

31 March 2023

Section (9)(2)(a)

Our ref: OIA 103111

Tēnā koe Section (9)(2)(a)

Official Information Act 1982 request: Definition of “Human”

Thank you for your email of 7 March 2023, asking if the Ministry of Justice (the Ministry) holds a legal definition for the word “human”. Specifically, you requested:

Whereas the administering agency for said Act is MOJ, this request seeks to know whether or not a legal definition for the word "human" is HELD by MOJ.

To further clarify, this request is not a request for a definition of the word "human", as that may constitute giving 'legal advice', on which you cannot give (although MOJ has so done in OIA 86267); rather this request is to know if the Ministry of Justice HOLDS in its database a definition for "human".

REPEAT: THIS IS NOT A REQUEST FOR THE DEFINITION ITSELF, however, if MOJ knows where a NZ legal definition may be found, please advise.

Your request is being managed in accordance with the provisions of the Official Information Act 1982 (the Act).

The Ministry does not possess a definition for the word “human”. Your request is therefore declined under section 18(g) of the Act, as the information requested is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act. However, I can provide the following information.

Regarding where a legal definition of “human” may be found, you may wish to seek independent legal advice for further assistance, as lawyers are best placed to provide advice for this question. You may be able to get free legal advice and information from your nearest Community Law Centre. Further information including the contact details of your local centre can be found at: communitylaw.org.nz/our-law-centres.

If you require any further information, please contact Media & Social Media Manager Joe Locke at media@justice.govt.nz.

Please note that this response, with your personal details removed, may be published on the Ministry website at: justice.govt.nz/about/official-information-act-requests/oia-responses/.

If you are not satisfied with this response, you have the right to make a complaint to the Office of the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by phoning 0800 802 602 or by emailing info@ombudsman.parliament.nz.

Nāku noa, nā

A handwritten signature in blue ink that reads "David Crooke". The signature is written in a cursive style.

David Crooke
Acting General Manager, Civil & Constitutional