

9 SEP 2016

Mr Alex Harris
fyi-requests-4430-1c6faeeb@requests.fyi.org.nz

Dear Alex

Official Information Act request

I refer to your request dated 12 August 2016, pursuant to the Official Information Act 1982 (the Act), seeking “*all advice and communication on the issue of law reform around lost property sales at airports*”. You have advised that you are “*particularly interested in whether there have been calls by any airports (or other bodies) for a law change, and in whether such a measure was proposed for inclusion in a statutes amendment bill*”.

The following documents fall within the scope of your request and are enclosed:

	Document	Date of the document	Information withheld	Reason for withholding information
1	Email from Michael Wilkinson to Tom Forster	12/08/2016: 10.30 a.m.	Text of the email	section 9(2)(h) of the Act: <i>maintaining legal professional privilege</i>
2	Email from Tom Forster to Michael Wilkinson	12/08/2016: 8.52 a.m.	Some of the text of the email	section 9(2)(h) of the Act: <i>maintaining legal professional privilege</i>
3	Email from Michael Wilkinson to Helen McNaught	12/08/2016: 8.36 a.m.	None	N/A
4	Email from Tom Forster to Nick Brown and Helen Robertson	19/04/2016: 8.15 am	Text of the email	Section 9(2)(g)(i) of the Act: <i>maintaining the effective conduct of affairs through free and frank expression of opinions.</i>
5	Email from Nick Brown to Tom Forster and Helen Robertson	18/04/2016: 6.04 p.m.	Name of person copied into the email (Minister's Private Secretary) and the mobile phone number of Nick Brown	section 9(2)(a) of the Act: <i>protecting the privacy of natural persons</i>

6	Email from Tom Forster to Helen Robertson	13/04/2016: 9.55 a.m.	None	N/A
7	Email from Tom Forster	07/04/2016: 4.49 p.m.	Name of person email was sent to (Minister's Private Secretary)	section 9(2)(a) of the Act: <i>protecting the privacy of natural persons</i>
8	Email from Tom Forster	07/04/2016: 1.30 p.m.	Name of person email was sent to (Minister's Private Secretary)	section 9(2)(a) of the Act: <i>protecting the privacy of natural persons</i>
9	Email to Tom Forster (with attachment)	06/04/2016: 6.09 p.m.	Name of person email was sent from (Minister's Private Secretary) and their contact details	section 9(2)(a) of the Act: <i>protecting the privacy of natural persons</i>
10	Email from Jono Naylor MP to Hon. Simon Bridges (with attachment)	06/04/2016: 3.35 p.m.	Direct dial and room number for Jono Naylor	section 9(2)(a) of the Act: <i>protecting the privacy of natural persons</i>

With respect to the information that has been withheld, I consider the reasons for withholding this information are not outweighed by any other considerations that render it desirable, in the public interest, to make the information available.

You have the right under section 28(3) of the Official Information Act to make a complaint about the withholding of information to the Ombudsman whose address for contact purposes is:

The Ombudsman,
Office of the Ombudsman,
PO Box 10-152
Wellington

Yours sincerely



Shelley Tucker
Acting General Manager Aviation & Maritime
for CHIEF EXECUTIVE

Nick Paterson

From: Michael Wilkinson
Sent: Friday, 12 August 2016 10:30 a.m.
To: Tom Forster
Cc: Helen Robertson
Subject: RE: Members bill that could affect aviation bills

1

Withheld under s 9(2)(h)

Michael Wilkinson
Senior Solicitor
Ministry of Transport – *Te Manatū Waka*

T: +64 4 439 9386 | www.transport.govt.nz

From: Tom Forster
Sent: Friday, 12 August 2016 8:52 a.m.
To: Michael Wilkinson
Cc: Helen Robertson
Subject: FW: Members bill that could affect aviation bills

2

Withheld under s 9(2)(h)

Wrong Helen by the way ☺

From: Michael Wilkinson
Sent: Friday, 12 August 2016 8:36 a.m.
To: Helen McNaught
Cc: Tom Forster
Subject: Members bill that could affect aviation bills

3

Hi Helen

Looks like that bill that Jono Naylor was promoting has now made it out of the ballot (see previous email trail on this).

<http://www.scoop.co.nz/stories/PA1608/S00202/results-of-the-members-bill-ballot-for-11-august-2016.htm>

Michael Wilkinson
Senior Solicitor
Ministry of Transport – *Te Manatū Waka*

T: +64 4 439 9386 | www.transport.govt.nz

Nick Paterson

4
From: Tom Forster
Sent: Tuesday, 19 April 2016 8:15 a.m.
To: Nick Brown; Helen Robertson
Subject: RE: Member's Bill idea

5
From: Nick Brown
Sent: Monday, 18 April 2016 6:04 p.m.
To: Tom Forster; Helen Robertson
Cc: [REDACTED] (Parliament)
Subject: RE: Member's Bill idea

Withheld under s 9(2)(g)(i)

Withheld under s 9(2)(a)

Tom, Helen

At the officials' meeting today, the Minister decided against proactively including Mr Naylor's proposals in the CAA Bill. So we can just leave it to run its course in the Private Members' Bill lottery.

Nick

Nick Brown
General Manager Aviation and Maritime
Ministry of Transport – Te Manatū Waka

T: 04 439 9235 | [REDACTED] | www.transport.govt.nz

Withheld under s 9(2)(a)

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Nick Paterson

6
From: Tom Forster
Sent: Wednesday, 13 April 2016 9:55 a.m.
To: Helen Robertson
Cc: Michael Wilkinson
Subject: FW: Member's Bill idea

I've spoken to Nick about this and he has agreed that we should include it in the review. He'll let the Minister know on Monday at the Official's meeting.

7
From: Tom Forster
Sent: Thursday, 7 April 2016 4:49 p.m.
To: [REDACTED] (Parliament)
Cc: Nick Brown
Subject: RE: Member's Bill idea

Withheld under s 9(2)(a)

Hi [REDACTED]

It was not proposed, but this is something that can be included in the Act amendments if it was considered necessary. We agree that there should be a degree of flexibility in these type of provisions.

I hope that helps.

Cheers

Tom

8
From: Tom Forster
Sent: Thursday, 7 April 2016 1:30 p.m.
To: [REDACTED] (Parliament)
Cc: Nick Brown
Subject: RE: Member's Bill idea

Withheld under s 9(2)(a)

Hi [REDACTED]

It seems fine to me – I'm just checking to see whether this is not already proposed in the AA Act review.

Cheers

Tom

9
From: [REDACTED]
Sent: Wednesday, 6 April 2016 6:09 p.m.
To: Tom Forster
Cc: Nick Brown
Subject: FW: Member's Bill idea

Withheld under s 9(2)(a)

Hi Tom

Can you please get back to me on whether the Ministry has a view on this Member's Bill?

Cheers

[REDACTED]

[REDACTED] | Private Secretary – Transport

Withheld under s 9(2)(a)

Withheld under
s 9(2)(a)

Parliament Buildings | Wellington 6160 | New Zealand

From: Jono Naylor
Sent: Wednesday, 6 April 2016 3:35 p.m.
To: Hon Simon Bridges
Subject: Member's Bill idea

Hi Simon

Attached as discussed.

If you are happy with the idea, I'll take it to Caucus next week.


Cheers

Jono

Jono Naylor MP | National List MP Based in Palmerston North | [Redacted] | Parliament House
@ Jono.Naylor@parliament.govt.nz | www.jononaylor.co.nz

Withheld under
s 9(2)(a)

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MEMBERS BILL PROPSAL

IDEA

Public Notices – Airport Authorities

ISSUE/PROBLEM

The Airport Authorities Act sets out the process a local or airport authority must go through before selling lost property.

The purpose of these sections of law are sound; provide the public with information about lost property, to allow the owner a chance to recover their property before the authority begins the process of sale.

However, the section is restrictive in its application. Currently all advertising must occur in a newspaper circulating in the district the airport is situated in. There is no requirement for online notices or other forms of communication. Also given that travellers who have lost property may or may not be domiciled in the same area as the airport, the local paper may not be most effective.

We are experiencing a change in how people receive, and search for, information and the limitations under the Airport Authorities Act are no longer fit for purpose.

This section needs to be updated and modernised. It should be future proofed to save the same problem occurring at a later stage.

OPTIONS

1. Require advertising in daily newspapers circulating in region
2. Require authorities to advertise to passengers travelling on the day the property was lost via given contact details
3. Remove advertising prescriptions all together

PROPOSED SOLUTION

Amend s9(1)(ff) to better reflect the changing ways people receive information and future proof the legislation.

1. Require authorities to make a fair and reasonable attempt to publicise the sale of lost property as the authority deems appropriate.

POLICY INTENT / DESIRED OUTCOMES

- Make the authority more responsive in their advertising
- Require greater transparency of authority
- Give more options for when and how to advertise
- Future proof legislation.

LEGISLATION TO BE AMENDED

Airport Authorities Act 1966

POLITICAL IMPLICATIONS

Minor – this is a move towards greater openness.

FINANCIAL IMPLICATIONS

Minor costs associated with advertising as the authority deems appropriate will have to be met by the authority. This will likely be very minimal.

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