



Official Information Expectations

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1. Purpose

This document establishes the Ministry for Cities, Environment, Regions and Transport's (MCERT) principles, responsibilities, and decision-making framework for responding to requests made under the Official Information Act 1982 (OIA).

The document applies to all MCERT staff, including contractors, who create, hold, contribute to, review or approve information that may be subject to an OIA request.

2. Guiding Statement

The OIA reflects the constitutional principle that official information should be made available unless there is good reason to withhold it. MCERT recognises that access to information enables public participation in government, promotes accountability, and strengthens trust and confidence in public institutions.

MCERT will:

- Approach all OIA requests with a presumption of availability and in a manner consistent with both the letter and intent of the OIA.
- Enable timely access to official information.
- Support meaningful public participation in democratic processes through consistent access to official information.
- Promote a culture of openness and transparency to align with the principle of availability.
- Enable informed and well-reasoned public knowledge and decision-making through the consistent release of information.
- Ensure decisions are consistent with the OIA and supported by established guidance.

¹ This document will be reviewed every two years.



- Continuously improve its capability, practices, and performance in handling OIA requests.
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3. Official Information

Official information means any information held by a department or organisation or its employees, as defined by [section 2 of the OIA](#).

It includes:

- Documents, reports, memoranda, letters, texts and emails.
- Non-written information, such as digital, video or tape recordings.
- Manuals which set out internal rules, principles, policies or guidelines for decision making.
- Information which is known to an agency but may not be written down.

The above is not intended to be an exhaustive list of what constitutes 'official information', however, this reflects the more common types of information requested of MCERT.

4. Principles

The guiding principle of the OIA is that information should be made available unless there is good reason under the Act to withhold it. In handling requests for official information, MCERT needs to:

- Deal with requests for official information carefully, conscientiously, and in accordance with the law.
- Recognise a request may be made in any form and communicated by any means (including orally) and does not need to refer to the OIA.
- Reach a decision and/or take appropriate actions on all requests as soon as practicable, and always within statutory time frames.
- Seek formal extensions where necessary or report any delays as appropriate.
- Assist requesters, directing them to publicly available information clarifying their requests, and transferring requests to relevant agencies where appropriate within statutory timeframes.
- Co-operate with any investigation by the Office of the Ombudsman into a review of a decision under the OIA.
- Ensure decisions under the OIA are made by a person with delegated authority – refer to MCERT's statutory delegations.



MCERT will also:

- Maintain detailed records of the underlying reasoning and specific grounds on responding to requests.
- Inform or consult with third parties about requests for official information that concern them where appropriate, and consider any feedback provided.
- Inform and consult relevant Minister(s) on requests for official information it receives (see 'Working with Ministers' offices' section later in this document).
- Review and monitor its performance in responding to requests.
- Communicate final OIA decisions as soon as practicable once all information in scope has been reviewed, any material to be withheld has been identified, and all required consultations or approvals have been completed.
- Regularly proactively release OIA responses.

5. Working with Ministers' Offices

The Cabinet Manual provides that Ministers should be kept informed of significant or potentially controversial matters, while preserving the independence of statutory decision-making.

5.1 Notifying the Minister's office about requests to MCERT

Notification means letting the Minister know about the decision MCERT has taken on a request and will be communicating to the requester.

Under the 'no surprises' principle, MCERT will notify the relevant Minister's office of requests for official information it receives that involve matters that may be controversial or may become the subject of public debate. MCERT will also advise the Minister if it intends to release any information that is particularly sensitive or potentially controversial. A notification for this purpose will be clear and provide sufficient time for the Minister's office to prepare for any anticipated public scrutiny, media interest, or debate. However, a notification is not the same as consultation and should not unduly delay the release of information.

5.2 Consulting a Minister on a request to MCERT

Consultation is the mechanism that allows MCERT to seek the Minister's comment before making a decision on a request.

MCERT will consult the relevant Minister if the request relates to the Minister's functions or Cabinet material, because such material relates to their activities as a Minister. In instances involving the Minister's functions or Cabinet material, it may be appropriate to transfer the request to the Minister.

Guidance on the 'functions' of Ministers can be drawn from paragraph 2.2 of the [Cabinet Manual](#) which states that Ministers:

- take significant decisions and determine government policy collectively, through the Cabinet decision making process;



- exercise statutory functions and powers under legislation within their portfolios, within the collective Cabinet decision making context;
- determine both the policy direction and the priorities for their departments; and
- have a political role in maintaining government stability, which requires maintaining close working relationships with all other parties as issues arise.

MCERT will be clear it is consulting rather than providing the request for the Minister's information, and enough time will be given for the Minister's office to raise any concerns about the proposed decision. MCERT will have regard to any feedback, but the decision on how to respond to the request will be made by MCERT in accordance with the OIA.

6. Publication of OIA Responses

MCERT will:

- Consider publishing the responses to OIA requests that are appropriate for wider publication.
 - Usually publish OIA responses within a month of the response being given to the requestor.
 - Advise requesters of official information that our responses to them may be published on our website. Before publication, any personal details that would reveal the identity of the requestor are removed.
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7. OIA Reporting

Every six months, or as additionally required by the Public Service Commissioner, MCERT will provide comprehensive information on the number of OIA requests received, and the number of complaints notified by an Ombudsman. We will also advise how we met the timeliness requirements of the OIA and additional timeliness performance information.

8. Roles and Responsibilities

8.1 Managers

Managers are responsible for ensuring compliance with this document within their teams and must support a culture of openness and transparency, ensure appropriate information management practices are maintained, and oversee the quality and completeness of responses.



8.2 Subject Matter Experts

Subject matter experts are accountable for the content and substance of OIA responses, including identifying relevant information within scope, providing accurate and complete information, assessing the risks for release and identifying information proposed for withholding. Accountability for release recommendations and withholding recommendations remains with the business area that owns the information. Final decisions under the OIA must be made by a person with delegated authority.

8.3 Government and Ministerial Services

The Government and Ministerial Services group within MCERT is responsible for providing advice on the OIA and OIA processes, including the application of withholding and refusal grounds.

The group is also responsible for managing the central coordination and preparation of OIA requests. This includes receiving, logging and tracking OIA requests, creating the draft response and keeping records of relevant decisions.

8.4 Legal

The Legal group within MCERT will be alerted to OIA requests where there is actual or anticipated litigation, other risk, and where the request concerns a high-profile matter; and to OIA requests which propose the release of legally privileged information.

Legal is available to assist Government and Ministerial Services with advice on the application of withholding or refusal grounds and in shaping responses to inquiries and investigations from the Office of the Ombudsman.

8.5 All staff

All staff are responsible for compliance with this document. This includes all permanent and fixed term staff, contractors and staff on secondment with MCERT.

All staff are responsible for maintaining records that appropriately document business activities and decisions.

9. Related Documents

This document should be read alongside:

- [Official Information Act 1982](#)
- Office of the Ombudsman [guidance](#)
- Public Service Commission guidance on [official information](#)



- Department of the Prime Minister and Cabinet [guidance](#)
 - [MCERT Statutory Delegations](#)
 - MCERT Information Management Policy TBC²
 - MCERT Privacy Policy TBC³
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² Until MCERT's Information Management Policy is confirmed, please refer to the foundation agencies' processes/policies: [Environment](#), [Housing](#), [Local Government](#) and [Transport](#).

³ Until MCERT's Privacy Policy is confirmed, please refer to the foundation agencies' processes/policies: [Environment](#), [Housing](#), [Local Government](#) and [Transport](#).