



# Te Kawa Mataaho

Public Service Commission

1 November 2022

Wendy McGuinness  
[wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)

Dear Wendy

## Official Information Request Our Ref: OIA 2022-0168

I refer to your official information request received on 7 October 2022 where you have asked the below questions in relation to the water Services Entities Bill.

1. *Does PSC provide any guidance on what makes an entity a public sector entity versus a private sector entity?*
2. *Does PSC provide any guidance on what makes an entity a public service entity?*
3. *In the view of PSC, would these new water service entities become public sector entities?*

### Information publicly available

In response to questions one and two of your request, guidance on organisational form is publicly available on Te Kawa Mataaho Public Service Commission's (the Commission's) website at the link provided for in the table below. Accordingly, I have refused parts one and two of your request under section 18(d) of the Official Information Act 1982 (OIA) on the grounds that the information requested is publicly available.

Item	Document Description	Website Address
1	Guidance: Advising on organisational form	<a href="https://www.publicservice.govt.nz/guidance/advising-on-organisational-form/">https://www.publicservice.govt.nz/guidance/advising-on-organisational-form/</a>

In relation to the information you are seeking in part three of your request, in this case is not held by the Commission and would need to be created in order to respond to your request.

The OIA only applies to information that is already held by the Commission. There is no obligation for the Commission to create information in order to respond to a request. We are therefore refusing this part of your request under section 18(g) of the OIA because the Commission does not hold any official information.

If you wish to discuss this decision with us, please feel free to contact [Ministerial.Services@publicservice.govt.nz](mailto:Ministerial.Services@publicservice.govt.nz).

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that we intend to publish this letter (with your personal details removed) on the Te Kawa Mataaho Public Service Commission's website.

Yours sincerely

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**Manager – Ministerial and Executive Services  
Te Kawa Mataaho Public Service Commission**