



CABINET OFFICE

14 August 2023



Ref: OIA-2023/24-0049

Dear [REDACTED]

Official Information Act request relating to The Crown

Thank you for your Official Information Act 1982 (the Act) request received on 20 July 2023. You requested:

This is a formal request for access to general records, made under the Official Information Act.

Description of Requested Records:

Any records in the possession, custody or control of The Department of the Prime Minister and Cabinet for the establishment and organization of THE CROWN.

Records that are sought include but not limited to:

- *The Year THE CROWN was established*
- *The PERSONS and ENTITIES that founded THE CROWN*
- *The authority by which THE CROWN was established*
- *The owner or owners of THE CROWN both at the time of establishment and present day*
- *THE CROWN's current operators*
- *A list of the CROWN's assets*

The parts of your request are answered in turn below.

Any records in the possession, custody or control of The Department of the Prime Minister and Cabinet for the establishment and organization of THE CROWN.

As the Cabinet Manual explains:

The expression “the Crown” is used frequently in descriptions of New Zealand’s current constitutional arrangements. The meaning of “the Crown” varies according to the context in

DEPARTMENT OF THE PRIME MINISTER AND CABINET

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which it is used. Generally, it describes executive government conducted by Ministers and their public service agencies... It does not usually include organisations that have their own corporate identities, such as state-owned enterprises.” [Cabinet Manual para 1.4]

“The Crown” is also defined in some legislation, for example, the State Owned Enterprises Act 1986 which defines the Crown as “Her Majesty the Queen in right of New Zealand”, and the Public Finance Act 1989 which defines the Crown as “the Sovereign in right of New Zealand” and includes “all Ministers of the Crown and all departments”.

Your request for records held by this department relating to “the organisation of the Crown” would encompass the activities of all Ministers of the Crown and all public service agencies. Therefore, we are refusing your request in full under section 18(f) of the Act, that the information requested cannot be made available without substantial collation or research.

We have considered under s18A of the OIA whether to fix a charge or extend the time limit in order to consider your response – however given the breadth of the information involved we do not consider that either would enable the request to be granted.

There is a lot of publicly available information about the way in which the Crown (ie Ministers and the public service) are organised. Information about Ministers and portfolios is available on the website of the Department of the Prime Minister and Cabinet at [Ministers and their portfolios | Department of the Prime Minister and Cabinet \(DPMC\)](#) Information about the organisation of the public service system is available on the website of Te Kawa Mataaho Public Service Commission at [Public Service system - Te Kawa Mataaho Public Service Commission](#) Information about the relationship between Ministers of the Crown and the public sector can be found in Chapter 3 of the Cabinet Manual.

In relation to your request for records relating to the establishment of the Crown, including but not limited to:

- *The Year THE CROWN was established*
- *The PERSONS and ENTITIES that founded THE CROWN*
- *The authority by which THE CROWN was established*
- *The owner or owners of THE CROWN both at the time of establishment and present day*
- *THE CROWN's current operators*

I am refusing this part of your request under section 18(g) of the Act, that the information requested is not held by the department and I have no grounds for believing the information is held by or more closely connected with the functions of another department.

In relation to your request for a list of the Crown’s assets, information about the Crown’s assets is available at: [Assets and liabilities | The Treasury New Zealand](#). I am therefore refusing this part of your request under section 18(d) of the Act, that the information requested is publicly available.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet’s website during our regular publication cycle. Typically, information is released monthly, or as

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otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Rachel Hayward
Secretary of the Cabinet

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