



5 February 2025

[Redacted]
[Redacted]

Ref: OIA-2024/25-0530

Tēnā koe [Redacted],

Official Information Act request for materials related to the drafting of the Canterbury Earthquake Recovery Act 2011

Thank you for your Official Information Act 1982 (the Act) request received on 10 December 2024. You requested:

“...legally privileged information regarding the drafting of clause 82 (Protection from Liability) in the Canterbury Earthquake Recovery Bill, which subsequently became section 83 of the Canterbury Earthquake Recovery Act 2011 (“CER Act...”

The timeframe for responding to your request was extended under section 15A of the Act by 22 working days because a search through a large quantity of information, and consultations were needed before a decision could be made on the request. Following this extension, I am now in a position to respond.

Information to be withheld

Following a review of the information in scope of your request, it has been determined that the draft materials you have asked to access do not contain information that cannot already be gleaned from related, publicly available, policy and Cabinet papers¹.

On this basis, I have decided to withhold the information in scope of your request in full under section 9(2)(h) of the Act in order to maintain legal professional privilege. In making my decision, I have considered the public interest considerations in section 9(1) of the Act. No public interest has been identified that would be sufficient to outweigh the reasons for withholding that information, as the greater public interest is in ensuring that government agencies can continue to obtain confidential legal advice.

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

Nāku noa, nā,

[Redacted signature]

Clare Ward
Executive Director
Strategy, Governance and Engagement

¹ See [CERA website archive | Department of the Prime Minister and Cabinet \(DPMC\)](#).