



## Prime Minister

Minister for Arts, Culture & Heritage

Minister for Child Poverty Reduction

Minister for National Security & Intelligence

31 AUG 2018

Guenter Langenbucher  
fyi-request-8542-bc8c9390@requests.fyi.org.nz

Ref: PMO 230-2018

Dear Guenter Langenbucher

### **Official Information Act request relating to Advice given to Minister Sepuloni re Section 70**

Thank you for your Official Information Act 1982 (the Act) request, received on 22 August 2018. You asked:

*"... can you please release the exact instructions you gave to the Minister of Social Development Carmen Sepuloni with regards to the outdated section 70? In 2015 you, Jacinda Ardern, called section 70 a human rights violation and called for an end of this unfair treatment of self funded overseas pensions. Has your opinion about this changed in the meantime, if yes, please explain why. If no, please explain why nothing has been done to rectify this unfair treatment until now! ..."*

The Social Security Act 1964 falls within the portfolio responsibilities of the Minister for Social Development and is administered by the Ministry of Social Development. How the Government addresses any changes to section 70 is with Minister Sepuloni to determine and any proposals she introduces will be considered by Cabinet.

The second part of your request seeks an opinion, which does not fall within the definition of "official information" as defined in section 2 of the Act. That part of your request therefore, does not meet the requirements of a request for access to official information under section 12 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'.

Mike Munro  
Chief of Staff