

20 June 2023

File Ref: OIAPR-1274023063-2933

[REDACTED]

Tēnā koe [REDACTED]

Request for information 2023-140

I refer to your request for information dated 31 May 2023, which was received by Greater Wellington Regional Council (Greater Wellington) on 31 May 2023. You have requested the following:

“Please provide the following information under the LGOIMA:

- *The number of people who have received compensation for damage to their person or property from an GWRC-run bus*
- *The total amount paid in compensation to people for damage to their person or property from an GWRC-run bus*

Please provide the data since 2017 and broken down by quarter if possible.”

Greater Wellington’s response follows:

Your request for information relating to the number of people that have received compensation for damage to their person or property from Greater Wellington buses and the total amount paid in compensation is refused under section 17(g) of the Local Government Official Information and Meetings Act 1987 (the Act) in that the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is either—

- (i) held by another local authority or a department or Minister of the Crown or organisation; or
- (ii) connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation:

Further information

Under Greater Wellington's Partnering contracts with the Bus Operators, it is the Operator's responsibility to take out and maintain Public Liability and Motor Vehicle insurances. Insurance claims are made directly from the person making the claim to the relevant Bus Operator. There is no requirement for the Bus Operator to report the number of insurance claims made against them to Greater Wellington.

Greater Wellington also does not pay compensation for damages to goods carried by a passenger or other injuries related to incidents occurring on the Public Transport network.

Our Conditions of Carriage set out the provision for liability for loss or damage incurred while on one of our services. You can find the Conditions of Carriage on our website: <https://www.metlink.org.nz/about/legal/conditions-of-carriage/>. Clause 22 relates to this provision.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Act.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Fiona Abbott

Kaiwhakahaere Matua Waka-ā-atea | Acting Group Manager Metlink