial communications (including emails, text messages and various other formats);
- Cabinet or Cabinet Committee material; and
- portfolio information and other assignments.

‘Official information’ does not include information that is held by a Minister only:

- in their private capacity;
- in their capacity as an MP (e.g. electorate information); or
- in their capacity as a member of a political party (e.g. caucus information).

Are former Ministers still subject to the OIA?

No. Once an individual ceases to be a Minister, they are no longer subject to the OIA in their own right. Information that was held by former Ministers will only be subject to the OIA if it is held by a current Minister or agency subject to the OIA.

However, under the Public Records Act 2005, Ministers must create full and accurate records of their ministerial affairs, in accordance with normal, prudent business practice. All information created or received by a minister in their official capacity during their ministerial tenure must be treated as a public record in accordance with the Public Records Act. This includes information in text messages and instantaneous communication mechanisms, which should be retained when they are of long term value.¹³ Documents received solely in a Minister’s other capacities are not public records, and as such they are not covered by the Public Records Act.

On leaving office, Ministers are required to return all internal agency material to the originating agency. Other information may be deposited with Archives NZ, or elsewhere.¹⁴ An OIA request may therefore be made for this information. Alternatively, ministerial information may be disposed of under Chief Archivist guidelines.¹⁵

¹² See paragraph (a) of the definition of ‘official information’ in s 2 OIA.

¹³ See paragraph 47 of our [opinion](#) on requests for Ministers’ text messages. Archives NZ guidance on managing digital communications can be found on the [Archives NZ](#) website.

¹⁴ Guidance on ministerial recordkeeping, including retention and disposal of public records, can be found in chapter 8 of the [Cabinet Manual 2023](#).

¹⁵ See [Archives New Zealand](#) guidance on disposal of records.

What happens during a caretaker period?

A caretaker period occurs from the day after the election until a new Government is formally sworn in. During this time, the incumbent Government stays in office but follows the ‘*convention on caretaker government*’ to restrict major decisions while coalition or support negotiations take place.

During this period, Ministers keep their roles and day-to-day administration generally continues. This includes receiving and responding to information requests. The Cabinet Manual says:¹⁶

The [OIA] continues to operate during a caretaker period. In general, responding to requests for information should be seen as part of the day-to-day business of government, and should be dealt with in the usual way. On rare occasions, requests may raise issues that are likely to be of long-term significance for the operation of government and that require ministerial involvement. In this situation, it may be necessary to consider extending the time limit in order to consult the incoming Minister. Any such extension must comply with section 15A of the [OIA].

At what point does non-government information become ‘official information’?

Information held by someone before they become a Minister, or held in one of their non-Ministerial capacities,¹⁷ may become ‘*official information*’ if it is subsequently used by that person for official Ministerial purposes.

When considering whether information, when held by a person who is also a Minister, is ‘*official information*,’ there are four key considerations:

1. the purpose of the information;
2. the nature and content of the information;
3. the context in which it came to be held; and
4. the use to which it has been put.

These factors should be considered to determine whether information is held or deemed to be held by a Minister in such a way that it becomes ‘*official information*’ for the purposes of the OIA.

For more information see the Ombudsman’s case note for cases 467651 and 467523: [Request for document related to coalition negotiations between Labour and New Zealand First](#).

¹⁶ See the [Cabinet Manual 2023](#), para 6.40.

¹⁷ Such as in their private capacity, in their capacity as an MP or a member of a political party. See [‘What information held by Ministers is subject to the OIA?’](#)

How should we respond to requests for Briefings to Incoming Ministers (BIMs)?

BIMs are official information and are subject to the OIA. The government may choose to proactively publish the BIMs produced by agencies for its new Ministerial List.

Agencies should consider any request for BIMs as a typical official information request and respond accordingly. Some relevant considerations may include whether the BIMs are in draft or have been finalised, and whether they will soon be published.

The Ombudsman considered complaints about requests for BIMs following the 2017 election, and agreed they could be refused on the basis the information would soon be publicly available as a planned release of the BIMs was reasonably certain and imminent. See [cases 466794 and 467630](#) for more information.

How should we respond to a request made to a former Minister where no decision on the request was made before the Minister changed?

Once an individual ceases to be a Minister, they are no longer subject to the OIA in their own right and under no further obligation to respond to an official information request. This is because private individuals are not subject to the OIA.

Information that was held by former Ministers will only be subject to the OIA if it is held by a current Minister or agency subject to the OIA. It is very important that Ministers meet their obligations under the Public Records Act to ensure that official information remains accessible before leaving office, as set out above under [‘Are former Ministers still subject to the OIA?’](#)

Where the former Minister did not make and communicate a decision on an information request before leaving office, the new Minister should generally complete the process of dealing with the request.¹⁸

The first issue to be determined is whether the information requested is held by the new Minister in their official capacity. If it is, then the request should continue to be progressed as normal.¹⁹ If it is not, then the Minister should consider whether to transfer the request to another agency or Minister subject to the OIA or LGOIMA, or refuse the request under sections 18(e) or (g) of the OIA (because the requested document does not exist, or the information is not held).

¹⁸ See the [Cabinet Manual 2023](#), para 8.61.

¹⁹ See the [Cabinet Manual 2023](#), para 8.62.

If a request is made to a current Minister for information held by a former Minister, can the current Minister's office transfer it?

If the current Minister receives a request for official information they do not hold, and the current Minister considers it is presently held by another Minister or agency, then that Minister will be under an obligation to transfer the request to that Minister or agency.

If a Minister or agency is considering a request for Cabinet information belonging to a previous administration, thought should be given on whether to consult the Cabinet Office.²⁰

What happens if the Ombudsman has an investigation currently open concerning a former Minister?

If the Ombudsman has a complaint on hand about an official information decision made by a former Minister, the new Minister will be provided with an opportunity to consider whether they agree with the former Minister's decision to withhold the information or, instead, propose to release the information.²¹ If the new Minister agrees with the decision of the former Minister, the investigation will likely continue. If the new Minister makes a new or amended decision, the Ombudsman will decide whether to continue with the investigation.

Previous election-related cases

Previously, the Ombudsman has completed urgent election-related investigations into:

- [Student loans policy](#). This investigation concerned a request by the Office of the Leader of the Opposition in 2005 for costings for Labour's interest-free student loan policy. The request was refused under section 9(2)(g)(iv) of the OIA. The Ombudsman recommended that the information be released.
- [The government's proposed mixed ownership programme](#). This investigation concerned three complaints about decisions by the Minister of Finance and the Treasury in 2011 to refuse requests under sections 9(2)(f)(iv) and 9(2)(g)(i) of the OIA. The Ombudsman found that the decisions were open to the Minister and Treasury.

Other relevant election-related investigations include:

- [Coalition negotiations between Labour and New Zealand First](#). This investigation concerned a request for a document related to coalition negotiations in 2017. The Ombudsman considered the information was not official information held by the Prime Minister in her official capacity, and so was not subject to the OIA.

²⁰ See the [Cabinet Manual 2023](#), para 8.43 and paras 8.150-8.151.

²¹ This may arise, for example, where circumstances have changed since the decision was made.

- [Briefings to Incoming Ministers \(BIMs\)](#). This investigation concerned requests for BIMs after the 2017 election. The Ombudsman considered the requests could be refused as the information would soon be publicly available.
- [Draft Briefings to Incoming Ministers \(BIMs\)](#). This investigation concerned requests for draft versions of a BIM that had been published after the 2005 election. The Ombudsman considered the drafts could be withheld under section 9(2)(g)(i) of the OIA, as disclosure would have a chilling effect on the process of drafting future BIMs.
- [Health reporting data](#). This investigation concerned the refusal of a request for health reporting data on the basis it would be made publicly available after it had been reported to the Minister in late 2017. The Ombudsman considered the requests could not be refused on this basis as it was not sufficiently certain the data would be made publicly available 'soon.' This was in the circumstances where an election was looming and it was reasonably foreseeable the need for Ministerial input would impact on the ability to release the information at the time anticipated.

Further information and help

Where can I go if my question isn't answered here?

These FAQs will be updated as new issues arise or any advice changes.

Staff will be on hand to provide advice and answer agency queries. Please visit our [Get help \(for agencies\)](#) page for more information.

What other information do you have available?

We have a range of guides, tools and templates on our website. Key information can be accessed through the website page [Official information Act guides and resources](#).

To search all our published resources, see our [Resources and publications](#).