

19 July 2018

[personal information]

Dear Andrea

Request under the Official Information Act 1982 (OIA): OIA statistics

Your request and subsequent correspondence

1. We refer to your request to the Financial Markets Authority (FMA) on 7 June 2018 requesting the following information under the OIA:
 - *In the last two years, broken down by year, how many requests for information under the act were:*
 - *denied in full*
 - *granted in part*
 - *granted in full*
 - *When refusing or partially refusing requests, what is the reason provided most often?*
 - *How many responses have been extended beyond the 20 day deadline?*
 - *On what subject / topic is information most regularly requested?*
 - *On how many occasions have responses to requests been reviewed by the Minister before being released?*
2. Further correspondence clarified that you would like this information for the last two financial years.
3. On 4 July 2018 we gave notice, under section 15A of the OIA, that we were extending the time to respond to 19 July 2018. This was because your request necessitated a search through a large quantity of information and meeting the original time limit would unreasonably interfere with our operations.
4. Please find below our response to your request.

Our response

5. In the financial year ending 30 June 2017 we responded to 32 OIA requests. Of these responses, 12 released the information in full, 6 released the information in part, 10 withheld the information requested, and 14 refused the request.
6. In the financial year ending 30 June 2018 we responded to 28 OIA requests. Of these responses, 10 released the information in full, 8 released the information in part, 7 withheld the information requested, and 3 refused the request.

7. When releasing only part of the information, the most common reason the FMA provided for withholding part of the information was section 9(2)(a) of the OIA, on the grounds of protecting the privacy of natural persons.
8. When withholding all of the information, the most common reason the FMA provided was section 9(2)(ba) of the OIA, on the grounds of protecting information subject to an obligation of confidence or which any person has been compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or would be likely otherwise to damage the public interest.
9. When refusing the request, the most common reason the FMA provided was section 18(e) of the OIA, on the grounds that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.
10. In the last two financial years the FMA has extended the 20 working day time limit for 11 OIA requests of the 60 responses we have provided.
11. The most common subject/topic of information requested under the OIA to the FMA was for information about past and current litigation and investigations by the FMA. This included requests for information about actions taken by the FMA and costs associated with the litigation or investigation.
12. None of our OIA responses have been reviewed by the Minister of Commerce and Consumer Affairs before being released. However, under a 'no surprises' policy, the FMA informs the Minister of any material or significant events, transactions, and other issues that could be considered contentious or attract wide public interest.
13. As mentioned previously, the FMA has recently published information on how we approach OIA responses, and OIA statistics for the period July 2016 – December 2017. This information can be accessed publicly on our website: <https://fma.govt.nz/contact/official-information-act-requests/>.
14. We note that you have a right, by way of complaint under section 28 of the OIA to the Ombudsman, to seek and investigation and review of the FMA's decision to extend the time limit.

Yours sincerely

[personal information]