



27 June 2023

L . K. Harris

fyi-request-23074-9ec19afa@requests.fyi.org.nz

Dear L . K. Harris

Additional queries regarding the application of the OIA to the social media accounts of MPs, Ministers and government departments

Thank you for your follow up email regarding your recent Official Information Act (the Act) request.

We advised in our last response, that the official social media accounts of the Department of the Prime Minister and Cabinet are subject to the Act. As advised in our previous response, section two of the Act defines official information as any information held by a public service agency, organisation, or Minister of the Crown in their official capacity. Social media accounts operated by Members of Parliament (not in their capacity as Minister's) are outside this definition of official information.

The Department of the Prime Minister and Cabinet cannot comment on other agencies adherence to the Act as this sits outside our jurisdiction. The legislation is held by the Ministry of Justice, and its application is monitored by the Office of the Ombudsman. If you wish to understand more about the Act, the definitions therein and why it was drafted in this way, you may wish to contact the Office of the Ombudsman or review the Dank's Committee report (1980) which led to the development of the Act. You can view this here:

www.ombudsman.parliament.nz/resources/towards-open-government-danks-report.

The Office of the Ombudsman is best suited to answer any questions on the application of the Act, as their role is to help New Zealanders deal with public sector agencies. They handle complaints, undertake investigations, and encourage good administration. If you would like to get in contact with the Ombudsman, please call 0800 802 602 (+64 4 473 9533) or email info@ombudsman.parliament.nz.

Yours sincerely

Clare Ward
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