

16 September 2024

s9(2)(a)

REF: OIA-16305

Dear s9(2)(a)

**Request made under the Official Information Act 1982**

Thank you for your email of 30 August 2024 requesting the following information under the Official Information Act 1982 (the Act):

*Please release all internal correspondence/discussion which deals with the subject of proactively releasing advice provided to the minister, whether there has been a change in the policy after the change of government, why the policy has changed or why there has been a substantial delay in proactively releasing the advice since the change of government.*

I am refusing your request in relation to internal correspondence under section 18(e) of the Act because the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

NZ Transport Agency Waka Kotahi (NZTA) has a policy for proactive release of information, which can be found on our website: [www.nzta.govt.nz/assets/About-us/docs/proactive-release-of-official-information-policy.pdf](http://www.nzta.govt.nz/assets/About-us/docs/proactive-release-of-official-information-policy.pdf). There has been no change in this policy following the change in government.

With regards to official information, NZTA follows the Ombudsman's guidance, which is available online at [www.ombudsman.parliament.nz/resources/proactive-release-good-practices-proactive-release-official-information](http://www.ombudsman.parliament.nz/resources/proactive-release-good-practices-proactive-release-official-information). However, while proactive release of information, including advice to ministers, is encouraged by the Ombudsman, it is not required under the Act.

At the end of 2023, verbal discussions were held within NZTA about continuing to proactively release NZTA's advice to the Minister and Associate Minister of Transport. It was decided a titled list of NZTA's written advice to the Minister and Associate Minister would continue to be proactively released every month, and copies of documents can be requested under the Act.

NZTA has considered commencing the proactive release programme recently. No decisions have been made on this as the Government and NZTA's focus is on delivering the priorities arising from the Government Policy Statement on land transport 2024.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to partially refuse this request. The contact details for the Ombudsman can be located at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

In line with NZTA policy, this response will soon be published on our website, with personal information removed.

If you would like to discuss this reply with NZTA, please contact the Ministerial Services team by email to [official.correspondence@nzta.govt.nz](mailto:official.correspondence@nzta.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jackie Smith', is positioned above the printed name.

**Jackie Smith**  
Manager, Ministerial Services