

LGOIMA Request Policy

Department:	Information Services
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Approved by:	Chief Executive Officer
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Purpose:

To provide the framework and formalise the Central Otago District Council's ("Council") legal obligation on granting requests for official information under the [Local Government Official Information and Meetings Act \(LGOIMA\) 1987](#).

Principles and objectives:

The guiding principle under the legislation is that if the information is held by the Council, it must be available to the public unless good reason exists under the [Act](#) for withholding it.

The objectives of this policy are:

- To ensure all council users are aware of their responsibilities under the [LGOIMA Act 1987](#).
- To provide clear guidance to requesters of information on the Council approach to LGOIMA Requests
- To provide clear guidance on what information may be charged for.

Scope:

This policy applies to all employees, contractors, temporary staff, elected members, or other third parties, hereafter referred to as 'users'.

This policy applies to the decision-making process for requests for official information held by the Council and its users. Requests for official information may be made by any person.

Any LGOIMA Request received by Council is subject to the [Privacy Act 2020](#). Requesting personal information about other people from the Council is prohibited.

Out of Scope:

If the request is for personal information about the requester, the [Privacy Act 2020](#) will apply, and the request will be managed under the provisions of the [Privacy Act 2020](#).

Definitions:

The Act: The Local Government Official Information and Meetings Act (LGOIMA) 1987

LGOIMA Requests: Requests for any official information held by Council as defined in the Act.

Official Information: Any information held by the Council as defined by of the [section 2](#) of the LGOIMA.

Personal information requests: Requests managed under the Privacy Act 2020.

Policy:

Request

A request can be made in various forms including:

- Verbal or written directly from individuals.
- Verbal or written directly from groups.
- From other public bodies.
- From individuals or groups referred by other public bodies.
- From an individual's agent (e.g., a lawyer acting on behalf of a client).

Even when a request is not specified as a LGOIMA Request, it may be processed under this policy.

Decision to release and charges (if any)

Council must decide as soon as reasonably practicable after receiving the request:

- Whether a request for official information will be granted
- In what manner
- If any charges will apply.

In making this decision, Council officers as per the Staff Delegation Manual will consider all aspects of the [LGOIMA Act 1987](#). Council shall adopt the principle that the material is available it shall be released, unless there are grounds to withhold it under the [Act](#).

If a request is estimated to take over one hour of staff time, Council may charge for searching for relevant material, abstracting, collating, copying, and transcribing to fulfil the request, consistent with the [Ombudsman Charging Guidelines](#).

First hour	No Charge
Initial charge for the first chargeable half hour, additional half hour or part thereof	\$38.00

Charges related to photocopying and printing can be found in [Councils fees and charges](#).

If the request is likely to incur a charge, Council will discuss this with the requester in order to refine the request and accordingly reduce or remove costs. Work will not commence until an estimate of charges has been provided to the requester, and the requester has accepted and paid these charges.

Timeframes

Council will ensure that requests are responded to within 20 working days unless the requester is notified within 5 working days of the request that the Council requires the period to be extended.

Council will make any official information available it has decided to release without undue delay.

Release of the information

Information may be made available by the Council in several different ways and every effort will be made to make it available in accordance with the requester's preferred format. If the requester's preference is not possible, Council will provide the requester with reasons for this.

Council may decide to release information under certain conditions, with additional context, or with appropriate redactions as detailed in the Act.

Breaches of this policy:

Breaches of this policy may be considered misconduct. Misconduct may result in disciplinary action under:

For employees: [Performance Management Policy](#)

For elected Members: Code of Conduct

For contractors: As per agreements in place with the contractor.

Relevant legislation:

[Local Government Official Information and Meetings Act \(LGOIMA\) 1987](#)

[Official Information Act 1982](#)

[Privacy Act 2020](#)

[Local Government Act 2002](#)

Related documents:

- LGOIMA Request Procedure (Internal use)
- Staff Delegations Manual (Internal use)
- LGOIMA Request Training and Induction Guidelines (Internal Use)
- Privacy Policy
- Privacy Breach Notification Procedure (Internal use)
- Request for Personal Information Procedure (Internal use)
- Redaction Guidelines (Internal use)