



To: Office of the Ombudsman
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From:
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Date: 10 March 2026

Complaint to the Office of the Ombudsman – Official Information Act Response GOV-045355

Complaint under the Official Information Act 1982

Subject: Adequacy and completeness of ACC response to OIA request GOV-045355 regarding motorcycle levy classification

1. Background

On **3 January 2026**, Motorcycle Advocacy Group New Zealand (MAGNZ) submitted an Official Information Act request to the Accident Compensation Corporation (ACC) seeking documentation relating to the evidential and analytical basis for differential levy rates applied to motorcycles based on engine capacity, particularly the **601cc+ classification**.

ACC responded on **12 February 2026** under reference **GOV-045355**.

Following review of the response and accompanying documents, MAGNZ wrote an open letter to the Minister for ACC on **13 February 2026** outlining several evidential gaps and requesting engagement with ACC actuarial leadership within **21 days**. The letter identified analytical issues arising directly from the material provided in the OIA response.

As of the date of this complaint, no response or engagement has been received.

MAGNZ therefore seeks the Ombudsman's review of the adequacy of the OIA response and the completeness of the information provided.

2. Grounds for Complaint

MAGNZ considers that the response raises significant concerns regarding whether all relevant information held by ACC was identified and released.

A. Lack of evidence linking engine capacity to crash frequency

The OIA request sought analytical material demonstrating how engine capacity was determined to represent higher risk.

ACC's response indicates that levy setting relies primarily on **claims data rather than research or literature**, and that the observed relationship with engine capacity arises from **average claim cost rather than crash frequency**.

However, the response does not disclose:

- modelling demonstrating that engine capacity independently increases crash likelihood
- multivariate analysis controlling for rider demographics, experience, environment, or crash type
- statistical testing supporting the selection of specific cc thresholds.

Given that engine capacity forms the basis of a major levy classification, MAGNZ seeks confirmation that any modelling or analysis supporting this policy has been fully disclosed.

B. Data completeness and classification integrity

The documents provided indicate that a relatively small proportion of ACC motor vehicle claims were successfully matched to Police/NZTA Crash Analysis System data, and that claims lacking valid cc information were redistributed across categories.

The OIA response does not provide:

- sensitivity testing relating to unmatched claims
- bias analysis concerning reassignment of missing cc data
- confidence intervals or robustness testing of classification boundaries.

These issues directly affect the integrity of the classification structure described in the released material.

MAGNZ therefore seeks review of whether further relevant analytical material exists but was not identified or released.

C. Refusal based on “information not held”

ACC refused several elements of the request under **section 18(g)(i)** on the basis that the information is not held.

These refusals relate to documentation assessing or modelling alternative levy frameworks, including:

- rider-based levy structures
- experience-weighted levies
- per-kilometre exposure-based models
- revenue implications of alternative approaches.

Given the significant structural changes proposed to motorcycle levies during the 2024 consultation process, MAGNZ seeks confirmation that a comprehensive search was undertaken for any analysis or policy advice addressing these alternative frameworks.

D. Exclusion of crash causation from levy relativities

ACC confirms that crash responsibility data exists within the matched dataset but is **not used in determining levy relativities**.

The OIA response does not provide documentation explaining:

- why causation was excluded from levy modelling
- whether the actuarial impact of excluding causation was assessed
- whether cross-vehicle responsibility was analysed in determining levy relativities.

MAGNZ seeks clarification as to whether such analysis exists and whether it was considered within scope of the request.

3. Public Interest

The issues raised relate to a policy affecting tens of thousands of motorcycle owners and involving significant increases in annual vehicle registration levies.

Transparency around the evidential basis for these classifications is therefore of substantial public interest.

Ensuring that the analytical material underpinning levy classifications has been properly disclosed is important for maintaining confidence in both the ACC levy-setting process and the integrity of consultation exercises conducted under it.

4. Remedy Sought

MAGNZ respectfully requests that the Ombudsman investigate:

1. Whether ACC conducted an adequate search for information falling within the scope of the OIA request.
 2. Whether additional modelling, actuarial analysis, or policy advice relevant to the request exists but was not disclosed.
 3. Whether the reliance on section 18(g)(i) (“information not held”) was applied appropriately.
 4. Whether the information released reasonably addresses the substance of the request.
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5. Supporting Documents

The following documents are attached for reference:

- OIA Response from ACC dated 12 February 2026 (reference GOV-045355) and two other documents provided with the response.
 - Open Letter to the Minister for ACC dated 13 February 2026 outlining the evidential issues identified in the response.
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6. Contact

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MAGNZ appreciates the Ombudsman's consideration of this matter and looks forward to any guidance or investigation the Office considers appropriate.

Respectfully submitted,

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