



29 January 2024

Ben
fyi-request-25130-1e210f20@requests.fyi.org.nz

Ref: OIA-2023/24-0359

Dear Ben

Official Information Act request for information relating to stop work orders from Ministers.

Thank you for your Official Information Act 1982 (the Act) request received on 10 December 2023. You requested:

*In media articles various Ministers have been described as issuing "stop work Notices" or "Stop work orders". One example in relation to transport would be here:
<https://www.rnz.co.nz/national/programmes/morningreport/audio/2018917497/auckland-light-rail-on-hold-after-stop-work-notice-issued>*

- 1. Is there such a power?*
- 2. If not, is there an alternative power (but called something else)?*
- 3. Can such a power be used to halt work by local government?*
- 4. Can such a power be used to halt work required by legislation?*
- 5. If the answer to any of these questions is yes, in what circumstances can it be used or what legal test must be met?*
- 6. How many "stop work" orders, notices or however else described have been issued, by whom, and on what date?""*

Ministers decide the direction and the priorities for which they hold portfolio responsibilities and for determining and promoting policy.

The answers to questions 1 – 5 are context specific, that is, the answer will likely differ depending on the decision involved. The Ministry of Transport (MOT) is the lead agency for Auckland Light Rail and initiated engagement with Auckland Council as the relevant territorial authority both at a governance level and a staff technical level. For anything further in relation to your specific example please contact MOT directly.

In relation to question 6, DPMC does not hold a centralised record of all stop work orders, but there is some relevant information contained in a Cabinet paper *Coalition Government 100-day plan* and the associated Cabinet minute, which are currently being prepared for proactive release. Accordingly, I have refused this part of your request under section 18(d) of the Act, as the information requested will soon be publicly available.

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



Rachel Hayward
Secretary of Cabinet/Clerk of the Executive Council