

10 February 2012

Paul Gee
PO Box 249
Takaka 7142

c/- gansolarservices@gmail.com

Dear Mr Gee

Official Information Act 1982 requests for gas certificates

I refer to your requests for information to the Plumbers, Gasfitters, and Drainlayers Board dated 18 December 2011, 9 January 2012 and 2 February 2012; and I also refer to your email dated 9 February 2012 regarding the legislative time period for a response to a request for information under the Official Information Act 1982.

Timing of response to your request for information

I refer to your email to the Board dated 9 February 2011 regarding the legislative time period in which the Board is required to provide you with a response to your request for information under the Official Information Act 1982.

When a request for information is made, the Board 'must decide whether the request is to be granted' and 'give or post to the person who made the request notice of the decision on the request' no later than 20 working days after the day on which the request is received by the Board. The Board received your first request for information on the 18 December 2011, and then a further request for information was received on 9 January 2012. In a letter dated 27 January 2012, you were given notice of the Board's decision regarding the information you requested and you were informed of the Board's decision to impose a charge. You were also advised of the cost of processing your request and asked whether you would pay. You responded to the question about charging on 30 January 2012 advising that you would pay for the processing of your request.

Subsequently, the Board received an email from you dated 2 February 2012 requesting further information relating to gas certificates. This letter includes our response to that request.

Email dated 18 December 2011 – request for gas certificates

In your email to the Board dated 18 December 2011 where you requested information regarding gas certificates. The Board responded in a letter dated 27 January 2012. In reference to each of the items addressed in that letter:

1. The Board refused your request for the number of gas certificates issued by John Darnley, under section 18(d) of the Official Information Act 1982 Act,

because the information requested was publicly available. In your email dated 2 February 2012 to the Board, you asked the Board to reconsider their decision regarding this matter on the grounds that searching the public register yourself was "time consuming". I note that under section 12 of the Official Information Act 1982, 'the official information requested shall be specified with due particularity in the request.' To assist the Board in reconsidering their decision about your request for information, please clarify the information you are requesting. Please could you confirm whether you are seeking the total number of gas certificates **owned** by Mr Darnley; or whether you are requesting the total number of gas certificates **certified** by Mr Darnley? The process for identifying these categories of information is different, whereby one is very time consuming for the Board, while the other one is not. Once you have specified what your request is for, we will be able to reconsider it.

2. Your request regarding the number of certificates you have issued in your career was granted by virtue of principle 6 of the Privacy Act 1993. As at 20 January 2012 you had issued 343 gas certificates.
3. You were provided with a list of 94 gas certificates where you are the certifier and where another person is listed as having carried out the work on the installation. At this time, the Board holds 89 of the 94 original master gas certificates and 3 copies of the master pink copies (gas certificates number 286044, 282245 and 278223). Please note that the Board either does not hold or cannot locate gas certificates 286049 and 291535. For this reason your request for that information is refused under section 18(e) of the Official Information Act 1982.
4. You were provided with a list of the 46 gas certificates where you are listed as the installer but not the certifier of the work carried out. At this time, the Board holds 31 of the 46 original master gas certificates. A further 11 gas certificates are available on the public register (673886, 674552, 675938, 675939, 675940, 678074, 680467, 681704, 681705, 682840 and 682850). Please note that the Board either does not hold or cannot locate gas certificates 299752, 299753, 299756 and 299760. For this reason your request for that information is refused under section 18(e) of the Official Information Act 1982.
5. You requested a further nine gas certificates 2299760, 299751, 299755, 299764, 299765, 299766, 299767, 299778 and 299779. At this time, eight of the nine gas certificates requested have been located. These eight gas certificates requested match certificates requested above, namely certificates where you are listed as having carried out work on installation but did not certify. Please note that the Board either does not hold or cannot locate gas certificate 299760 and so your request for that information is refused under section 18(e) of the Official Information Act 1982.

Email dated 9 January 2012 – request for gas certificates

In your email to the Board dated 9 January 2012 you requested "*pink master copies of batches 299741 – 299780 and 294351 – 294390*". This request was also addressed by the Board in the letter dated 27 January 2012.

- In terms of batch 29974 – 299780, 31 of the 40 gas certificates matched those certificates you requested at point 4 above. A further 5 original master gas certificates were located at this time. The 4 outstanding gas certificates

match some of the certificates not yet located at point 3 of your request above, namely certificates 299752, 299753, 299756 and 299760.

- In regards to batch 294351 – 294390, 26 of the 40 original master gas certificates have been located at this time. Please note that the Board either does not hold or cannot locate gas certificates 294351, 294352, 294353, 294354, 294355, 294361, 294373, 294381, 294382, 294383, 294384, 294385, 294386 and 294387. For this reason your request for that information is refused under section 18(e) of the Official Information Act 1982.

Email dated 2 February 2012 – request for gas certificates

On 2 February 2012 the Board received two emails specifying your request and in particular, you requested "true colour copies of the Board's copy of certificates" for gas certificates which have been addressed at point 3 and 4 above.

I apologise for the inconvenience in relation to the gas certificates that have not been located. However, please be assured we have spent significant time, over and above the hours you been charged, trying to locate the outstanding certificates. If the Board locates the master pink copies of gas certificates 294351, 294352, 294353, 294354, 294355, 294361, 294373, 294381, 294382, 294383, 294384, 294385, 294386, 294387, 286049, 291535, 299752, 299753, 299756 and 299760, you will be notified immediately.

Charges

Accordingly, copies of 154 gas certificates have been located. These consist of 92 certificates requested by you and detailed at point 3 above, 31 certificates requested by you and detailed at point 4 above and the further 31 certificates requested by you in your email dated 9 January 2012.

In the Board's letter dated 27 January 2012, the Board advised of its intention to charge you for your request in accordance with section 15 of the Official Information Act 1982. In light of the Board's inability to locate all gas certificates requested by you, should you wish to proceed with your request for the gas certificates above, the new charges are as follows:

Photocopying at \$0.20 per page after the first 20 pages – 134	26.80
Staff time spent collecting, collating and copying the certificates at \$38 per half-hour in excess of the first hour – estimated 2.5 hours total	<u>114.00</u>
Total	\$140.80

These charges are based on the *Ministry of Justice Charging Guidelines of Official Information Act 1982 Requests*, accessible from the Ministry of Justice website (www.justice.govt.nz).

Please confirm whether you would like to proceed with these requests at the charge of \$140.80. If you have any queries regarding the charge, please contact the Board.

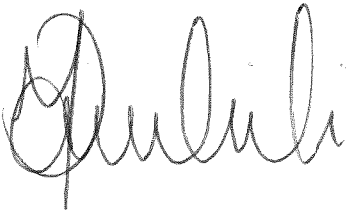
If you accept the charges as outlined above, and you would like to proceed with these requests, payment is required **before** we will send you the copies of the requested gas certificates.

The methods of payment are as follows:

- cheque payable to: Plumber Gasfitters & Drainlayers Board; or
- deposit funds into the account 02-0560-0158869-00 with your name as a reference.

Please contact the Board if you have any questions or would like to discuss your request.

Your sincerely

A handwritten signature in black ink, appearing to read 'Nifo', written in a cursive style.

Nifo Tauilili Pelesasa

Solicitor

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