

Our ref 605471 (Complaint ground: 605474)
Contact [REDACTED]
3 May 2024



[REDACTED]

Dear [REDACTED]

Official Information Act investigation – Health New Zealand

Thank you for your comments concerning your complaint about the decision of Health New Zealand (HNZ) on your request for the free-text box information on the Post Vaccine Symptom Check Survey.

The purpose of this letter is to advise you of my final opinion that HNZ's response to your request was not unreasonable. I consider that HNZ was entitled to provide a summary of the information at issue in line with Section 16(1)(e) and 16(2)(a) of the Official Information Act 1982 (OIA). In reaching this decision I have considered the transparency intended under the OIA, and the administrative burden imposed by the request that has been previously explained to you.

In your recent letter you have asked a series of questions. I am unable to provide the answers to your questions. It is not a role of my Office to administer requests for information on behalf of complainants. If you are seeking further information, you will need to make a new request to HNZ directly.

In making a new request, I ask you to consider that some of your questions may not constitute a request for official information. *'Official information'* is defined as *'any information held'* by an agency or Minister that is subject to the OIA. The OIA does not oblige an agency or Minister to comment, explain, or venture an opinion on a matter in response to a request. Such requests require the agency or Minister to create new information in order to respond, rather than to consider whether or not to release documents or information already held.

Requests which are phrased as questions can be problematic, as they are often interpreted by an agency as seeking opinions, comment, clarification, or an explanation, rather than as a request under the OIA for information that it holds.

I have now concluded my investigation.

Yours sincerely

Peter Boshier
Chief Ombudsman