



12 December 2019



Reference: OIA-2019/20-0252

Dear 

Request for clarification relating to costs of investigating allegations against an employee of the Labour Party

Thank you for your email of 14 November 2019 requesting clarification about our response of 25 October 2019 to your Official Information Act 1982 (the Act) request of 20 October 2019. I note you requested:

Clarification Required:

1. "no Government funds have been used" does this also include that no Government funds are currently and/or in the future will be used i.e The Government hasn't and will not be using any taxpayers money associated with this investigation.
2. "no Government funds have been used for Labour Party investigations" please confirm this is inclusive but not limited to the fees and costs associated with the appointed Queens Council and staff, or any other associated costs.

I must repeat our comments from our earlier letter that the Department of the Prime Minister and Cabinet (DPMC) does not hold official information relevant to your request. However, I can advise that to the best of our knowledge there are no Government funds of any sort being used, or are planned to be used, in relation to the Labour Party investigations you have referred to.

We considered transferring your new request to the Office of the Prime Minister. However, only information held in a capacity as a Minister of the Crown is deemed to be official information under the Act. Information that is held by Rt Hon Jacinda Ardern in any other capacity, such as Leader of the New Zealand Labour Party, as a Member of Parliament or as a private individual, is not official information.

Accordingly, your request is refused under section 18(g) of the Act on the grounds that the information requested is not held by DPMC and I have no grounds for believing that the information is either held by or more closely connected to another Department, Minister of the Crown, organisation, or local authority.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Clare Ward
Executive Director, Strategy Governance and Engagement Group