



Te Kawa Mataaho

Public Service Commission

9 April 2024

9(2)(a) privacy

9(2)(a) privacy

Official Information Request

Our Ref: OIA 2024-0063

I refer to your official information request received on 12 March 2024 where you asked:

“Under the OIA, will you please confirm if NZ Inc.'s "Other Public Entities" are also subject to the Public Service Act 2020.”

You subsequently clarified your request on 22 March 2024 where you asked:

- “1. Is the NZ Medical Council subject to the Public Service Act 2020?*
- 2. Is the NZ Medical Council considered as part of the Public Sector or the NFP Sector? Or both.*
- 3. Is the NZ Dental Council subject to the Public Service Act 2020?*
- 4. Is the NZ Dental Council considered as part of the Public Sector or the NFP Sector? Or both.*
- 5. As both Councils are NFP charity commissions, then if one or both are not subject to the Public Service Act 2020, are they instead subject to the Defence Act?”*

Our response

Both the Medical Council of New Zealand and the Dental Council of New Zealand are authorities under the Health Practitioners Competence Assurance Act 2003, and are governed by the provisions of that Act. They are part of the public sector (as entities associated with a ministerial portfolio) and the not-for-profit sector but are not part of the State Services or Public Service, and are therefore not subject to the provisions of the Public Service Act 2020.

Information on how the public sector is organised can be found on our website at the following link: <https://www.publicservice.govt.nz/system/system-architecture-and-design/how-the-public-sector-is-organised>.

For further information regarding the Medical Council of New Zealand and the Dental Council of New Zealand you would be best placed contacting the [Ministry of Health](#).

Information not held

In response to part five of your request, Te Kawa Mataaho Public Service Commission (the Commission) does not hold information on which organisations are subject to the Defence Act 1990. We are therefore refusing this part of your request under section 18(g) of the Official Information Act 1982 on the grounds the information requested is not held by the Commission. We would suggest you contact the Ministry of Defence who is the administering agency of the Defence Act 1990. Contact information for the Ministry of Defence can be found [here](#).

If you wish to discuss this decision with us, please feel free to contact 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 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



Nicky Dirks

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