



27 March 2024

Percy Doyle

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Kia ora Percy

Your Official Information Act request, reference: GOV-031063

Thank you for your email of 10 March 2024, asking for the following information under the Official Information Act 1982 (the Act):

Please provide a copy of the legal advice received in relation to the 2016 Havelock North water contamination cases. News article for your reference:

<https://www.rnz.co.nz/news/national/330680/acc-seeks-legal-advice-on-campylobacter-payouts>.

"ACC is seeking legal advice on whether it should pay out on claims from people who became ill because of the water contamination crisis in Havelock North."

A search has been completed for the legal advice you requested

Two pieces of correspondence were identified within scope of your request. This correspondence was advice concerning whether ACC should wait for an alleged criminal activity to be prosecuted, and for convictions to be secured, before cover could be granted under the Accident Compensation Act (2001). This correspondence has been withheld in full under section 9(2)(h) of the Act to maintain legal professional privilege.

ACC has considered whether there are reasons why it is desirable, in the public interest, to make this information available. ACC is of the view that the need to maintain legal professional privilege outweighs any public interest in making the information available.

That said, please find attached 'ACC's approach to considering claims for cover for ingestion or inhalation of a virus, bacterium, protozoan or fungus' policy. This policy was developed in part from the legal advice provided.

If you are not happy with this response

You can contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi

Christopher Johnston

Manager Official Information Act Services

Government Engagement