

NMIT OFFICIAL INFORMATION POLICY

MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

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|----------------------|------------|--------------------|-------------------------|
| Section | Executive | | |
| Approval Date | 18.02.2026 | Sponsor | Chief Executive Officer |
| Next Review | 01.01.2029 | Approved by | NMIT Council |

NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

| Version | Effective Date | Created/ Reviewed by | Reason for review / comment |
|---------|----------------|----------------------|-----------------------------|
| 1 | 1.01.2026 | Transition Lead | New |

Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- All employees of NMIT, including contracted staff and secondees providing services for NMIT; and those on fixed term contracts (may be collectively referred to as kaimahi in this policy)
- All governors of NMIT including members and advisors of NMIT Council and governance committees or boards (collectively referred to as governors in this policy).

This policy covers the manner in which requests for information received by NMIT expressly under the Official Information Act 1982 ('OIA' or 'Act') or otherwise should be managed.

This Policy has been adopted while there is ongoing work being carried out to consider how NMIT's commitment as a te Tiriti o Waitangi partner should be embedded in this policy. A future review of this policy will be carried out having regard to the principles of Māori Data Sovereignty that will be applied as part of NMIT's record management.

Te Pūtaki | Purpose

The purpose of this Policy is to provide a framework to ensure that:

- all requests for official information are dealt with efficiently and in accordance with NMIT's obligations under the Official Information Act 1982 (OIA)
- sound decisions are made as to whether official information should be released
- decisions to refuse or charge for requests for official information are justified under the OIA

Ngā Mātāpono | Principles

All decisions regarding management of NMIT official information requests and proactive releases are guided by the principle of availability and purposes of the OIA, and the Government's 2011 adoption of the Declaration on Open and Transparent Government.

NMIT will adhere to the following principles whenever a request for official information is made:

- comply with the requirements and observe the spirit and purposes of the OIA, and other applicable legislation (e.g. the Privacy Act 2020)
- exercise due diligence and assess the potential effect of reactively or proactively releasing official information, including considerations relevant to the preservation of safety, security, and personal privacy
- support increased proactive release in line with the OIA's purpose of progressively increasing the availability of official information to the people of New Zealand, including the publication of appropriate OIA responses
- take account of the particular needs of the requestor and release official information in accessible and usable forms wherever possible
- consult or notify other relevant stakeholders before releasing official information as required or permitted by the OIA, including consulting or notifying the office of the Minister of Education on the reactive or proactive release of significant official information in advance on a "no surprises" basis

In addition, NMIT will ensure:

- requests for official information are granted unless there is good reason (as per the OIA) not to grant them
- all decisions to withhold official information are approved in accordance with this Policy and the OIA
- documentation is maintained to enable NMIT to show legal compliance and facilitate internal review
- appropriate governance and management arrangements are in place to oversee relevant processes and their application

Kaupapa Here | Policy Statements

WHO CAN REQUEST INFORMATION FROM NMIT?

The OIA applies to requests for official information by:

- a) a New Zealand citizen
- b) a permanent resident of New Zealand
- c) a person who is in New Zealand
- d) a body corporate that is incorporated in, or with a place of business in, New Zealand.

Requests by other persons (e.g. overseas residents) are at the sole discretion of NMIT and should be considered on a case-by-case basis.

WHERE SHOULD REQUESTS FOR INFORMATION BE REFERRED?

Requests for official information may be made in any form and by any means (including in writing or orally), and the request does not need to expressly refer to the OIA.

Any requests for official information must be referred to OIA@nmit.ac.nz as soon as they are received.

WHO IS RESPONSIBLE FOR RESPONDING TO OIA REQUESTS?

The Chief Executive Officer is responsible for all responses to OIA requests and ensuring that NMIT meets their obligations under the OIA.

RELEVANT FACTORS THAT MUST BE REGARDED

NMIT can refuse a request for official information only in the circumstances described in sections 6, 9, 10 and 18 of the OIA, which include, but are not limited to, public interest considerations favouring withholding of information in certain circumstances such as protection of the privacy of natural persons and the maintenance of legal professional privilege.

DECISION MAKING PROCESS

Where practicable, legal and risk advice will be sought to assess the information request and proposed response.

Only the Chief Executive Officer may approve the release of requested information or the refusal of requested information. Any refusal must expressly state the section of the OIA that is being relied upon for the purpose of refusing the request.

If the request for official information is refused, a response to the applicant and sighted and authorised by the Chief Executive Officer must give:

1. the reason for the decision to refuse the release of the information; and
2. if requested, the grounds under the OIA in support of that reason; and
3. information concerning the applicant's right to complain to the Ombudsman under section 28(3) of the OIA to seek an investigation and review of the decision to refuse.

TIMEFRAMES

The decision on the request must be made and communicated to the requester as soon as reasonably practicable and not later than 20 working days after receiving the request. However, the time limit may be extended if:

- the request is for a large quantity of information, or the request requires a search through a large quantity of information and meeting the original time limit would unreasonably interfere with the operations of NMIT; or
- consultations are needed to make a decision, and a response cannot be made within the original time limit.

The requester must be advised of this extension decision, and the reason under the OIA to support this decision, as soon as reasonably practicable and before the expiry of the 20 working day limit for response. This should be by way of written response sighted and authorised by the Chief Executive Officer.

TRANSFER

The Chief Executive Officer can authorise the transfer of the request to the other agency when:

- a) some or all of the information requested is not held by NMIT but is held by another agency subject to the OIA or the Local Government Official Information and Meetings Act 1987 or Ministers; or
- b) some or all of the information is more closely connected with the functions of another agency or Minister

HOW THE INFORMATION IS MADE AVAILABLE

Information should be provided to the applicant in the format requested by them, or in the absence of a request by the applicant, in the manner deemed most appropriate by NMIT.

Documents can be made available with deletions (redactions) or alterations if there is good reason for withholding some information in the document and if approved by the Chief Executive Officer.

NMIT must give the applicant the reason for withholding the information.

DECLINING TO GIVE THE INFORMATION IN THE WAY REQUESTED

Only the Chief Executive Officer or delegated Director can decide not to give the information in the way requested by the applicant. Such a decision can be made if to do so would:

- a) impair efficient administration
- b) be contrary to any legal duty of NMIT relating to that document, or
- c) prejudice the interests protected by sections 6 or 9 of the Act and (in the case of the interests proted by section 9) there is no countervailing public interest.

In such cases, NMIT must give the applicant the reason for not providing the information the way they requested by way of written response sighted and authorised by the Chief Executive Officer.

WHEN TO CHARGE FOR INFORMATION REQUESTS

In accordance with the OIA and relevant Ombudsman guidelines, NMIT can decide to fix a reasonable charge for supply of the information requested to recover some of the costs associated with responding to the request.

Charges must be consistent with the Ministry of Justice *Charging Guidelines for Official Information Act 1982 Requests* and must be communicated to the applicant prior to the cost being incurred.

Any decision to charge an applicant in respect of an official information request must be approved by the Chief Executive Officer.

PROACTIVE RELEASE OF INFORMATION

In accordance with the Public Services Commission Proactive Release of Information Guidelines, and in the interests of increased transparency for the public interest, NMIT will proactively release official information, including responses to official information requests, where considered appropriate.

The Chief Executive Officer must approve any decision to proactively release official information.

RECORDKEEPING

Records must be kept in accordance with the NMIT Information and Records Management Policy (as updated from time to time) and reflecting the recordkeeping requirements of Part 2 of the Public Records Act 2005 that “every public office and local authority must create and maintain full and accurate records of its affairs”.

EVALUATION/OUTCOMES

The management of information requests under the OIA, and this Policy, will be measured by inclusion in NMIT reporting processes and additionally by external audit, as required.

Pūrongo me te Whakapūmau | Reporting and Assurance

| Regular reports will be submitted to Council and/or a committee of Council: | |
|--|--|
| Submitted by | Chief Executive Officer |
| Submitted to | Council |
| What must be reported | OIA requests received, outcomes, risks |
| Reporting cadence | Monthly |
| Is immediate escalation required for material events? | Yes; immediate escalation required by CEO where a request poses legal or reputational risk |

Ngā Haepapa | Responsibilities

| Role | Responsibilities |
|-------------------------|--|
| Chief Executive Officer | <p>Ensure OIA responses are compliant with the requirements of the OIA.</p> <p>Determine whether to:</p> <ul style="list-style-type: none"> • approve or decline requests for official information • extend time limits for responding to OIA requests beyond 20 working days • transfer an OIA request to another government agency • withhold certain information under an OIA request • apply a charge for any OIA request received • proactively release official information <p>Consider communications received from the Office of the Ombudsman regarding OIA compliance.</p> <p>Assess and draft responses to OIA requests in accordance with this Policy.</p> <p>Approve all requests for official information under the OIA.</p> |
| NMIT kaimahi | <p>Upon request, provide all relevant information within the requisite timescales and in accordance with this Policy.</p> <p>Manage records in accordance with the Public Records Act, OIA and NMIT policies</p> |

Ngā Tikanga | Definitions

| Term | Definition |
|----------------------|--|
| Official information | <p>Any information held by an agency or organisation; includes</p> <ul style="list-style-type: none"> • documents, reports, memoranda, letters, emails and drafts • non-written information, such as video or tape recordings • the reasons for any decisions that have been made • manuals that set out internal rules, principles, policies or guidelines for decision-making • agendas and minutes of meetings, including those closed to the public. <p>Official information also includes information which is known to an organisation but has not yet been written down.</p> |

Ngā Hononga ki Tuhinga kē | Links to other documents

NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

NMIT Information and Records Management Policy
 NMIT Privacy Policy

NGĀ TUKANGA ME NGĀ HĀTEPE | RELATED PROCESSES, PROCEDURES

NMIT Official Information Procedure

TURE WHAI TAKE | RELEVANT LEGISLATION

[Privacy Act 2020](#)

[Official Information Act 1982](#)

[Public Records Act 2005](#)

Ministry of Justice [Official Information Act Charging Guidelines](#)

Public Service Commission [Official Information Act Requests](#)

Public Services Commission [Proactive release of official information](#)