

## Charging Policy for Local Government Official Information and Meetings Act (LGOIMA) Requests

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<b>Section</b>	Leadership Team
<b>Contact</b>	Information Manager
<b>Approval</b>	Leadership Team
<b>Date Approved</b>	
<b>Next Review</b>	

### Purpose

This policy sets out the framework for charging for information supplied under the Local Government Official Information and Meetings Act 1987 (LGOIMA).

### Policy

- a. LGOIMA aims to make official information held by local authorities more freely available.
- b. It allows for effective participation by the public in actions and decisions of the local authority and promotes open and public transaction of business of the council.
- c. It also promotes the accountability of council members and staff. There are protections from disclosure where non-disclosure is in the public interest or to protect personal privacy.
- d. If the reply to a request for information is likely to take a significant amount of research, collation and copying, the Horowhenua District Council is entitled under LGOIMA to impose a charge for the provision of information.

### Principles

Council is committed to the principles of openness and public engagement and will make information available unless there are good reasons for withholding it.

### Charging for LGOIMA

- a. The first one (1) hour of time spent on fulfilling official information requests will be free; and then all additional time will be charged at \$39/half hour.
- b. The first twenty (20) pages of black and white photocopying will be free, with a charge of 20c per page for all additional black and white pages.
- c. All other charges incurred shall be fixed at an amount that recovers the actual costs involved. This includes:
  - i. Producing a document by computer or other like equipment;
  - ii. Colour photocopies;

- iii. Reproducing a photograph, film, video or audio recording;
  - iv. Arrange for the requester to hear or view an audio or visual recording;
  - v. Providing a copy of any maps, plans etc.
- d. Charges **cannot** be made for time spent or any expenses incurred in deciding whether or not to release the information.
- e. In addition, it may not be reasonable to charge for locating or retrieving information if there are record keeping practices in place that mean the information is not stored where it should be in accordance with Council's normal prudent business practice.
- f. Council will not consider whether and how much to charge for the release of information until it has decided whether (and to what extent) the information can be made available. At the same time, consideration will be given to whether reduction or waiver of any proposed charge may be made in recognition of the public interest and/or potential hardship.
- g. We will notify the requester of the estimated cost of their request before we begin working on the request. The requester then has the option of proceeding, withdrawing or refining their request.
- h. In accordance with section 13(4) of LGOIMA, we may require that the whole or part of any charge be paid in advance.
- i. Requesters are able to make a complaint to the Office of the Ombudsman in regards to the proposed charge.
- j. Charges may be waived in whole or in part at the discretion of the Chief Executive. This will generally be in a situation where there is an agreed public interest in the disclosure of the information requested or it places undue hardship on the requester.
- k. The charges are set out on the annual schedule of User Fees and Charges and are consistent with the Ministry of Justice Charging Guidelines and endorsed by the Office of the Ombudsman.

## Scope

This policy applies to all requests received under LGOIMA.

## Application

This Policy applies to equally to all LGOIMA requests.

## Responsibilities

### a. Chief Executive

The Chief Executive is responsible for ensuring that the charging of LGOIMA requests are consistent with the Ministry of Justice Charging Guidelines for Official Information Act Requests.

### b. Leadership Team

Leadership Team members are responsible for ensuring time spent on processing LGOIMA requests is captured along with the costs or reproducing requested item/s.

## Relevant legislation

This policy is based on the [Ministry of Justice Charging Guidelines for Official Information Act Requests](#).

This policy follows the [Official information legislation guides](#) from the Office of the Ombudsman.

This policy relates to the [Local Government Official Information and Meetings Act 1987](#).

**Related procedures / documents**

Promapp Process – What to do with a LGOIMA

User Manual Authority – Using the LGOIMA Register

It is acknowledged that as the Horowhenua District Council embeds a consistent charging policy in everyday practice, additional material may be developed to support information already available to staff.

**Signed by Leadership Team:**

Chief Executive: \_\_\_\_\_ Date: \_\_\_\_\_

Acting Group Manager  
Business: \_\_\_\_\_ Date: \_\_\_\_\_

Group Manager  
People and Culture: \_\_\_\_\_ Date: \_\_\_\_\_

Group Manager  
Infrastructure: \_\_\_\_\_ Date: \_\_\_\_\_

Acting Group Manager  
Communities, Partnership: \_\_\_\_\_ Date: \_\_\_\_\_

Group Manager  
Customer and Strategy: \_\_\_\_\_ Date: \_\_\_\_\_