

12 October 2022

Section (9) (2) (a)

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Our ref: OIA 98430

Tēnā koe Section (9) (2)

Official Information Act request: Collection of fines

Thank you for your email of 16 August 2022, following on from our 11 August 2022 response to your previous request.

The Ministry is now able to provide you with a response regarding COVID-19 offences and related fines, as noted in our response to you on 13 September 2022.

In your original request of 12 June 2022, to Mahi Haumarū Aotearoa | WorkSafe New Zealand, you had requested for the following information to be supplied under the Official Information Act 1982 (OIA):

1. *The total number of fines issued to date.*
2. *The monetary value of these fines.*
3. *The number of fines that have been successfully collected to date.*
4. *The monetary value that has been successfully collected.*
5. *Where the fines have not been collected, the budget spent to date on court appearances and legal costs for these fine collection.*
6. *The budget allocated for this financial year for using the courts to attempt to collect these fines.*

In their response WorkSafe New Zealand indicated:

A business has 28 days to pay infringement fees; if payment is not made within 28 days a reminder notice may be issued. Infringement fees that remain unpaid are transferred to the Ministry of Justice (MOJ) for collection or further action.

Once transferred to MOJ, WorkSafe does not have any further involvement or any visibility of MOJ's further action including collecting any payments.

We have interpreted this request to cover the outstanding information requested from WorkSafe New Zealand via questions three and four. This has been considered under the Official Information Act 1982 (OIA).

We are not able to confirm the number of fines transferred from WorkSafe New Zealand that have been successfully collected to date, or their individual monetary value. This is because providing this level of detail may make the individual fines identifiable.

We can provide the overall information for COVID-19 offence related fines issued under the following legislations:

- COVID-19 Public Health Response Act 2020
- COVID-19 Public Health Response (Air Border) Order 2020
- COVID-19 Public Health Response (Protection Framework) Order 2021
- COVID-19 Public Health Response (Vaccinations) Order 2021

Please find attached **Appendix 1** which provides you with the monetary values of the fines issued under the legislations outlined above:

Table 1: Fines relating to COVID-19 offences lodged with the Court

Table 2: Total amount of fines relating to COVID-19 offences lodged the Court that have been collected or are under a current payment arrangement

Table 3: Total amount of uncollected fines relating to COVID-19 offences lodged with the Court, excluding fines under a current payment arrangement

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

Nāku noa, nā



Tracey Baguley
Group Manager, National Service Delivery

Appendix 1

Table 1: Fines relating to COVID-19 offences lodged with the Court

Total Value of Impositions	Amount Outstanding
\$667,310	\$514,650

Table 2: Total amount of fines relating to COVID-19 offences lodged with the Court that have been collected or are under a current payment arrangement

Collection Status	Amount
Satisfied ¹	\$102,362
Under Arrangement ²	\$236,174
Total	\$338,536

¹ Satisfied indicates that a fine has been paid in full.

² Under Arrangement indicates that a fine has a current payment arrangement in place.

Table 3: Total amount of uncollected fines relating to COVID-19 offences lodged with the Court, excluding fines under a current payment arrangement

Collection Status	Amount
Breached Arrangement ³	\$48,396
Cancelled ⁴	\$10,188
Imposed ⁵	\$5,790
In Default ⁶	\$221,730
Under Appeal or Rehearing ⁷	\$4,030
Under Enforcement ⁸	\$38,640
Total	\$328,774

³ Breached Arrangement indicates that a fine had a payment arrangement in place, which is now in breach.

⁴ Cancelled indicates that a fine has been withdrawn by the issuer.

⁵ Imposed indicates that a fine has been sent to Court for collection, but it is within the initial 28-day period and no payment arrangement is in place.

⁶ In Default indicates that a fine has been sent to Court for collection, but it is past the initial 28-day period and no payment arrangement is in place.

⁷ When a fine is Under Appeal or Rehearing enforcement action cannot take place until a 28-day period has passed.

⁸ Under Enforcement indicates that a fine is subject to active enforcement action.