

17 January 2024

Section 9(2)(a)

Section 9(2)(a)

Our ref: OIA 108338

Tēnā koe Section 9(2)(a)

Official Information Act request: Credit reporting agencies

Thank you for your email of 15 November 2023 to ACC requesting information relating to credit reporting agencies. Specifically, you requested:

Can government departments like IRD, The Ministry of Justice etc list debts on credit reporting agencies through third parties?

On 29 November 2023 your request was partially transferred to the Ministry of Justice (the Ministry) for response under section 14 of the Official Information Act 1982 (the Act).

Your request has been referred to me for response, as it falls within my responsibilities as Group Manager, National Service Delivery.

As the Ministry is not exploring options of listing debts with credit reporting agencies at this time, I am refusing your request under section 18(e) of the Act as this information does not exist.

I can, however, provide you with the following information that may be of assistance. While the Ministry is involved in the collection of several types of debt, it does not lodge them with credit reporting agencies.

Legal aid debt is owed to the Legal Services Commissioner, which is collected by the Ministry on behalf of the Commissioner. Legal aid debt is not lodged with credit reporting agencies.

Fines and Reparations are collected by the District Court and not by the Ministry. The Court does not add outstanding fines and reparations to an individual's credit record when they are lodged with the Court. However, when performing a credit check, credit agencies can ask the Court if a person has outstanding fines and reparation. The balance information is not retained by credit agencies and will only show up as part of a credit check if the fines and reparations are unpaid and not under any kind of payment arrangement at the time of the credit check.

Civil debt is also collected by the District Court and is matter between the judgment creditors and the judgment debtors. Therefore, while the Court does not register civil debts with crediting reporting agencies, a judgment creditor can, if they choose to do so.

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 Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to info@ombudsman.parliament.nz or by phone on 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink that reads "Tracey Baguley". The signature is written in a cursive, flowing style.

Tracey Baguley

Group Manager, National Service Delivery