

13 August 2019

Phil Pennington
Radio New Zealand
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REF: OIA-5454

Dear Phil

Request made under the Official Information Act 1982

Thank you for your email to the NZ Transport Agency on 16 July 2019 requesting the following information under the Official Act 1982 (the Act):

- The number of LT400s being issued per month since the start of 2013, per month, by each of the following people during the time they operated as HV certifiers for NZTA;
 - Peter Wastney
 - Patrick Chu
 - Dick Joyce
- Any other HV certifier who has been suspended or revoked since Jan 2018;
- The average number of LT400s issued per month for this same period by all HV certifiers other than those named above.

There is a strong public interest in knowing the names of the certifiers and that the certifiers themselves and any vehicles for which they had issued certifications for, have already been dealt with appropriately. There is a public interest in respect of accountability and transparency in relation to the release of the information which you have requested. That public interest has been best served by the previous release of information relating to this matter i.e. the identity of the certifiers, the vehicles involved, and the actions taken to address the concerns that have resulted.

I do not believe that the public interest in favour of releasing the information requested above, outweighs the privacy interests of the certifiers concerned.

Therefore, I have withheld part of your request relating to the number of LT400 certificates issued per month per suspended or revoked certifier under section 9(2)(a) of the Act, in order to protect the privacy of natural persons. This information is withheld because disclosing the number of certificates issued per month, by individual certifier, would provide personal details about those individuals.

The attached spreadsheet contains data for the total number of LT400 certificates issued by the three suspended/revoked Heavy Vehicle Specialist Certifiers (HVSCs) you have identified since 2013, with the data provided by year. The spreadsheet also contains details of the average number of LT400 certificates issued per month by all non-suspended/revoked HVSCs since 2013.

- Attachment 1 - OIA-5454 data.xlsx

I can confirm that no other HVSCs that have been suspended since January 2018.

It is important to note the following in relation to the information provided. This information is also provided to you in the attached spreadsheet:

- The data is reported from the Motor Vehicle Register (MVR), and is current at 24 July 2019.
- The only HVSCs who have been revoked or suspended are Peter Wastney, Patrick Chu, Richard (Dick) Joyce.
- Only certificates that were issued and entered into the MVR whilst the suspended/revoked certifiers were operating as HVSCs for the NZ Transport Agency are included.
- In table 2, the average number of LT400 certificates is based on the number of certificates issued in the month, divided by the total number of certifiers who have issued at least one certificate during the month.
- All LT400 certificates which have been issued from the 1 January 2013 to 30 June 2019 are included for the calculation of average certificates issued per month.

I have withheld certain information under section 9(2)(a) of the Act. This section allows us to withhold information to protect the privacy of natural persons, including that of deceased natural persons.

I do not consider that it is in the public interest to make this information available.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision withhold this information. You can find the contact details for the Ombudsman at www.ombudsman.parliament.nz.

If you would like to discuss this reply with the NZ Transport Agency, please contact Andrew Knackstedt, Senior Manager, Media, by email to andrew.knackstedt@nzta.govt.nz or by phone on (04) 894 6285.

Yours sincerely,



Kane Patena
General Manager - Regulatory