

# General Election Guidance 2023: Agency case studies

# 3

## Scenario 3: Public sector agency receives an information request from its Minister

An agency receives a request from its Minister – who is responsible for trees – for information about the number of trees planted over the past 10 years in the Minister’s electorate. However, the agency only holds information about trees in each region, and does not hold information about trees in each electorate.

### Outcome

In this case, it is unclear if the information is needed for the Minister’s portfolio responsibilities. The agency also does not hold the information broken down in the way requested and has no need to create this information. As such, the agency should contact the Minister’s office to clarify the request.

### Principle that applies

The Cabinet Manual makes it clear that, before and after an election, the incumbent

Minister is responsible for ensuring that any requests for advice or information from public sector agencies are for the purposes of the Minister’s portfolio responsibilities and not for party political purposes.

While agencies must support the work of the government, the political neutrality of the Public Service must be protected throughout the election period in providing that support.

Public sector agencies and public servants must not use official resources for political party purposes and must not undertake electioneering work for Ministers.

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### Practical guidance

Agencies may need to clarify an information request or seek more details from the Minister’s office, in order to determine whether the information being requested is held by the agency, and whether it is for the purposes of the Minister’s portfolio responsibilities or for party political purposes.

If it is for the Minister’s portfolio responsibilities, then the agency can provide the information or advice requested.



If it is for party political purposes then the request should be made to the agency by the Minister and dealt with under the Official Information Act 1982.

For further guidance see Section 5: [Public sector advertising, publicity and the media](#); Section 6: [The Public sector and the general election](#); and Section 7: [Government processes before, during and after an election](#)

