



Prime Minister

Minister for Arts, Culture & Heritage

Minister for Child Poverty Reduction

Minister for National Security & Intelligence

27 JUN 2018

David Farrar
fyi-request-7831-d5844b32@requests.fyi.org.nz

Ref: PMO 177-2018

Dear David

Official Information Act request: Acting Prime Minister arrangements

Thank you for your Official Information Act 1982 (the Act) request, received on 15 May 2018. You requested:

"Under the Official Information Act I am requesting a copy of all documents relating to the just released Letter Re Working Arrangements with DPM.

This includes but is not restricted to all correspondence, e-mails, memos, advice, meeting agendas and minutes from or to your staff and/or officials. Also any drafts of the released letter."

The Prime Minister released the letter you refer to in your request on 14 May. As she stated at the time, while the arrangements that will be in place for the Deputy Prime Minister to act in the Prime Minister's absence during this period will be no different from other times, the letter was published as a result of the public interest in the particular circumstances.

When the Prime Minister announced her pregnancy in January, the Cabinet Office provided initial advice about the arrangements that would apply during her leave of absence, with an accompanying draft letter. That draft letter was finalised in May, closer to the Prime Minister's due date, following discussions between this office, the Cabinet Office and other senior officials from the Department of the Prime Minister and Cabinet. We also consulted with the Deputy Prime Minister on the text of the letter, through his Chief of Staff.

The advice from the Cabinet Office and drafts of the letter contain details of the free and frank exchanges between officials and this office. In our view, the release of this information would prejudice our ability to receive and record written advice on such matters in the future. For that reason, I am withholding this information under the following sections of the Act:

- section 9(2)(f)(iv), to maintain the constitutional convention that for the time being protects the confidentiality of advice tendered by or to Ministers and officials; and
- section 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinion by or between Ministers or officials in the course of their duty.

I **enclose** the remaining information that is within scope of your request. All email addresses and phone numbers have been withheld under section 9(2)(a) of the Act. The grounds relied on in respect of other redactions are noted where appropriate.

In making my decision, I have considered the public interest considerations in section 9(1) of the Act.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Mike Munro". The signature is fluid and cursive, with a large initial "M" and "Munro" written in a similar style.

Mike Munro
Chief of Staff

From: Rachel Hayward [DPMC]
Sent: Monday, 14 May 2018 3:12 p.m.
To: ^Parliament; Mike Munro
Cc: Anna Fleming [DPMC]; Michael Webster [DPMC]
Subject: Letter re Acting Prime Minister arrangements - 7 May 2018 as at 1455 hrs (002).DOCX
Attachments: 277126_Letter re Acting Prime Minister arrangements - 7 May 2018 as at 1455 hrs (002).DOCX

[IN-CONFIDENCE]

Hi Mike – letter with tracked changes attached as discussed.

Kind regards

Rachel

Rachel Hayward
Deputy Secretary of Cabinet (Constitutional and Honours)
Cabinet Office
Department of the Prime Minister and Cabinet

DDI: [REDACTED] MOB: [REDACTED]

From: Mike Jaspers
Sent: Tuesday, 8 May 2018 8:51 AM
To: Rachel Hayward; Mike Munro
Subject: RE: Letter re Acting Prime Minister arrangements - revised draft
Attachments: 277126_Letter re Acting Prime Minister arrangements - 7 May 2018 as at 1455 hrs.DOCX

This is the most current version fyi. It's on hold pending a suitable release day.

Cheers
Mike

Mike Jaspers | Chief Press Secretary
Office of the Prime Minister
M: [REDACTED] | Email [REDACTED]

Authorised by Jacinda Ardern MP, Parliament Buildings, Wellington

From: Rachel Hayward [DPMC] [mailto:[REDACTED]]
Sent: Monday, 7 May 2018 1:34 PM
To: Mike Jaspers <[REDACTED]>; Mike Munro <[REDACTED]>
Subject: FW: Letter re Acting Prime Minister arrangements - revised draft

Thanks for your last email Mike - Andrew had two small suggestions to make to the text of the letter, attached (changes tracked) - just in case you do decide to proceed today.

I'm out of the office this afternoon, but will keep an eye on emails.

Sent with BlackBerry Work
(www.blackberry.com)

From: Andrew Kibblewhite [DPMC] <[REDACTED]>
Date: Monday, 07 May 2018, 11:43 AM
To: Rachel Hayward [DPMC] <[REDACTED]>
Subject: RE: Letter re Acting Prime Minister arrangements - revised draft

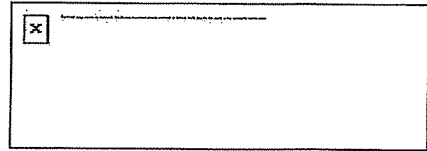
[IN-CONFIDENCE]

Hi Rachel
Andrew has made two minor tweaks to this letter, as attached (changes tracked).
Cheers
Rachael

Rachael Awatea Church
Executive Assistant to Andrew Kibblewhite, Chief Executive

Department of Prime Minister and Cabinet

P
E



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From: Rachel Hayward [DPMC]
Sent: Thursday, 7 June 2018 3:43 p.m.
To: Anna Fleming [DPMC]
Subject: FW: 276957_Annotated Agenda - working arrangements during absence of PM.DOCX
Attachments: 276957_Annotated Agenda - working arrangements during absence of PM.DOCX

From: Rachel Hayward [DPMC]
Sent: Wednesday, 2 May 2018 4:06 PM
To: ^Parliament: Mike Munro <[REDACTED]>; ^Parliament: Heather Simpson <[REDACTED]>
Cc: Andrew Kibblewhite [DPMC] <[REDACTED]>; Michael Webster [DPMC] <[REDACTED]>; Anneliese Parkin [DPMC] <[REDACTED]>; Martin Bell [DPMC] <[REDACTED]>
Subject: FW: 276957_Annotated Agenda - working arrangements during absence of PM.DOCX

[IN-CONFIDENCE]

Hi Mike and Heather,

We're meeting with you at 2.30 tomorrow to talk about working arrangements during the period of the Prime Minister's absence. We've put together an annotated agenda based on the preliminary discussion we had with Mike on Friday – a copy is attached for discussion tomorrow.

Kind regards

Rachel

Rachel Hayward
Deputy Secretary of Cabinet (Constitutional and Honours)
Cabinet Office
Department of the Prime Minister and Cabinet

[REDACTED]
DDI: [REDACTED] MOB: [REDACTED]

Working arrangements during absence of Prime Minister

Annotated agenda

1 Portfolios

1.1 Decisions required as to who will be Acting in:

- Arts Culture and Heritage ([REDACTED]) s 9(2)(f)(iv) / s 9(2)(g)(i)
- National Security and Intelligence ([REDACTED])
- Child Poverty Reduction ([REDACTED])

2 Acting PM's portfolios

2.1 Any changes required?

2.2 To confirm – does Acting PM intend to leave the country during the period?

2.3 Occasions where Acting MFA may be required (consultation with Acting PM)

3 Roles and responsibilities of Acting PM

3.1 To be set out in a letter from the PM to the Acting PM ([REDACTED]), s 9(2)(f)(iv) / s 9(2)(g)(i)

3.2 Acting PM will manage the day to day business of government, in consultation with PM as appropriate, including:

- chairing Cabinet and relevant Cabinet committees
- engaging with and directing officials from the Department of the Prime Minister and Cabinet;
- overseeing the government's policy programme;
- answering questions directed at the Prime Minister in the House and responding to media inquiries, Official Information Act 1982 requests and other correspondence;
- attending official engagements.

3.3 [REDACTED] s 9(2)(f)(iv) / s 9(2)(g)(i)



- [REDACTED]

3.4

[REDACTED]

s 9(2)(f)(iv) / s 9(2)(g)(i)

4

[REDACTED]

5 Managing the forward work programme

- 5.1 PAG and Cabinet Office to develop a forward scan of matters coming up in June and July, including statutory appointments, policy proposals, Royal matters and responsibilities as Minister for DPMC.
- 5.2 VCO forward programme of guests of government etc (CO to provide).
- 5.3 CPC – to discuss possible timing and agenda of meetings before the PM goes on leave.

6 Support and resources for Acting PM

6.1 Acting PM to be supported by PMO staff and DPMC officials.

- PAG to monitor and support implementation of the government's policy programme
- DPMC to provide advice on matters relating to National Security and Intelligence
- Secretary of the Cabinet to provide support to Acting PM as chair of Cabinet and in relation to head of government function.
- PM's Chief of Staff to meet with Acting PM regularly (with JJ?)
- Setting the Cabinet agenda – Martin Bell will continue to meet with Heather in the usual way.

- [REDACTED]

s 9(2)(f)(iv)

- PMO to provide media, comms and speech writing support in any matters where Mr Peters is acting as Acting PM.

- [REDACTED] s 9(2)(f)(iv)

- Regular Monday morning catch up with Chiefs of Staff (MM and JJ) and AK and AP.

7 Practical arrangements for PM

7.1 Regular bag for PM of Cabinet papers and PAG notes.

7.2 [REDACTED] s 9(2)(f)(iv)

8 Consultation with Green Party about arrangements

- For discussion.

9 Publication

- Publication of letter?

10 House arrangements

10.1 House leave arrangements

10.2 Contentious legislation which is scheduled to come to a vote during the period.

11 Next steps

From: Le Roy Taylor
Sent: Monday, 7 May 2018 3:00 PM
To: Mike Jaspers; Mike Munro
Subject: RE: USE THIS VERSION PLEASE

Ok, in which case, change it back.

-----Original Message-----

From: Mike Jaspers
Sent: Monday, 7 May 2018 3:00 PM
To: Le Roy Taylor <[REDACTED]>; Mike Munro <[REDACTED]>
Subject: RE: USE THIS VERSION PLEASE

It feels like a Dear Winston moment really

Mike Jaspers | Chief Press Secretary
Office of the Prime Minister
M: [REDACTED] | Email [REDACTED]

Authorised by Jacinda Ardern MP, Parliament Buildings, Wellington

-----Original Message-----

From: Le Roy Taylor
Sent: Monday, 7 May 2018 2:58 PM
To: Mike Jaspers <[REDACTED]>; Mike Munro <[REDACTED]>
Subject: RE: USE THIS VERSION PLEASE

Hello both,

I've formatted the letter, and PM thought that she should open the letter with Dear Deputy Prime Minister? Too formal?

Also, I've added in the CC addressees (Mike M, Andrew K and Michael Webster)

Let me know if anything needs to be changed.

Cheers,
LRT

-----Original Message-----

From: Mike Jaspers
Sent: Monday, 7 May 2018 2:08 PM
To: Jo Crilly <[REDACTED]>; Le Roy Taylor <[REDACTED]>
Subject: USE THIS VERSION PLEASE

Your message is ready to be sent with the following file or link attachments:

277126_Letter re Acting Prime Minister arrangements - 7 May 2018 FINAL.DOCX

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: Mike Munro
Sent: Friday, 4 May 2018 5:29 PM
To: Jon Johansson ([REDACTED])
Subject: FW: Letter re Acting Prime Minister arrangements - revised draft
Attachments: 277126_Letter re Acting Prime Minister arrangements - 3 May 2018.DOCX

Hi Jon

Latest iteration of the Acting PM Arrangements letter is attached, for your review.

It is envisaged that once signed off, this letter will be published on the DPMC/Cabinet Office website.

Cheers
Mike

From: Mike Munro
Sent: Friday, 4 May 2018 5:26 PM
To: [REDACTED]
Subject: FW: Letter re Acting Prime Minister arrangements - revised draft
Attachments: 277126_Letter re Acting Prime Minister arrangements - 3 May 2018.DOCX

Hi Jacinda

The latest version of the Acting PM arrangements letter is attached.

I've also shared with JJ.

Cheers
Mike

From: Rachel Hayward [DPMC] [mailto:[REDACTED]]
Sent: Friday, 4 May 2018 11:02 AM
To: Mike Munro <[REDACTED]>; Heather Simpson <[REDACTED]>;
Andrew Kibblewhite <[REDACTED]>; Martin Bell [DPMC] <[REDACTED]>;
Anneliese Parkin <[REDACTED]>; Michael Webster <[REDACTED]>
Subject: Letter re Acting Prime Minister arrangements - revised draft

[IN-CONFIDENCE]

Hi all,

Following our discussion yesterday, attached is a revised draft of the proposed letter setting out the Acting PM arrangements. Let me know if you'd like any further changes made before Andrew and Mike meet with the PM to discuss.

Just to note a couple of other follow ups from the meeting:

- The PAG forward scan for June/July will be re-cut to be presented by month;
- PMO to consider putting together some FAQs
- There would be merit in an email (from AK/Cabinet Office) to CEs and Ministers' offices noting that in terms of administration (managing papers etc) the normal arrangements for Acting Ministers will apply.

Kind regards

Rachel

Rachel Hayward
Deputy Secretary of Cabinet (Constitutional and Honours)
Cabinet Office
Department of the Prime Minister and Cabinet

[REDACTED]
DDI: [REDACTED] MOB: [REDACTED]

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From: Rachel Hayward [DPMC]
Sent: Thursday, 18 January 2018 5:10 p.m.
To: [REDACTED]; ^Parliament: Heather Simpson
Cc: Anna Fleming [DPMC]; Michael Webster [DPMC]; Martin Bell [DPMC]
Subject: draft letter
Attachments: 274589_1.docx

[IN-CONFIDENCE]

Hi Mike and Heather,

I'm attaching a first draft of the letter to Mr Peters – on reflection, we thought it might be useful for you to see it while tomorrow's media release is being prepared, in case it raises any other matters that you want to cover off in the media release itself (or follow up responses).

One other point that could also be included in the letter is a reference to who will be responsible for managing any party political matters that arise on behalf of the Labour Party in the PM's absence (ie Mr Davis).

Martin and I are both in the office tomorrow, and Michael is available on email and by phone – happy to discuss.

Kind regards

Rachel

Rachel Hayward
Deputy Secretary of Cabinet (Constitutional and Honours)
Cabinet Office
Department of the Prime Minister and Cabinet

[REDACTED]
DDI: [REDACTED] MOB: [REDACTED]