

14. REVIEW OF LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETING ACT



General Manager responsible:	General Manager, Regulations and Democracy Services, DDI 941-8462
Officer responsible:	Acting Manager, Legal Services Unit
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PURPOSE OF REPORT

1. To seek approval of the Council's submission prepared in response to the Law Commission's review of the Local Government Official Information and Meetings Act 1987.

EXECUTIVE SUMMARY

2. The Law Commission is currently carrying out a review of the Official Information Act 1982 and the Local Government Official Information and Meetings Act 1987 (LGOIMA). The Commission has published an Issues Paper and is seeking feedback on the matters outlined in it.
3. The Legal Services Unit has prepared a submission on behalf of the Council. This was considered at a workshop for Councillors on 30 November 2010.
4. The document attached (**Attachment 1**) to this report reflects changes suggested at that workshop.
5. Approval is sought for the submission to be lodged with the Law Commission by the due date of 17 December 2010.

FINANCIAL IMPLICATIONS

6. The only costs incurred by the Council to date are in respect of staff time spent on preparing the submission.

LEGAL CONSIDERATIONS

7. There are no legal obligations imposed on the Council as a result of the proposed review.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Approves the submission prepared by staff in response to the Law Commission's Issues Paper published as part of a review of the LGOIMA: and
- (b) Authorises the General Manager of the Regulation and Democracy Services Group to sign the submission on the Council's behalf.

BACKGROUND (THE ISSUES)

8. As indicated earlier in this report Council staff have prepared a submission in response to the Issues Paper published by the Law Commission. This is the link to the document on the Commissions website:

<http://www.lawcom.govt.nz/project/review-official-information-act-1982>

9. The Commission notes that LGOIMA contributes to public trust and confidence in local government. The review is intended to assess the Act and to ensure that it continues to operate efficiently. The Commission will recommend reforms if it believes that they are necessary.
10. It has been stated by the Commission that the focus of the project is the effective operation of the legislation for members of the public, officials, journalists, researchers and politicians. The environment in which LGOIMA operates is now very different to that which existed 20 years ago, in terms of local government processes, technology, use of the internet and public interest. The Issue Paper invited submissions on a number of questions raised by the Commission.
11. A workshop to discuss the Council's response was held on 30 November 2010. As a result of that a number of amendments have been made in the responses to questions 18, 19, 20, 28 and 54.
12. The Council will have a further opportunity to be involved in the review process once submissions have been analysed and the Commission reaches its conclusions so far as any recommended changes are concerned.