



9 July 2018

Redacted -

Privacy

Ref: DOIA 1718-1769

Dear Redacted -

Thank you for your email of 11 June 2018 to the Ministry of Business, Innovation and Employment (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

*"Under section 12 of the Official Information Act 1982 ("the Act") I request a copy of all briefings provided to the Minister for Regional Economic Development for the Economic Development, Science and Innovation Committee meeting on 7th June 2018.*

*Where information is withheld, I request you provide the title and date of the communication/document withheld, the reason for refusal and the grounds in support of that reason as required by section 19(a)(i) and (ii) of the Act."*

As part of the Minister for Regional Economic Development's appearance before the Economic Development, Science and Innovation Committee on 7 June 2018, the Ministry prepared a folder for the Minister, and copies were provided to attending officials. The folder contained a mix of publicly available information and portfolio-specific information.

The publicly available information included Economic Development, Science Innovation Committee membership, transcripts and reports from previous hearings, and copies of replies to Vote Business, Science and Innovation written questions. This part of your request is refused under section 18(d) of the Act, as the information requested is publicly available at the Parliament website, [www.parliament.nz/en/1.50](http://www.parliament.nz/en/1.50) through the Treasury Budget 2018 website <https://treasury.govt.nz/publications/budgets/economic-development-and-infrastructure-sector-estimates-appropriations-government-new-zealand-year-ending-30-june-2019>.

The folders also contained background advice and information specific to the Regional Economic Development portfolio prepared to assist the Minister in answering select committee questions. In deciding how to answer questions, a Minister is free to seek advice from any quarter. Usually, departmental officials provide a Minister with advice and information useful in answering a wide range of committee questions within the scope of the proceeding.

As it is the Minister who must answer the questions, the Minister makes the final decision on the content of any answer. The Minister is ultimately accountable for the response he or she decides to give. The Ministry is withholding information within the scope of this part of your request under section 9(2)(f)(iv) of the Act to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by officials. It is likely that Ministers would forego the support available from departments if they were required under the Act to release this kind of preparatory

material as well as providing the actual answers pursuant to the procedures of select committees. The effect would likely be to diminish the quality of answers given in parliamentary proceedings and the corresponding degree of accountability to the House and its committees.

I do not consider that the withholding of this information under section 9(1) is outweighed by public interest considerations in making the information available. The transcripts of the committee hearings and its report will provide the parliamentary and public record of the proceedings.

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.

Yours sincerely



Alan Witcombe  
Manager, Ministerial Services  
Corporate, Governance and Information

Proactively released consistent with the Official Information Act