

17 August 2023

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2023/32

On Monday 7 August 2023 you made a request under the Official Information Act 1982 (the OIA) for the following information:

My Questions:

- Are Returning Officers subject to the Official Information Act?*
- Are Justices of the Peace subject to the Official Information Act?*
- Are Voting Place Manager subject to the Official Information Act?*
- Are Scrutineers subject to the Official Information Act?*

The purpose of the Official Information Act 1982 (the Act) is to allow people to ask for official information that ministries and central and local government agencies hold.

Under the Act you can request official information from central government departments and other public bodies and organisations. You can find a full list of agencies that are subject to the OIA in [Schedule 1 of the Ombudsman Act 1975](#) and in [Schedule 1 of the Official Information Act](#).

Information held by an officer, employee or member of an agency in their official capacity is considered to be held by the agency itself. Voting place managers and returning officers are not subject to the Act themselves but because they are employees of the Electoral Commission, any information that they hold is considered to be held by the Electoral Commission itself.

Scrutineers are appointed by candidates or parties to observe the voting process and count. They are not employees or agents of the Electoral Commission and are accordingly not subject to the Act.

Justices of the peace are not subject to the Act because they are not a central government department or a public body under the Act.

In the interests of transparency, we release responses to Official Information Act requests every 3 months. We will publish this response with your personal details redacted.

You have the right under section 28(3) of the Act to make a complaint to the Ombudsman if you are not satisfied with the response to your request. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Yours sincerely



Kristina Temel
Manager, Legal and Policy