

3 December 2020



Email: 

Dear 

I refer to your email dated 23 November 2020 requesting a copy of Mr Simon McKenzie's oath of office or information if this is publicly available.

Your request has been considered under the Local Government Official Information and Meetings Act (1987) (LOGIMA) and I provide the following response under your question for ease:

In accordance with the Oaths and Declarations Amendment Act 2001, Section 9, Declarations in New Zealand,

"(j) An officer in the service of the Crown, or of a local authority within the meaning of the Local Government Act 1974, authorised for that purpose (by name, or as the holder for the time being of a specified office or title) by the Minister of Justice by notice in the Gazette."

Section 9 of the Oaths and Declarations Amendment Act 2001 amended section 9 of the Oaths and Declarations Act 1957. Section 9 of the 1957 Act, merely enables a person to make a declaration before one of the people listed in that section, such as a Justice of the Peace, Solicitor or Court Registrar and also includes an officer of a local authority or the crown.

Mr McKenzie has not taken and was not required to take an Oath of Office as the Oaths and Declarations Act 1957 (the Act) does not require staff of local authorities such as the Dunedin City Council, to have or take an Oath of Office. Therefore, your request has been declined under Section 17(e) of LOGIMA as the information requested does not exist.

As we have declined to provide the information requested, you are advised that you have the right to seek a review of this decision by the Office of the Ombudsman.

Yours faithfully



Lynne Adamson
Governance Support Officer