



Office of the Prime Minister

Prime Minister
Minister of Tourism

Ministerial Services
Minister in Charge of the
NZ Security Intelligence Service
Minister Responsible for the GCSB

5 DEC 2012

By email

Julie Fairey
fyi-request-623-0c783d8d@requests.fyi.org.nz

Dear Ms Fairey

Information request – handover checklist between Prime Minister and Acting Prime Minister

Our reference: PMO-243-2012

On 24 October 2012 the Department of the Prime Minister and Cabinet received a request from you under the Official Information Act 1982 ("OIA"). You requested:

...a copy of the standard checklist (which may not be referred to as a checklist) used to ensure an effective and comprehensive hand over between the Prime Minister and an Acting Prime Minister, and vice versa, when the Prime Minister is about to go overseas, and when the Prime Minister returns from overseas.

I am after the standing items on this list which are always discussed, even if it is to report that there is nothing to discuss.

On 6 November 2012 the Department of the Prime Minister and Cabinet transferred the request to this office.

This office does not hold any information falling within the scope of your request. This does not, however, mean that there is no handover process when the Prime Minister goes overseas. As you would expect, significant matters that arise would be discussed on a case-by-case basis.

I would also draw your attention to paragraphs 2.13 and 2.14 of the Cabinet Manual. These paragraphs describe the position of Deputy Prime Minister. In particular, paragraph 2.14 makes clear that where appropriate and practicable an Acting Prime Minister should consider exercising his/her powers in consultation with the Prime Minister:

- 2.13 *The Deputy Prime Minister is appointed by warrant. If the Prime Minister is unavailable or unable to exercise the statutory or constitutional functions and powers of the office, the Deputy Prime Minister can, if necessary, exercise those powers and functions.*
- 2.14 *As Acting Prime Minister, the Deputy Prime Minister may exercise other prime ministerial functions and powers, in consultation (where appropriate and practicable) with the Prime Minister.*

For further context, you might also want to refer to paragraph 2.42 of the Cabinet Manual, which describes how Ministers and Acting Ministers might interact:

2.42 Absent Ministers (particularly those travelling overseas) should in general leave the day-to-day management of their portfolios to the Ministers acting for them in their absence. Public statements, in particular, are usually best made by the acting Minister in New Zealand so that due account can be taken of the domestic context. If a significant matter arises during the portfolio Minister's absence, however, the acting Minister should consult the portfolio Minister, where possible, before taking ministerial action or making any public comment.

Please note that you have the right to complain about this decision to the Office of the Ombudsmen under section 28(3) of the OIA.

Yours sincerely



Wayne Eagleson
Chief of Staff