

21 October 2022

Andrew Ecclestone
fyi-request-19977-a3edfe4e@requests.fyi.org.nz

Our ref: OIA 97762

Tēnā koe Andrew

Official Information Act request: Consultation with political parties on political donation proposals

Thank you for your email of 20 July 2022 requesting, under the Official Information Act 1982 (the Act), information regarding political party submissions on the Ministry's consultation on political donation proposals, including any consultation the Ministry did with parties regarding their submissions. Specifically, you requested:

- "1) Copies of the submissions received in response to the consultation from all political parties.*
- 2) Copies of the Ministry's enquiries to the political parties asking their views on release of their submissions in response to OIA requests received from any other requester seeking copies of the submissions.*
- 3) Copies of the responses received by the Ministry from political parties in response to the enquiries made by the Ministry about the OIA requests it received for copies of their submissions.*
- 4) A list of, and copies of, all emails, memos, briefings etc sent and received by people working for the Ministry of Justice, including consultation with the Minister of Justice or any of her officials, on the OIA requests received for copies of the submissions received from political parties.*
- 5) If the OIA requests for copies of submissions were discussed orally with the Minister or any of her officials, the information held, in writing or in the heads of Ministry officials, about any such conversation(s).*
- 6) Copies of all other information generated within the Ministry in the course of processing the OIA requests for copies of the submissions received from political parties.*
- 7) The date on which the Ministry will publish the rest of the submissions it received in response to the consultation on political donations."*

On 21 July 2022, you contacted the Ministry of Justice (the Ministry) to clarify the first part of your request to the following:

“for copies of submissions received in response to the consultation from all political parties - should be interpreted to include any notes made by Ministry officials of oral submissions, representations, or comments made by representatives of any political party in a meeting with Ministry officials, either in person or online, in the context of the Ministry's consultation on political donations.”

On 17 August 2022, the Ministry contacted you to clarify parts four and six of your request as the initial scope was very broad and effectively encompassed everything to do with the six OIA requests made for the submissions. In the same letter, the Ministry notified you of an extension of 40 working days under section 15A of the Act to 12 October 2022 as your request was for a large quantity of information and meeting the original time limit would unreasonably interfere with the Ministry's operations. You responded to this letter on 25 August 2022 with the following clarification:

“In respect of parts 4 and 6 of my request of 20 July 2022 I am willing to remove the information in the first part of the Ministry's categorisation ('administrative matters') from the scope of my request for copies of the information itself. However, I would still like to receive the actual information, not a summary, for the second two categories: discussions about substantive issues regarding release, and consultation with the Minister's office. If my agreement to remove the information in the 'administrative matters' categorisation does not remove the possibility of the Ministry refusing part of my request under section 18(f) of the Act, please explain why and provide me with information that would enable me to consider further narrowing my request.

Please bear in mind that part 4 of my request seeks a list of all the emails memos, briefings etc, as well as the information itself. Having done the work to categorise the emails within the scope of the request, presumably the Ministry will be able to provide a list that also includes the emails and other information falling within the first part of its categorisation, 'administrative matters'. This will enable me to be more specific if I later need to seek any of the information categorised by the Ministry as 'administrative matters'.”

On 13 October 2022, we advised you of the high-level decisions the Ministry made on your request. I am now in a position to provide you with our substantive response.

I would also like to clarify that the Ministry received five, not six, requests for the submissions. We had initially included a request which asked how many requests for submissions had been received. However, as that request did not actually ask for the submissions, we subsequently decided it was outside the scope of your request.

Part 1 – submissions from political parties

I am withholding the submissions from political parties in full under section 9(2)(ba)(i) of the Act to protect information that is subject to an obligation of confidence.

When the Ministry sought information and views from political parties, it said that it would treat that information as confidential. That was to encourage them to provide information that they would not want disclosed to the public and which was vital to the work the Ministry was undertaking. It was also to protect the political neutrality of the advice that would subsequently be provided to Ministers (i.e. advice to Ministers would be presented in a way that did not attribute information or views to any specific political party, so as to preserve political neutrality). While there is, of course, a public interest in what political parties have to say on this topic, we do not consider this outweighs the need for confidentiality.

The Ombudsman is currently investigating a complaint about the Ministry's decision to withhold the submissions under s 9(2)(ba)(i). If you wish, we could inform you of the outcome of that complaint in due course.

Parts 2 and 3 – consultation with political parties

Having informed the political parties at the outset that the information they provided would be treated as confidential, the Ministry did not ask the political parties for their view on whether their submissions should be released in response to the requests under the Act. This was not a situation where the views of those in respect of whom the obligation of confidence applied were determinative; the reasons for confidentiality in respect of political neutrality went beyond the interests of the individual parties.

I am therefore refusing this part of your request under section 18(e) as the information does not exist.

Parts 4, 5 and 6 – information sent and received by Ministry employees

In respect of parts four, five, and six, we note that the requests received by the Ministry were for all submissions, not just those by political parties. Because these parts of your request are focused on the political party submissions, we have excluded information about the non-political party submissions as being out of scope. This has helped keep the volume of information to a manageable level.

In respect of part four of your request, I have attached to this letter a table which lists the documents within scope of this part of your request. Some of the information has been withheld under the following sections of the Act:

- section 9(2)(a) to protect the privacy of natural persons
- section 9(2)(ba)(i) to protect information that is subject to an obligation of confidence
- section 9(2)(h) to maintain legal professional privilege
- section 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

I am satisfied there are no countervailing public interest considerations that outweigh the reasons for withholding the information.

In the attached documents, we have replaced the name of the requester (which is withheld under s 9(2)(a)) with OIA 1 through to OIA 5 so you can follow which requests the documents are about.

In respect of OIA 1, there was some discussion of withholding the submissions from political parties under s 9(2)(ba)(i), but ultimately it was decided to withhold all submissions under s 9(2)(f)(iv). I note the requester also expanded the request to include documents other than the submissions.

The Ministry subsequently recognised that the public submissions should not have been withheld under the section 9(2)(f)(iv) grounds; these submissions were subsequently released from OIA 2 onwards.

We also recognised that the section 9(2)(f)(iv) ground was not the correct ground to withhold the submissions from political parties, and so these were instead withheld under s 9(2)(ba)(i), from OIA 2 onwards. After OIA 2, the Ministry's position on the political party submissions was settled, so there is less information in respect of OIAs 3 – 5 on that subject.

As outlined above, you excluded emails about administrative matters from the scope of your request. These emails relate to, for example, timelines for completing the OIAs, formatting changes and general administrative matters undertaken while responding to these OIAs. Had you not excluded such emails from the scope of your request, we would have refused that aspect on the basis that the information is trivial (section 18(h)). We are refusing your request for a list of such emails on the same basis.

That said, I have not withheld or removed administrative emails from email chains containing substantive information.

Regarding part five of your request, I am refusing your request under section 18(e) of the Act as the information does not exist. The requests for copies of the submissions were not discussed orally with the Minister or any of her officials. These discussions took place over email and these emails have been included in my response to part four of your request.

Regarding part six of your request, all of this information is captured under part four of your request.

Part 7 – publication of public submissions

Copies of all the public submissions were published on 21 July 2022. They can be found in eight parts under reference OIA 96540 (which is OIA 2) here: justice.govt.nz/about/official-information-act-requests/oia-responses/?Filter_Topic=40&Filter_Topic_child=75.

You have the right to complain to the Ombudsman about my decisions to withhold or refuse information under section 28(3) of the Act. You can contact the Office of the Ombudsman by emailing: info@ombudsman.parliament.nz.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Kathy Brightwell', with a long horizontal flourish extending to the right.

Kathy Brightwell

General Manager, Civil and Constitutional Policy

Information sent and received by Ministry employees:

No.	Date	Title	Document type	Comments
1	21/3/2022	Re: [OIA 1] – due 11/04/2022	Email chain and attachment	Attachment included is attachment to email of Georgie Handley on 21/03/22 at 8.59am. Some information withheld under s9(2)(a).
2.	21/3/2022	Re: [OIA 1] – due 11/04/2022	Email chain and attachment	Attachment to email of Avi Singh on 21/03/22 at 10.45am is same as attachment to document 1 (not replicated). Some information withheld under s 9(2)(a).
3.	22/3/2022	Re: Approach thoughts: [OIA 1] – due 11/04/2022	Email chain and attachment	Some information withheld under s9(2)(a). Attachment to email of Avi Singh on 21/03/22 at 10.45am is same as attachment to document 1 (not replicated).
4.	14/4/2022	Re: [OIA 1] – due 21 April	Email chain and attachment	Some information withheld under s9(2)(a). Attachment to email of Dylan Boyle on 13/4/2022 at 5:20pm withheld under s9(2)(g)(i).
5.	19/4/2022	Fw: Review of [OIA 1] request – due with requester on Thursday this week	Email chain and attachment	Some information withheld under s9(2)(a). Attachments to email of Georgia Handley on 19/4/2022 at 11:58am and attachment to email of Hayley Denoual on 19/4/2022 at 12:56pm withheld under s9(2)(g)(i).
6.	21/4/2022	[OIA 1]	Email with attachment	Some information withheld under s9(2)(a).
7.	18/5/2022	Re: [OIA 1]	Email chain with attachment	Some information withheld under s9(2)(a).
8.	20/5/2022	Official Information Act request: Proposed changes to the Electoral Act 1993	Letter	Some information withheld under s9(2)(a).
9.	21/6/2022	Re: [OIA 2] – due 28/06/2022	Email chain	Some information withheld under s9(2)(a), (ba)(i), and (g)(i). Attachments out of scope.
10.	23/6/2022	Re: [OIA 2] – due 28/06/2022	Email chain	Some information withheld under s9(2)(a) and (ba)(i).
11.	27/6/2022	Re: OIA	Email chain	Withheld in full under s9(2)(h).

12.	27/6/2022	[OIA 2] – due 28/06/2022 – pre-Kathy review	Email chain with attachments	Some information withheld under s9(2)(a) and (h). Three other attachments are out of scope.
13.	28/6/2022	[OIA 2] – due 28/06/2022 – pre-Kathy review	Email chain with attachments	Some information withheld under s9(2)(a), (ba)(i), and (h). One other attachment is out of scope.
14.	29/6/2022	[OIA 2] due back 1/7	Email chain with attachments	Some information withheld under s9(2)(a) and (h). One other attachment is out of scope.
15.	30/6/2022	[OIA 2] (Urgent due 1/7 (if possible))	Email with attachments	Some information withheld under s 9(2)(a). Three other attachments are out of scope.
16.	1/7/2022	Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law	Letter with attachments	Some information withheld under s9(2)(a). Attachments out of scope.
17.	5/7/2022	Re: [OIA 3] due 01 August	Email	Some information withheld under s9(2)(a) and (ba)(i).
18.	18/7/2022	Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law	Letter with attachments	Some information withheld under s9(2)(a).
19.	19/7/2022	Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law	Letter with attachments	Some information withheld under s9(2)(a).
20.	19/7/2022	Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law	Letter with attachments	Some information withheld under s9(2)(a).

From: Singh, Avi
Sent: Monday, 21 March 2022 10:41 am
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Hiya, looking back on the email I probably over-commissioned myself!

But no worries, will go back to Sarah as suggested and see what transpires next

Cheers,
Avi

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Monday, 21 March 2022 8:59 am
To: Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Hi Avi

Thanks for this response. Sorry I may have over commissioned you – my intention was just getting a para to go to Sarah Goddard which she would use to draft a response. I think that is how OIAs work here? That was the vibe of Sarah's email, but I may have got that wrong?

I have made a few changes to your response – I don't think we need to tell her so much info about the process. But I thought your sentence about providing a summary which the Minister may then in turn chose to proactively release was helpful.

I think we get the revised letter to Sarah and she can revise as she wishes. Please can you confirm with her that she will draft the response, which we will then review and get Hayley's agreement?

Thanks

Georgie

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Friday, 18 March 2022 12:03 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Hiya,

Have drafted something up in the **attached** – dug through previous OIAs for a template from a similar earlier request and adapted it for this one. Some information in there could be superfluous and therefore removed, but thought I'd let you make that call. Let me know your thoughts when you've had a look, thanks

Avi Singh
Policy Advisor | Electoral and Constitutional
Civil and Constitutional Unit | Policy Group
Ministry of Justice | Tāhū o te Ture



P +64 4 494 9746 | Ext 50746
National Office | Justice Centre | 19 Aitken Street
DX Box SX10088 | Wellington
avi.singh@justice.govt.nz | justice.govt.nz

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Friday, 18 March 2022 10:22 am
To: Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Hi Avi

Hayley and I had a chat about this OIA and we would like you to craft a response please. We are going to withhold all submissions because the Minister is still making decisions, but the plan is that a summary of submissions will be provided to the Minister, who may at that time decide to proactively release it.

Please can you draft a short response to this OIA? We should get it out before the Minister goes to Cabinet. Hopefully you have some time now your RIS is with the panel

Thanks

Georgie

From: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Sent: Tuesday, 15 March 2022 9:01 am
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>; Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Kia ora Georgie,

Totally fine – we have time on this one.

Ngā mihi,

Sarah



Sarah Goddard
Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Ext 47765 | DDI 04 499 6765
Office of the Chief Executive

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Tuesday, 15 March 2022 8:47 am
To: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>; Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Hi Sarah

Thanks for your email. Out of scope
But then I will look at this OIA.

Thanks

Georgie

From: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Sent: Monday, 14 March 2022 3:43 pm
To: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Handley, Georgie <Georgie.Handley@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Kia ora koutou,

Thanks Hayley.

Georgie/Avi, would be great if you could get in touch please about whether we can release any of these, then I can move forwards on a response (even if this is a refusal). Will wait to hear from you.

Thanks all. Ngā mihi,

Sarah



Sarah Goddard

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Ext 47765 | DDI 04 499 6765
Office of the Chief Executive

From: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>
Sent: Monday, 14 March 2022 3:34 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Cc: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Subject: FW: OIA 1 - due 11/04/2022

Hi donations team

Please can you work with MRS on this; I don't expect we will be able to release any of the submissions at the moment, while the Minister is still making decisions.

Thanks

Hayley

From: OIA@justice.govt.nz <OIA@justice.govt.nz>
Sent: Monday, 14 March 2022 3:24 pm
To: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Cc: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Waters, Belinda <Belinda.Waters@justice.govt.nz>
Subject: OIA 1 - due 11/04/2022

Kia ora Sarah

I am allocating this OIA to you.

Hayley, please confirm who the subject matter expert will be that Sarah can work with on this response.

A flowchart of the process is attached. Please ensure you attach this to your emails to the Policy team for their reference.

Process

The OIA scoping plan and information sheet templates are in the folder. The scoping plan is to assist you in planning out processes and timeframes for this OIA. Please ensure you fill out all of the relevant information in the information sheet and get this peer reviewed. Your SME will be able to help with both of these documents.

Please save the final version to the Allocation folder for this OIA on the shared drive. You may wish to consider whether an early scoping meeting may be useful.

Please talk to the SME and the signing manager about whether this OIA response can be proactively released.

Remember to update JAX, file everything in the folder in the shared drive, and update your personal workflow tool in the shared drive.

Many thanks.

Ngā mihi,

Emma



Ministerial Relations and Services
Strategy, Governance and Finance
DDI: +64 4 918 8800
www.justice.govt.nz

From: s 9(2)(a)
Sent: Monday, 14 March 2022 2:35 pm
To: OIA@justice.govt.nz
Subject: OIA Request

Kia ora,

My name is s 9(2)(a), and my email is s 9(2)(a)

Under the Official Information Act 1982, I request access to the submissions from the recent consultation process undertaken by the Ministry of Justice on proposed changes to the political donation rules (including disclosure rules and thresholds and reporting) in the Electoral Act 1993.

Nga mihi,
s 9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

[date of response]

s 9(2)(a)

Dear s 9(2)
(^)

Official Information Act request – Consultation on proposed changes to political donations rules

Thank you for your email of 14 March 2022 requesting information under the Official Information Act 1982 (OIA), namely the submissions received on the recent consultation on proposed changes to political donations rules.

As we are currently analysing the submissions and using this analysis to inform our advice to the Minister of Justice, I am refusing your request under section 9(2)(f)(iv) of the OIA to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

We intend to provide a summary of submissions to the Minister as part of our advice. If this is provided, the Minister may at that time decide to proactively release the summary of submissions.

If you are not satisfied with my response to your request, you have the right to complain to the Ombudsman under section 28(3) of the OIA. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

Thank you for taking the time to write.

Yours sincerely

Kathy Brightwell
General Manager, Civil and Constitutional Policy

From: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Sent: Monday, 21 March 2022 10:52 am
To: Singh, Avi <Avi.Singh@justice.govt.nz>
Cc: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Kia ora Avi,

Thanks for this! Looks great. Yes, I can take it from here and will flick past you before sign outs.

Enjoy your day,

Sarah



Sarah Goddard

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Ext 47765 | DDI 04 499 6765
Office of the Chief Executive

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Monday, 21 March 2022 10:45 am
To: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Cc: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Hi Sarah,

Just **attaching** a draft response we came up with – we are withholding all submissions received at this stage.

Are you happy to take the lead from here and revise as necessary, then checking in with us again before it goes back to Hayley?

Thanks,



Avi Singh

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From: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
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To: Handley, Georgie <Georgie.Handley@justice.govt.nz>; Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Kia ora Georgie,

Totally fine – we have time on this one.

Ngā mihi,

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Out of scope

But then I will look at this OIA.

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Georgie/Avi, would be great if you could get in touch please about whether we can release any of these, then I can move forwards on a response (even if this is a refusal). Will wait to hear from you.

Thanks all. Ngā mihi,

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Sarah Goddard

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Cc: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Subject: FW: OIA 1 - due 11/04/2022

Hi donations team

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Hayley

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To: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Cc: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Waters, Belinda

<Belinda.Waters@justice.govt.nz>

Subject: OIA 1 - due 11/04/2022

Kia ora Sarah

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Please talk to the SME and the signing manager about whether this OIA response can be proactively released.

Remember to update JAX, file everything in the folder in the shared drive, and update your personal workflow tool in the shared drive.

Many thanks.

Ngā mihi,
Emma



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www.justice.govt.nz

From: s 9(2)(a)
Sent: Monday, 14 March 2022 2:35 pm
To: OIA@justice.govt.nz
Subject: OIA Request

Kia ora,

My name is s 9(2)(a) , and my email is s 9(2)(a)

Under the Official Information Act 1982, I request access to the submissions from the recent consultation process undertaken by the Ministry of Justice on proposed changes to the political donation rules (including disclosure rules and thresholds and reporting) in the Electoral Act 1993.

Nga mihi,
s 9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Singh, Avi
 Sent: Tuesday, 22 March 2022 9:51 am
 To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
 Subject: RE: Approach thoughts: OIA 1 - due 11/04/2022

Right, I suppose they weren't formal submissions to a formal consultation though...but yes let's talk through this!

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
 Sent: Tuesday, 22 March 2022 9:47 am
 To: Singh, Avi <Avi.Singh@justice.govt.nz>
 Subject: RE: Approach thoughts: OIA 1 - due 11/04/2022

Hi


I only had a very light touch on this OIA so not up on the details, but looking at this response the targeted submissions were included – and all withheld under 9(2)(f)(iv).

I'll send you an email from Hayley on this point too

Thanks

Georgie

From: Singh, Avi <Avi.Singh@justice.govt.nz>
 Sent: Tuesday, 22 March 2022 9:32 am
 To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
 Subject: RE: Approach thoughts: OIA 1 - due 11/04/2022

Here's the ^{s 9(2)(a)} OIA response – looks like subs weren't part of the request:  [Final Response.pdf](#)



Avi Singh

Policy Advisor | Electoral and Constitutional
 Civil and Constitutional Unit | Policy Group
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avi.singh@justice.govt.nz | justice.govt.nz

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
 Sent: Tuesday, 22 March 2022 7:55 am
 To: Singh, Avi <Avi.Singh@justice.govt.nz>
 Subject: RE: Approach thoughts: s 9(2)(a) - due 11/04/2022

Hey

Thanks for this. I was going to suggest we talk about this when we are meeting later this morning on the WPQs. Out of scope

Out of scope Can you please track down the final response to the s 9(2)(a) OIA – I think that OIA withheld the public subs under 9(2)(f)(iv) but it would be good to check.

Thanks

Georgie

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Monday, 21 March 2022 5:25 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: Approach thoughts: OIA 1 - due 11/04/2022

Hi – we should talk about this tomorrow (perhaps with Hayley involved?) before going back to Sarah...

Out of scope

I've attached the template of the letters we sent to party secretaries inviting them to take part in our targeted consultation – under the 'Will your response be made public?' heading, we noted the sensitivity of the information provided and noted our intention not to publish any meeting notes etc. This might be grounds to withhold under s9(2)(ba)(i) in terms of information provided under an obligation of confidence that would prejudice similar info being provided in future if released? My understanding is this is the first time MOJ have consulted directly with parties on this topic, so parties may potentially back away from future consultations if info was released.

Out of scope

Anyway just things to mull over before we can talk about it tomorrow!

Cheers,



Avi Singh

Policy Advisor | Electoral and Constitutional
Civil and Constitutional Unit | Policy Group
Ministry of Justice | Tāhū o te Ture
P +64 4 494 9746 | Ext 50746
National Office | Justice Centre | 19 Aitken Street
DX Box SX10088 | Wellington
avi.singh@justice.govt.nz | justice.govt.nz

From: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>

Sent: Monday, 21 March 2022 4:55 pm

To: Singh, Avi <Avi.Singh@justice.govt.nz>

Cc: Handley, Georgie <Georgie.Handley@justice.govt.nz>

Subject: Approach thoughts: OIA - 94393 - Duncan - due 11/04/2022

Importance: High

Out of scope



Sarah Goddard

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Ext 47765 | DDI 04 499 6765
Office of the Chief Executive

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Monday, 21 March 2022 10:45 am
To: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Cc: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: OIA - 94393 - Duncan - due 11/04/2022

Hi Sarah,

Just **attaching** a draft response we came up with – we are withholding all submissions received at this stage.

Are you happy to take the lead from here and revise as necessary, then checking in with us again before it goes back to Hayley?

Thanks,



Avi Singh

Policy Advisor | Electoral and Constitutional
Civil and Constitutional Unit | Policy Group
Ministry of Justice | Tāhū o te Ture
P +64 4 494 9746 | Ext 50746
National Office | Justice Centre | 19 Aitken Street
DX Box SX10088 | Wellington
avi.singh@justice.govt.nz | justice.govt.nz

From: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Sent: Tuesday, 15 March 2022 9:01 am
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>; Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA - 94393 - due 11/04/2022

Kia ora Georgie,

Totally fine – we have time on this one.

Ngā mihi,

Sarah



Sarah Goddard

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Ext 47765 | DDI 04 499 6765

Office of the Chief Executive

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Tuesday, 15 March 2022 8:47 am
To: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>; Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Hi Sarah

Thanks for your email.

Out of scope
But then I will look at this OIA.

Thanks

Georgie

From: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Sent: Monday, 14 March 2022 3:43 pm
To: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Handley, Georgie <Georgie.Handley@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 1 - due 11/04/2022

Kia ora koutou,

Thanks Hayley.

Georgie/Avi, would be great if you could get in touch please about whether we can release any of these, then I can move forwards on a response (even if this is a refusal). Will wait to hear from you.

Thanks all. Ngā mihi,

Sarah



Sarah Goddard

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Ext 47765 | DDI 04 499 6765
Office of the Chief Executive

From: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>
Sent: Monday, 14 March 2022 3:34 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Cc: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Subject: FW: OIA 1 - due 11/04/2022

Hi donations team

Please can you work with MRS on this; I don't expect we will be able to release any of the submissions at the moment, while the Minister is still making decisions.

Thanks

Hayley

From: OIA@justice.govt.nz <OIA@justice.govt.nz>
Sent: Monday, 14 March 2022 3:24 pm
To: Goddard, Sarah <Sarah.Goddard@justice.govt.nz>
Cc: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Waters, Belinda <Belinda.Waters@justice.govt.nz>
Subject: OIA 1 - due 11/04/2022

Kia ora Sarah

I am allocating this OIA to you.

Hayley, please confirm who the subject matter expert will be that Sarah can work with on this response.

A flowchart of the process is attached. Please ensure you attach this to your emails to the Policy team for their reference.

Process

The OIA scoping plan and information sheet templates are in the folder. The scoping plan is to assist you in planning out processes and timeframes for this OIA. Please ensure you fill out all of the relevant information in the information sheet and get this peer reviewed. Your SME will be able to help with both of these documents.

Please save the final version to the Allocation folder for this OIA on the shared drive. You may wish to consider whether an early scoping meeting may be useful.

Please talk to the SME and the signing manager about whether this OIA response can be proactively released.

Remember to update JAX, file everything in the folder in the shared drive, and update your personal workflow tool in the shared drive.

Many thanks.

Ngā mihi,
Emma



Ministerial Relations and Services

Strategy, Governance and Finance

DDI: +64 4 918 8800

www.justice.govt.nz

From: s 9(2)(a)
Sent: Monday, 14 March 2022 2:35 pm
To: OIA@justice.govt.nz
Subject: OIA Request

Kia ora,

My name is s 9(2)(a), and my email is s 9(2)(a).

Under the Official Information Act 1982, I request access to the submissions from the recent consultation process undertaken by the Ministry of Justice on proposed changes to the political donation rules (including disclosure rules and thresholds and reporting) in the Electoral Act 1993.

Nga mihi,
s 9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Handley, Georgie
Sent: Thursday, 14 April 2022 7:07 am
To: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>
Subject: RE: OIA 1 - due 21 April

Hi Dylan

Thanks for your draft letter. I haven't looked at it in any detail but you haven't responded to her request for the actual submissions. As per my original email, we need to decline this request under 9(2)(f)(iv), but we can offer to get in touch when they can be released and see if they will still be useful. This will be in May.

Out of scope

If the request is due to the requestor on 21 April, which is next Thursday, we need to get the letter to Hayley today so it can start the sign out process on Tuesday next week. Is that possible?

I think Kathy is away so it might be signed out by either Hayley or Anna who is acting GM. I can find that out.

Please can you advise what needs to be done for the MO – do they need to see this for their info before it is sent to the requestor?

Georgie – please can you check the covering letter

Out of scope

Thanks

Georgie

From: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Sent: Wednesday, 13 April 2022 5:20 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>
Subject: RE: OIA 1 - due 21 April

Hi Georgie

Please find attached a draft for the OIA 94393.

I can confirm that the response is due to the requester on 21 April 2022.

Thank you very much. 😊

Ngā mihi,



Dylan Boyle

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Strategy, Governance and Finance

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>

Sent: Wednesday, 13 April 2022 4:45 pm

To: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>

Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>

Subject: RE: OIA 1 - due 21 April

Thanks Dylan

Can you confirm whether the response is due to you by 21 April or to the requestor?

Thanks

Georgie

From: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>

Sent: Wednesday, 13 April 2022 9:30 am

To: Handley, Georgie <Georgie.Handley@justice.govt.nz>

Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>

Subject: RE: OIA 1 - due 21 April

Hi Georgie

I'll try to get that draft to you today. It's currently being peer review by my team. 😊

Ngā mihi,

Dylan Boyle

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture



Strategy, Governance and Finance

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Wednesday, 13 April 2022 9:13 am
To: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>
Subject: RE: OIA 1 - due 21 April

Hi just planning my next wee while and also tasks for Georgia. Can you advise eta of the draft letter please?

Thanks

Georgie

From: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Sent: Monday, 11 April 2022 9:47 am
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>
Subject: RE: OIA 1 - due 21 April

Thanks, Georgie.

I'll make sure Georgia is also included when I send the draft response. 😊

Ngā mihi,



Dylan Boyle
Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Strategy, Governance and Finance

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Monday, 11 April 2022 9:27 am
To: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>
Subject: RE: OIA 1 - due 21 April

Thanks Dylan

Georgia is going to be helping me on this OIA. Please can you copy her into the draft response?

Thanks

Georgie

From: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Sent: Monday, 11 April 2022 8:34 am
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: OIA 1 - due 21 April

Hi Georgie

Thank you very much for sending that information through. Yes, I can get any docs that we aren't releasing removed from the release pack.

I'll get started on drafting that letter.

Thank you very much! 😊

Ngā mihi,



Dylan Boyle
Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Strategy, Governance and Finance

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Friday, 8 April 2022 12:45 pm
To: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Subject: OIA 1 - due 21 April

Hi Dylan

I understand that you are taking over the OIA 1 OIA from Sarah. I have attached a list of the docs that fall within the scope of the OIA. I am also attaching the ^{s.9(2)(a)} OIA, which we are using as a starting point for the OIA 1 OIA. Out of scope

I'm assuming that you have all of the previous correspondence?

Just in case you don't, here is a quick summary:

s 9(2)(a) sent an email on 14 March 2022 requesting access to the submissions from the recent consultation process undertaken by the Ministry of Justice on proposed changes to the political donation rules (including disclosure rules and thresholds and reporting) in the Electoral Act 1993. Out of scope

We are withholding all submissions under section 9(2)(f)(iv). We consider that this is a similar situation as was set out in OIA 94750, where submissions were declined on this ground.

Please can you write the covering letter?

Many thanks

Georgie

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Handley, Georgie
Sent: Tuesday, 19 April 2022 1:07 pm
To: Shen, Georgia <Georgia.Shen@justice.govt.nz>
Subject: FW: review of OIA 1 request - due with requestor on Thursday this week

Hi

Can you please tidy up the OIA response? I have had a quick look at we should accept all of Hayley's comments. **Out of scope**

I think we should own the response now so no need to send it back to him until after approved by Anna for sending out.

I'll just have a quick look at it before sending the response and the LEG paper to Anna.

Thanks

Georgie

From: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>
Sent: Tuesday, 19 April 2022 12:56 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>
Subject: RE: review of OIA 1 request - due with requestor on Thursday this week

Thanks Georgie

Some comments/tracked changes in attached - the proposed release looks okay (except for some reason the withholding grounds on page 110 is in REALLY LARGE FONT!)

Thanks

Hayley





Hayley Denoual ([she/her](#))
Policy Manager | Kaiwhakahaere Kaupapa
Electoral and Constitutional Policy | Civil and Constitutional Unit
Ministry of Justice | Tāhū o te Ture
P +64 4 466 2923 | Ext 64923 | **s 9(2)(a)**
Justice Centre | 19 Aitken Street
hayley.denoual@justice.govt.nz | justice.govt.nz
['Chat with me on Teams'](#)

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Tuesday, 19 April 2022 11:58 am
To: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>

Cc: Shen, Georgia <Georgia.Shen@justice.govt.nz>

Subject: review of OIA 1 request - due with requestor on Thursday this week

 94393 OIA 1 response.docx
 Out of scope

Hi Hayley

Please find attached a draft response for the OIA 1 for your review. As you will recall, this response is based on the s 9(2)(a) response. Out of scope

FYI I asked Dylan about consulting the MO, and the response was that it could be sent to MO after it was sent to s 9(2)(a) as an FYI because all of the docs have been previously released.

Happy to chat if you have any comments/questions.

Thanks

Georgie

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Boyle, Dylan [<mailto:Dylan.Boyle@justice.govt.nz>]
Sent: Thursday, 21 April 2022 8:20 AM
To: Minister's office
Subject: OIA 1

Hi s 9(2)(a)

I wanted to please check if you would like to receive an FYI for the OIA 94393 for OIA 1

I understand that all the information in our response for OIA 1 has already been released without any changes to redactions in the s 9(2)(a) OIA 93007.

The response is due to the requester today but if you require more time with this, I'll let my manager know.

Thank you very much. 😊

Ngā mihi,



Dylan Boyle

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Strategy, Governance and Finance

21 April 2022

OIA 1

Our ref:

OIA 94393

Tēnā koe s 9(2)(a)

Official Information Act request: Proposed changes to the Electoral Act 1993

Thank you for your email of 14 March 2022 requesting, under the Official Information Act 1982 (the Act), information about recent consultation undertaken by the Ministry on potential changes to the political donations rules in the Electoral Act 1993.

Specifically, you requested:

Under the Official Information Act 1982, I request access to the submissions from the recent consultation process undertaken by the Ministry of Justice on proposed changes to the political donation rules (including disclosure rules and thresholds and reporting) in the Electoral Act 1993.

Out of scope

The submissions from the recent consultation process undertaken by the Ministry have been withheld under section 9(2)(f)(iv) of the Act. Cabinet is still in the process of making decisions about proposed changes to the Electoral Act 1993. Once decisions have been made, I anticipate being able to make the submissions, or a summary of the information in the submissions, available to you.

I am satisfied there are no public interest considerations that render it desirable to make the information withheld under section 9 of the Act available.

If you are not satisfied with my response to your request, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

I wish you well with your research.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Anna Johnston', written in a cursive style.

Anna Johnston

General Manager, Civil and Constitutional Policy (Acting)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

21 April 2022

OIA 1

Our ref:

OIA 94393

Tēnā koe s 9(2)(a)

Official Information Act request: Proposed changes to the Electoral Act 1993

Thank you for your email of 14 March 2022 requesting, under the Official Information Act 1982 (the Act), information about the Electoral Act 1993. Specifically, you requested:

Under the Official Information Act 1982, I request access to the submissions from the recent consultation process undertaken by the Ministry of Justice on proposed changes to the political donation rules (including disclosure rules and thresholds and reporting) in the Electoral Act 1993.

Out of scope

The submissions from the recent consultation process undertaken by the Ministry have been withheld under section 9(2)(f)(iv) of the Act. Cabinet is still in the process of making decisions about proposed changes to the Electoral Act. Once decisions have been made, I anticipate being able to make the submissions available to you.

I am satisfied there are no public interest considerations that render it desirable to make the information withheld under section 9 available.

If you are not satisfied with my response to your request, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

I wish you well with your research.

Nāku noa, nā

Anna Johnston

General Manager, Civil and Constitutional Policy (Acting)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Sent: Wednesday, 18 May 2022 10:23 am
To: Minister's office
Subject: RE: OIA 1

Morning ^{s 9(2)(a)}

Out of scope

Please find attached an updated draft for the OIA 94393 for OIA 1 and an updated release pack attached. Let me know if you would like me to delete those marked up pages being withheld.

Thank you very much. 😊

Ngā mihi,



Dylan Boyle

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Strategy, Governance and Finance

From: Minister's office
Sent: Tuesday, 17 May 2022 9:07 am
To: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Subject: RE: OIA 1

Out of scope

^{s 9(2)(a)}

Private Secretary – Justice | Office of Hon Kris Faafoi

^{s 9(2)(a)}

Parliament Buildings | Wellington 6160 | New Zealand

Authorised by Hon Kris Faafoi MP, Parliament Buildings, Wellington 6011

From: Boyle, Dylan [<mailto:Dylan.Boyle@justice.govt.nz>]
Sent: Monday, 2 May 2022 1:03 PM
To: Minister's office
Subject: RE: OIA 1

Hey ^{s 9(2)(a)}

I hope you're having a pleasant first day. 😊

The extended deadline is the 20 May 2022, so I could please have it back by 18 May 2022. I think that would be sufficient time.

Thank you very much.

Ngā mihi,



Dylan Boyle
Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Strategy, Governance and Finance

From: Minister's office
Sent: Monday, 2 May 2022 12:54 pm
To: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Subject: RE: OIA 1

Hi Dylan,

I am not sure if ^{s 9(2)(a)} got back to you about this one, but the Office is going to have a look at it.

When would be ideal for you to receive it back based on the extended deadline?

Thanks,
^{s 9(2)(a)}

Private Secretary – Justice | Office of Hon Kris Faafoi
^{s 9(2)(a)}

Parliament Buildings | Wellington 6160 | New Zealand

From: Boyle, Dylan [<mailto:Dylan.Boyle@justice.govt.nz>]
Sent: Thursday, 21 April 2022 2:03 PM
To: Minister's office
Subject: RE: OIA 1

Kia ora s9(2)(a)

Please find attached the OIA 93007 for s 9(2)(a) attached along with the documents.

Thank you very much.

Ngā mihi,



Dylan Boyle
Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Strategy, Governance and Finance

From: Minister's office
Sent: Thursday, 21 April 2022 1:58 pm
To: Boyle, Dylan <Dylan.Boyle@justice.govt.nz>
Subject: RE: OIA 1

I will need to run this by our Office because of the subject matter. Can you send me a copy of the s 9(2)(a) OIA so I can compare please?

Cheers

s 9(2)(a)

Private Secretary – Justice | Office of Hon Kris Faafoi
s 9(2)(a)
Parliament Buildings | Wellington 6160 | New Zealand

From: Boyle, Dylan [<mailto:Dylan.Boyle@justice.govt.nz>]
Sent: Thursday, 21 April 2022 8:20 AM
To: Minister's office
Subject: OIA 1

Hi s 9(2)(a)

I wanted to please check if you would like to receive an FYI for

OIA 1

I understand that all the information in our response for OIA 1 has already been released without any changes to redactions in the s 9(2)(a) OIA 93007.

The response is due to the requester today but if you require more time with this, I'll let my manager know.

Thank you very much. 😊

Ngā mihi,



Dylan Boyle

Advisor | Ministerial Relations and Services
Ministry of Justice | Tahū o te Ture
Strategy, Governance and Finance

Confidentiality notice:

This email may contain information that is confidential or legally privileged. If you have received it by mistake, please:

- (1) reply promptly to that effect, and remove this email and the reply from your system;
- (2) do not act on this email in any other way.

Thank you.

21 April 2022

OIA 1

Our ref:

OIA 94393

Tēnā koe ^{s 9(2)(a)}

Official Information Act request: Proposed changes to the Electoral Act 1993

Thank you for your email of 14 March 2022 requesting, under the Official Information Act 1982 (the Act), information about recent consultation undertaken by the Ministry on potential changes to the political donations rules in the Electoral Act 1993.

Specifically, you requested:

Under the Official Information Act 1982, I request access to the submissions from the recent consultation process undertaken by the Ministry of Justice on proposed changes to the political donation rules (including disclosure rules and thresholds and reporting) in the Electoral Act 1993.

Out of scope

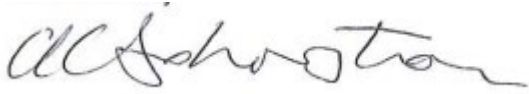
The submissions from the recent consultation process undertaken by the Ministry have been withheld under section 9(2)(f)(iv) of the Act. Cabinet is still in the process of making decisions about proposed changes to the Electoral Act 1993. Once decisions have been made, I anticipate being able to make the submissions, or a summary of the information in the submissions, available to you.

I am satisfied there are no public interest considerations that render it desirable to make the information withheld under section 9 of the Act available.

If you are not satisfied with my response to your request, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

I wish you well with your research.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'A Johnston', written in a cursive style.

Anna Johnston

General Manager, Civil and Constitutional Policy (Acting)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

20 May 2022

OIA 1

Our ref: OIA 94393

Tēnā koe s 9(2)(a)

Official Information Act request: Proposed changes to the Electoral Act 1993

Thank you for your email of 14 March 2022 requesting, under the Official Information Act 1982 (the Act), information about recent consultation undertaken by the Ministry on potential changes to the political donations rules in the Electoral Act 1993. Specifically, you requested:

Under the Official Information Act 1982, I request access to the submissions from the recent consultation process undertaken by the Ministry of Justice on proposed changes to the political donation rules (including disclosure rules and thresholds and reporting) in the Electoral Act 1993.

Out of Scope

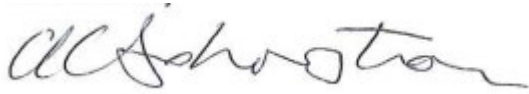
The submissions from the recent consultation process undertaken by the Ministry have been withheld under section 9(2)(f)(iv) of the Act. Cabinet is still in the process of making decisions about proposed changes to the Electoral Act 1993. Once decisions have been made, I anticipate being able to make the submissions, or a summary of the information in the submissions, available to you.

I am satisfied there are no public interest considerations that render it desirable to make the information withheld under section 9 of the Act available.

If you are not satisfied with my response to your request, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

I wish you well with your research.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'A Johnston', written in a cursive style.

Anna Johnston

General Manager, Civil and Constitutional Policy (Acting)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>
Sent: Tuesday, 21 June 2022 6:30 pm
To: Singh, Avi <Avi.Singh@justice.govt.nz>
Cc: Handley, Georgie <Georgie.Handley@justice.govt.nz>; Shen, Georgia <Georgia.Shen@justice.govt.nz>; West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 2 - due 28/06/2022

Hi Avi et al

Thank you for all your work on this, it is a mammoth effort. I have looked very briefly through the whole document but focused my attention of the few submissions you highlighted below – my comments/suggestions are in red below.

For the submissions from political parties we need to take a very cautious approach, given where this bill is at in the legislative process. We have been mindful from the outset of the political sensitivities of this project, and have been very careful throughout to ensure we are maintaining, and can demonstrate that we are maintain, our political neutrality, both in the way we reached out to party secretaries, and in the way we have managed any information or views received by them in our advice to the Minister – e.g. by taking great care not to attribute views to any party. I think we need to maintain that – and so have suggested we withhold the s 9(2)(ba)(i) submission in full, Out of scope

Nick - happy to discuss further with you and Belinda, but it is important that these redactions/withholdings are applied before this pack is sent to the Minister's Office for consultation please – otherwise that would defeat the purpose of the section 9(f)(iii) withholding ground.

Thanks

Hayley



Hayley Denoual ([she/her](#))
 Policy Manager | Kaiwhakahaere Kaupapa
 Electoral and Constitutional Policy | Civil and Constitutional Unit
 Ministry of Justice | Tāhū o te Ture
 P +64 4 466 2923 | Ext 64923 | **s 9(2)(a)**
 Justice Centre | 19 Aitken Street
hayley.denoual@justice.govt.nz | justice.govt.nz
[‘Chat with me on Teams’](#)

We value and encourage flexible first. While it suits me to send this now, I do not expect a response or action outside of your own working hours.

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Tuesday, 21 June 2022 3:37 pm
To: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>
Cc: Handley, Georgie <Georgie.Handley@justice.govt.nz>; Shen, Georgia

<Georgia.Shen@justice.govt.nz>; West, Nicholas <Nicholas.West@justice.govt.nz>

Subject: OIA 2 - due 28/06/2022

Hi Hayley,

Please find **attached** for your review a PDF containing all the proposed redactions to the public submissions on the political donations consultation, along with the other related material for this OIA that Nick has noted below (including the draft response letter).

Out of scope

In addition, we have flagged the below submissions as ones you may want to specifically consider, with questions and recommended approaches where relevant (this table also addresses Nick's comments in points 1 to 3 of his email below):

PDF Page Number(s)	Submitter Name	E&C SME / MRS comments/questions	Manager comment
		Out of scope	
		Out of scope	

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		Out of scope	
		scope	
		Out of scope	

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		Out of scope	
		t of scope	
		s 9(2)(g)(i)	I would like to withhold this submission in full under section 9(2)(f)(iii) - as we still have work to do with Ministers and the Justice Committee in support of this bill.

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			<p>This submission should also be withdrawn or fully redacted when this is sent to the Minister's Office.</p> <p>This is consistent with the position we have taken throughout that officials would not identify particular parties to the Minister at this stage.</p>
		Out of scope	
		Out of scope	
		Out of scope	

Out of scope

Happy to discuss any questions as always – otherwise, please let us know what you think before we go back to MRS for them to prepare to consult the MO. Thanks



Avi Singh

Policy Advisor | Electoral and Constitutional
Civil and Constitutional Unit | Policy Group
Ministry of Justice | Tāhū o te Ture

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DX Box SX10088 | Wellington

avi.singh@justice.govt.nz | justice.govt.nz

The rest of the email chain is out of scope

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Thursday, 23 June 2022 1:52 pm
To: West, Nicholas <Nicholas.West@justice.govt.nz>
Cc: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: OIA 2 - due 28/06/2022

Hi Nick,

Thanks for your work on this – just chatted with Hayley and here is what we think is the best approach from here in terms of sending the pack over to the MO:

- Let the MO know the response cover letter is still in draft form – this letter also needs to note that we are refusing to release all **three (3)** submissions from political parties under s9(2)(f)(iii). The number of submissions needs to be specified in the letter
- The pack sent over to the MO should **not** include the 3 political party submissions s 9(2)(ba)(i)
- Out of scope

Let us know if there's any issues with the above, thanks



Avi Singh

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avi.singh@justice.govt.nz | justice.govt.nz

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Thursday, 23 June 2022 12:47 pm
To: West, Nicholas <Nicholas.West@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 2 - due 28/06/2022

Out of scope

From: West, Nicholas <Nicholas.West@justice.govt.nz>
Sent: Thursday, 23 June 2022 12:08 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 2 - due 28/06/2022

Alright I've just reworded the draft quickly (sorry have had to find time to do this in and amongst other urgent work!)

Redactions on everything that Hayley noted has been made, and I'm applying the s9(2)(f)(iii) redactions before I chuck it all on the usb.

Let me know if you have any comments on the letter otherwise I'll get it all ready to take over 😊

Ngā mihi
Nick

Several pages out of scope

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Wednesday, 22 June 2022 9:59 am
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Cc: West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 2 - due 28/06/2022

Hi,

Hayley's correct that we only got three submissions from political parties (which can be withheld) – s 9(2)(ba)(i)

Out of scope



Avi Singh

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From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Wednesday, 22 June 2022 9:40 am
To: Singh, Avi <Avi.Singh@justice.govt.nz>; West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 2 - due 28/06/2022

Hi

Just had a chat to Hayley and what she thinks is that we only got three subs from political parties and these fall within the scope of his request but will be withheld.

Out of scope

Thanks

Georgie

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Wednesday, 22 June 2022 9:17 am
To: West, Nicholas <Nicholas.West@justice.govt.nz>; Handley, Georgie

<Georgie.Handley@justice.govt.nz>

Subject: RE: OIA 2 - due 28/06/2022

Out of scope



Avi Singh

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From: West, Nicholas <Nicholas.West@justice.govt.nz>

Sent: Wednesday, 22 June 2022 8:51 am

To: Handley, Georgie <Georgie.Handley@justice.govt.nz>

Cc: Singh, Avi <Avi.Singh@justice.govt.nz>

Subject: RE: OIA 2 - due 28/06/2022

Hey Georgie, hope your well.

Avi and I had another chat yesterday about the targeted submissions. In terms of withholding some of the targeted submissions I'm not really sure how we proceed here.

Party submissions would be fine to withhold under both s9(2)(ba) or s9(2)(f)(iii), that's straightforward enough.

Out of scope

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Ngā mihi
Nick



Nicholas West (he/him)
Advisor | Ministerial Relations & Services
Office of the Chief Executive
Ministry of Justice | Tāhū o te Ture
L6 Justice Centre | 19 Aitken Street
DX Box SX10088 | Wellington
Nicholas.West@justice.govt.nz | justice.govt.nz

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Tuesday, 21 June 2022 3:30 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>; West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: **OIA 2** - due 28/06/2022

Nick, re Georgie's comment on point 1, I'll send you the list of targeted submissions received along with the letters/emails we sent them inviting their submissions once I've got the redaction checking email out the door to Hayley shortly

And happy with Georgie's suggested approach on point 2 :)

Cheers,
Avi

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Tuesday, 21 June 2022 2:51 pm
To: West, Nicholas <Nicholas.West@justice.govt.nz>
Cc: Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: **OIA 2** - due 28/06/2022

Hi

Thanks for your email. My thoughts below in green

From: West, Nicholas <Nicholas.West@justice.govt.nz>
Sent: Tuesday, 21 June 2022 2:10 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>

Cc: Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 2 - due 28/06/2022

Hey Georgie,

Sorry for my delay in responding, I've just been having a chat with Avi about this OIA. There's a couple of things we need to figure out:

1. Scope of the request – looking at the original request, it isn't actually clear if this is limited to public submissions or all submissions on political donations. We need to clarify how we are interpreting the scope before we extend the due date. Yes you are right, the request is just for submissions. I think we could frame the response as here are the public submissions, but the submissions from targeted consultation fall within the scope of your request but are withheld. Subs from party secretaries could be withheld under 9(2)(f)(iii) – political neutrality of officials – see table below from the ^{s 9(2)(a)} OIA, lines 7 and 8 **Out of scope**

Avi please can you send Nick a list of the targeted subs received so he can create a table like this? Can you advise whether the targeted submitters were given an undertaking of confidentiality? Maybe 9(2)(ba) is a better ground?

No	Date	Type	Title	Decisions on release
----	------	------	-------	----------------------

out of scope

7.	28 May 2021	Letter	Letter from Party Secretary	Withheld in full under section 9(2)(f)(iii).
8.	1 July 2021	Internal File Note	Meeting with Party Secretary	Withheld in full under section 9(2)(f)(iii).

The rest of the email chain is out of scope

From: Singh, Avi <Avi.Singh@justice.govt.nz>
Sent: Monday, 27 June 2022 11:40 pm
To: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>
Cc: Handley, Georgie <Georgie.Handley@justice.govt.nz>; West, Nicholas <Nicholas.West@justice.govt.nz>; Mata, Kaute <Kaute.Mata@justice.govt.nz>
Subject: OIA 2 - due 28/06/2022 - pre-Kathy review

Hi Hayley,

As discussed for you to take a look at prior to Kathy's review, please find **attached** the latest version of the response letter to s9(2)(a) prepared by Nick – the original request is also **attached** for reference. Points to note for the response letter include:

- Out of scope
- the second highlighted paragraph is the explanation provided for withholding the 3 political party submissions s9(2)(ba)(i) in full under s9(2)(ba)(i) due to the obligation of confidence the information was provided unde s 9(2)(h)
- Out of scope

As previously discussed, the content of the above letter is subject to the MO turning around their feedback on all the submissions in time for us to release the submissions (with appropriate redactions) tomorrow (Tuesday) without requiring an extension Out of scope

out of scope

I note this PDF is not the final version, which will not include the 3 political party submissions being withheld in full under s9(2)(ba) out of scope

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out of scope

As discussed, I've arranged time in Kathy's diary with Kaute to review this either tomorrow morning at 9am before the Policy Group away day, or at 5pm tomorrow after the away day – Kaute has asked to be copied into any emails to Kathy so she can add them to the calendar appointments she's put in Kathy's diary. Again, I note the potential release of these submissions (with appropriate redactions) tomorrow regardless of our internal reviews remains subject to whether the MO can come back to us in time tomorrow.

Hopefully that all makes sense, but let me know if you have any questions about all the above - I'll be checking my emails intermittently tomorrow morning before the away day.
Thanks



Avi Singh

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Tēnā koe s 9(2)(a)

Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law

Thank you for your email of 27 May 2022 requesting, under the Official Information Act 1982 (the Act), information regarding submissions on proposed changes to political donation rules. Specifically, you asked:

... I'm taking a close interest in the Ministry's work on the "Proposed changes to political donation rules in our electoral law".

In this regard, I wondered if it would be possible to get copies of the submissions and feedback received by the Ministry on this.

Out of Scope

Please note that the three submissions received from political parties have been withheld in full under s9(2)(ba)(i) of the Act to protect information which is subject to an obligation of confidence where release would be likely to prejudice the supply of similar information, and it is in the public interest that such information should continue to be supplied.

The political parties which the Ministry received submissions from provided these on a confidential basis. These parties may not have provided submissions if they knew they were going to be identified, so it would be within the public interest to withhold their submissions as release of this would likely prejudice the supply of similar information and it is in the public interest that the Ministry can continue to consult with political parties in the future.

I am satisfied that there are no public interest considerations that render it desirable to make the information being withheld under section 9 of the Act available.

Out of scope

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. You can contact the Office of the Ombudsman by emailing: info@ombudsman.parliament.nz.

Nāku noa, nā

Kathy Brightwell
General Manager, Civil and Constitutional, Policy Group

Encl: *Submissions on proposed changes to proposed changes to political donation rules*

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From: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>
Sent: Tuesday, 28 June 2022 8:40 am
To: Brightwell, Kathy <Kathy.Brightwell@justice.govt.nz>
Cc: Mata, Kaute <Kaute.Mata@justice.govt.nz>; Singh, Avi <Avi.Singh@justice.govt.nz>; West, Nicholas <Nicholas.West@justice.govt.nz>; Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: FW: OIA 2 - due 28/06/2022 - pre-Kathy review

Morena Kathy

As just discussed, please find **attached** the latest version of the response letter to ^s prepared by MRS. As I mentioned, MRS are currently consulting with the ^{9/}Min's ^{2/}Office on the proposed release, but we have asked if they could try to get back to us today, so MRS can revert to the requester today. If you are happy for MRS to use your electronic signature that might make the sign-out process easier.

If we do not hear back from the consultation with the Min's Office, then MRS will need to seek an extension.

As per the letter, we are proposing to:

- Out of scope
- withhold the political party secretary submissions s 9(2)(ba)(i)
in full under s9(2)(ba)(i) due to the obligation of confidence the information was provided to these submitters. s 9(2)(h)

- Out of scope

Out of scope

Avi has arranged time in your diary with Kaute to review this either today at 9am before the Policy Group away day, or at 5pm tomorrow after the away day (!) and following your review MRS are on standby to finalise the redactions and get these to the submitter today – subject of course to whether the Mins Office is able to come back to us in time today following the consultation.

As you know, we have four other requests for the same information, which we plan to respond to in the same way.

Thanks

Hayley



Hayley Denoual ([she/her](#))

Policy Manager | Kaiwhakahaere Kaupapa

Electoral and Constitutional Policy | Civil and Constitutional Unit

Ministry of Justice | Tāhū o te Ture

P +64 4 466 2923 | Ext 64923 | **s 9(2)(a)**

Justice Centre | 19 Aitken Street

hayley.denoual@justice.govt.nz | justice.govt.nz

[‘Chat with me on Teams’](#)

We value and encourage flexible first. While it suits me to send this now, I do not expect a response or action outside of your own working hours.

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Tēnā koe s 9(2)(a)

Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law

Thank you for your email of 27 May 2022 requesting, under the Official Information Act 1982 (the Act), information regarding submissions on proposed changes to political donation rules. Specifically, you asked:

... I'm taking a close interest in the Ministry's work on the "Proposed changes to political donation rules in our electoral law".

In this regard, I wondered if it would be possible to get copies of the submissions and feedback received by the Ministry on this.

Out of scope

Four submissions received from political party secretaries have been withheld in full under s9(2)(ba)(i) of the Act to protect information which is subject to an obligation of confidence where release would be likely to prejudice the supply of similar information, and it is in the public interest that such information should continue to be supplied. I consider it is in the public interest to withhold these submissions, as release of this information would likely prejudice the supply of similar confidential information from political party secretaries. It is in the public interest that the Ministry can continue to consult with political party secretaries in the future.

I am satisfied that there are no other public interest considerations that render it desirable to make the information being withheld under section 9 of the Act available.

Out of scope

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. You can contact the Office of the Ombudsman by emailing: info@ombudsman.parliament.nz.

Nāku noa, nā

Kathy Brightwell

General Manager, Civil and Constitutional, Policy Group

Encl: *Submissions on proposed changes to proposed changes to political donation rules*

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: West, Nicholas <Nicholas.West@justice.govt.nz>
Sent: Wednesday, 29 June 2022 11:13 am
To: Minister's office
Subject: OIA 2 due back 1/7
Importance: High

Hey s 9(2)(a)

With regards to OIA 2, there's been some minor changes to the response, basically:

- Political party submissions to be withheld in full under s9(2)(ba)(i) rather than 9(2)(f)(iii)

Nothing in the actual submissions has changed, basically just these specific withholding grounds.

I've also tidied up the info sheet from the previous, as it was a bit messy when I sent it over initially.

Could this please come back to me by **Friday**? We really really want to get this out to s 9(2)(a) as soon as possible given the delays he has already endured.

Ngā mihi
 Nick



Nicholas West (he/him)
 Advisor | Ministerial Relations & Services
 Office of the Chief Executive
 Ministry of Justice | Tāhū o te Ture
 L6 Justice Centre | 19 Aitken Street
 DX Box SX10088 | Wellington
Nicholas.West@justice.govt.nz | justice.govt.nz

From: Minister's office
Sent: Tuesday, 28 June 2022 3:14 pm
To: West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Hi Nick,

Can I just confirm that the one that is to be extended is OIA 2 ? Out of scope

Thanks,
 s 9(2)

(-)

Private Secretary – Justice | Office of Hon Kiri Allan
s 9(2)(a)

Parliament Buildings | Wellington 6160 | New Zealand

Authorised by Hon Kiri Allan MP, Parliament Buildings, Wellington 6011

From: West, Nicholas [<mailto:Nicholas.West@justice.govt.nz>]
Sent: Tuesday, 28 June 2022 3:03 PM
To: Minister's office
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Sweet as, I'll make my way over now 😊

From: Minister's office
Sent: Tuesday, 28 June 2022 3:02 pm
To: West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Ah okay! All good 😊

Yup you sure can. I can come down whenever!

s
9(2)

From: West, Nicholas [<mailto:Nicholas.West@justice.govt.nz>]
Sent: Tuesday, 28 June 2022 3:01 PM
To: Minister's office
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Hi s 9(2)(a)

Were extending it under substantial collation. The submissions being proactively released is something that might be discussed this week but I'll keep you updated.

Also could I possibly come by and grab those USBs if you have time this afternoon?

Thanks,
Nick

From: Minister's office
Sent: Tuesday, 28 June 2022 2:57 pm
To: West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Hi Nick,

Did you have a reason for the extension? Was it to do with the submissions becoming publicly available?

Thanks,
s 9(2)
(a)

Private Secretary – Justice | Office of Hon Kiri Allan
s 9(2)(a)

Parliament Buildings | Wellington 6160 | New Zealand

Authorised by Hon Kiri Allan MP, Parliament Buildings, Wellington 6011

From: West, Nicholas [<mailto:Nicholas.West@justice.govt.nz>]
Sent: Tuesday, 28 June 2022 2:09 PM
To: Minister's office
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Hi s 9(2)(a)

Not sure if you might have been informed already but this one is going to be extended now.

Thanks,

Ngā mihi
Nick

From: Minister's office
Sent: Tuesday, 28 June 2022 10:28 am
To: West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Thanks Nick!

I will let the office know.

I have sent an email reminder to have this back today, so hoping to get it to you soon!

Thanks,
s 9(2)
(a)

Private Secretary – Justice | Office of Hon Kiri Allan
s 9(2)(a)

Parliament Buildings | Wellington 6160 | New Zealand

Authorised by Hon Kiri Allan MP, Parliament Buildings, Wellington 6011

From: West, Nicholas [<mailto:Nicholas.West@justice.govt.nz>]
Sent: Tuesday, 28 June 2022 10:15 AM
To: Minister's office
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Kia ora s 9(2)(a)

There is one small change to the OIA. We intend to withhold the political party submissions under s9(2)(ba)(i) rather than s9(2)(f)(iii). s 9(2)(h)

Out of scope

Thanks,

Ngā mihi
Nick



Nicholas West (he/him)
Advisor | Ministerial Relations & Services
Office of the Chief Executive
Ministry of Justice | Tāhū o te Ture
L6 Justice Centre | 19 Aitken Street
DX Box SX10088 | Wellington
Nicholas.West@justice.govt.nz | justice.govt.nz

From: Minister's office
Sent: Monday, 27 June 2022 12:38 pm
To: West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Hi Nick,

Both of these are with the Ministerial advisor. I have asked to have them back by tomorrow morning at the latest, so hopefully I can get them to you then!
I will keep you updated.

Thanks,
Rachael

s 9(2)(a)

Private Secretary – Justice | Office of Hon Kiri Allan
s 9(2)(a)

Parliament Buildings | Wellington 6160 | New Zealand

Authorised by Hon Kiri Allan MP, Parliament Buildings, Wellington 6011

From: West, Nicholas [<mailto:Nicholas.West@justice.govt.nz>]
Sent: Monday, 27 June 2022 11:28 AM
To: Minister's office
Subject: RE: OIA 96186 Consultation - due back to me by 27/6

Kia ora s 9(2)(a)

Just wanted to check in on **Out of scope** and another OIA I sent for consultation.

Out of scope

The other OIA I wanted to check in on was **OIA 2** (I brought this one over by USB last week on Thursday arvo). s 9(2)(a)

Appreciate your office is slammed right now but is there any chance that **OIA 2** may be reviewed today? as noted the submissions themselves don't really need to be reviewed by your office, just the letter itself. Let me know if not.

Thanks s 9(2)(a)

Ngā mihi
Nick



Nicholas West (he/him)
Advisor | Ministerial Relations & Services
Office of the Chief Executive
Ministry of Justice | Tāhū o te Ture
L6 Justice Centre | 19 Aitken Street
DX Box SX10088 | Wellington
Nicholas.West@justice.govt.nz | justice.govt.nz

The rest of the email chain is out of scope

Tēnā koe s 9(2)(a)

Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law

Thank you for your email of 27 May 2022 requesting, under the Official Information Act 1982 (the Act), information regarding submissions on proposed changes to political donation rules. Specifically, you asked:

... I'm taking a close interest in the Ministry's work on the "Proposed changes to political donation rules in our electoral law".

In this regard, I wondered if it would be possible to get copies of the submissions and feedback received by the Ministry on this.

Firstly, I would like sincerely apologise for the delay in responding to your request.

Out of scope

Please note that the three submissions received from political parties have been withheld in full under s9(2)(ba)(i) of the Act to protect information which is subject to an obligation of confidence where release would be likely to prejudice the supply of similar information, and it is in the public interest that such information should continue to be supplied.

The political parties which the Ministry received submissions from provided these on a confidential basis. These parties may not have provided submissions if they knew they were going to be identified, so it would be within the public interest to withhold their submissions as release of this would likely prejudice the supply of similar information and it is in the public interest that the Ministry can continue to consult with political parties in the future.

I am satisfied that there are no public interest considerations that render it desirable to make the information being withheld under section 9 of the Act available.

Out of scope

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. You can contact the Office of the Ombudsman by emailing: info@ombudsman.parliament.nz.

Nāku noa, nā

Kathy Brightwell

General Manager, Civil and Constitutional, Policy Group

Encl: *Submissions on proposed changes to proposed changes to political donation rules*

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From: West, Nicholas <Nicholas.West@justice.govt.nz>
Sent: Thursday, 30 June 2022 4:56 pm
To: Wilkie, Ruth <Ruth.Wilkie@justice.govt.nz>
Cc: Morison, Jan <Jan.Morison@justice.govt.nz>; Bottcher, Jenna <Jenna.Bottcher@justice.govt.nz>; OCE@justice.govt.nz
Subject: OIA 2 (Urgent) due 1/7 (if possible)
Importance: High

Kia ora Ruth,

Please see attached updated OIA 2 which I have just received back from the Minister's office.

I have updated the information sheet as well just to provide you with a lot more clarity of the information within scope of the request and to answer any questions you might have. Please do call/come see me if you have anymore!

Reference:	OIA 96540
Requester:	s 9(2)(a)
Subject:	Political donations submissions
Action required:	OCE consultation
Due date back to me:	1/7
Due date to requester:	13/7
Drafter:	Nicholas West
MRS peer reviewer:	Bee waters
SME peer reviewer:	Avi Singh (Policy Advisor)
Business unit sign off manager:	Hayley Denoual
Sign out manager	Kathy Brightwell
Documents attached:	<ul style="list-style-type: none"> • Info sheet • Original request • Draft response • Documents proposed for release

Jan/Jenna – cc'd you both by way of update.

Ngā mihi
Nick



Nicholas West (he/him)
 Advisor | Ministerial Relations & Services
 Office of the Chief Executive
 Ministry of Justice | Tāhū o te Ture
 L6 Justice Centre | 19 Aitken Street
 DX Box SX10088 | Wellington
Nicholas.West@justice.govt.nz | justice.govt.nz

Tēnā koe s 9(2)(a)

Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law

Thank you for your email of 27 May 2022 requesting, under the Official Information Act 1982 (the Act), information regarding submissions on proposed changes to political donation rules. Specifically, you asked:

... I'm taking a close interest in the Ministry's work on the "Proposed changes to political donation rules in our electoral law".

In this regard, I wondered if it would be possible to get copies of the submissions and feedback received by the Ministry on this.

Firstly, I would like to sincerely apologise for the delay in responding to your request.

Out of scope

Three submissions which were received from political parties have been withheld in full under s9(2)(ba)(i) of the Act to protect information, which is subject to an obligation of confidence, where release would be likely to prejudice the supply of similar information, and it is in the public interest that such information should continue to be supplied.

The political parties which the Ministry received submissions from provided these on a confidential basis. These parties may not have provided submissions if they knew they were going to be identified, so it would be within the public interest to withhold their submissions as release of this would likely prejudice the supply of similar information and it is in the public interest that the Ministry can continue to consult with political parties in the future.

I am satisfied that there are no public interest considerations that render it desirable to make the information being withheld under section 9 of the Act available.

Out of scope

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. You can contact the Office of the Ombudsman by emailing: info@ombudsman.parliament.nz.

Nāku noa, nā

Kathy Brightwell
General Manager, Civil and Constitutional, Policy Group

Encl: *Submissions on proposed changes to proposed changes to political donation rules*

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



1 July 2022

OIA 2

Our ref: OIA 96540

Tēnā koe s 9(2)(a)

Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law

Thank you for your email of 27 May 2022 requesting, under the Official Information Act 1982 (the Act), information regarding submissions on proposed changes to political donation rules. Specifically, you asked:

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Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Brightwell', is positioned above the typed name.

Kathy Brightwell
General Manager, Civil and Constitutional, Policy Group

Encl: *Submissions on proposed changes to proposed changes to political donation rules*

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Singh, Avi
Sent: Tuesday, 5 July 2022 12:17 pm
To: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: RE: OIA 3 , due 01 August

Hiya,

See my suggested changes in red below.

And to answer your question in blue, the s 9(2)(ba)(i) submission was considered a public submission since it came through that channel and they didn't advise us beforehand they were submitting, but was still withheld under s9(2)(ba)(i) given we had promised all parties we would treat their submissions in confidence when we sent them all a targeted invitation to submit as part of the targeted consultation. This means the s 9(2)(ba)(i) submission is being treated the same way as other political party submissions in terms of the OIA, even if they didn't submit it in the same way as other parties did – bit confusing, but hopefully makes sense!

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>
Sent: Tuesday, 5 July 2022 11:59 am
To: Singh, Avi <Avi.Singh@justice.govt.nz>
Subject: RE: OIA 3 , due 01 August

Can you review please – did I get it correct?

Hi Risha

Thanks for your email. This is a little complicated so stay with me!

s 9(2)(a) has asked for:

I'm just wondering now about the "targeted consultation" that the Ministry has done in this area. Is it possible to get details of who was consulted and what this process yielded?

~~Some targeted~~ Formal submissions we received as part of the targeted consultation have already been considered/released to s 9(2)(a) in the response provided the other day – 7 were included in scope:

- We withheld 2 subs from political parties under s9(2)(ba)(i) (2 subs? I thought there were three? But that makes 8 in total?)
- Out of scope

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Thanks

Georgie

From: Khanna, Risha <Risha.Khanna@justice.govt.nz>
Sent: Tuesday, 5 July 2022 9:17 am
To: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Handley, Georgie <Georgie.Handley@justice.govt.nz>
Cc: West, Nicholas <Nicholas.West@justice.govt.nz>
Subject: RE: OIA 3 , due 01 August

Hi Hayley and Georgie,

My name is Risha and I just started in the Ministerial Services team yesterday as a Senior Advisor.

I'm working on the OIA below and wanted to touch base with you on this. I talked to Nick who showed me the requestor's previous response and what prompted this further one.

Having had a look at the previous response, we feel this current one will be a refusal. Can you please let me know if you agree with this approach, or whether we can release any information in relation to this consultation which hasn't already been provided.

Ngā mihi,
Risha



Risha Khanna
Senior Advisor
Ministerial Relations and Services
Office of the Chief Executive
Ministry of Justice | Tāhū o te Ture
Level 6 Justice Centre Building | 19 Aitken Street
DX Box SX10088 | Wellington
risha.khanna@justice.govt.nz | justice.govt.nz

From: correspondence, official <official.correspondence@justice.govt.nz>
Sent: Monday, 4 July 2022 12:59 pm
To: Khanna, Risha <Risha.Khanna@justice.govt.nz>; West, Nicholas <Nicholas.West@justice.govt.nz>
Cc: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Handley, Georgie <Georgie.Handley@justice.govt.nz>; OIAmedia@justice.govt.nz; Morison, Jan

<Jan.Morison@justice.govt.nz>; OCE@justice.govt.nz

Subject: OIA 3 , due 01 August

Kia ora Risha,

I am allocating this OIA to you. Please liaise with Nick, who has undertaken the previous several s9(2)(a) responses. You'll need to consult with Hon Allan's office and the Office of the Chief Executive. This is a Media response – please speak with me about the process.

Hayley, please confirm who the subject matter expert from E&C will be that Risha can work with on this response. Risha is our new Senior Advisor who joined MRS today.

A flowchart of the process is not attached. Please obtain a copy from Nick and ensure you attach this to your emails to the Policy team for their reference.

Process

The OIA scoping plan and information sheet templates are in the shared file. The scoping plan is to assist you in planning out processes and timeframes for this OIA. Please ensure you fill out all of the relevant information in the information sheet and get this peer reviewed. Your SME will be able to help with both of these documents.

Please save the final version to the Allocation folder for this OIA on the shared drive. You may wish to consider whether an early scoping meeting may be useful.

Ensure the Media team are sent the response for review and to send to the requester

Please talk to the SME and the signing manager about whether this OIA response can be proactively released.

Remember to update JAX, file everything in the folder in the shared drive, and update your personal workflow tool in the shared drive.

Many thanks
Jan



Sarah Collins (she/her)

Advisor | Ministerial Relations and Services | Strategy, Governance and Finance

DDI: +64 4 918 8821 | Ext 58821 | 027 411 2263

www.justice.govt.nz

My employer supports flexible working. If I've sent this email outside standard business hours, please know that I have no expectation of receiving a reply from you other than within your convenience.

From: Handley, Georgie <Georgie.Handley@justice.govt.nz>

Sent: Friday, 1 July 2022 4:56 pm

To: correspondence, official <official.correspondence@justice.govt.nz>; OIA@justice.govt.nz

Cc: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Singh, Avi

<Avi.Singh@justice.govt.nz>; West, Nicholas <Nicholas.West@justice.govt.nz>

Subject: FW: Thanks

Hi

See below – looks like we have third OIA request from s 9(2)(a) . Please can you log and allocate?

Thanks

Georgie

From: s 9(2)(a)
Sent: Friday, 1 July 2022 4:52 pm
To: Denoual, Hayley <Hayley.Denoual@justice.govt.nz>; Handley, Georgie <Georgie.Handley@justice.govt.nz>
Subject: Thanks

Hi Hayley and Georgie

I finally got my OIA request this afternoon! So thank you both if you were involved in helping make this happen - it's much appreciated.

I'm just wondering now about the "targeted consultation" that the Ministry has done in this area. Is it possible to get details of who was consulted and what this process yielded?

Have a great weekend.

Cheers

s 9(2)(a)

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28 July 2022

OIA 3

Our ref: OIA 97210

Dear s 9(2)(a)

Official Information Act request: Information about targeted consultation

Thank you for your email of 1 July 2022 requesting, under the Official Information Act 1982 (the Act), information relating to the targeted consultation the Ministry undertook on the proposed changes to political donation rules in our electoral law. Specifically, your request stated:

I'm just wondering now about the "targeted consultation" that the Ministry has done in this area. Is it possible to get details of who was consulted and what this process yielded?

As noted in my letter dated 1 July 2022, seven submissions from targeted consultation fell within the scope of your previous OIA request (96540 refers), and therefore have not been included in the scope of this request.

Out of scope

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I am satisfied there are no other public interest considerations that render it desirable to make the information withheld under section 9 available.

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

Yours sincerely



Kathy Brightwell

General Manager, Civil and Constitutional

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19 July 2022

OIA 4

Our ref: OIA 96833

Tēnā koe, s 9(2)(a).

Official Information Act request: Submissions on proposed changes to political donation rules in our electoral law

Thank you for your email of 20 June 2022 requesting, under the Official Information Act 1982 (the Act), all submissions on proposed changes to political donation rules. Specifically, you requested:

"...all submissions made to the Ministry on the proposed changes to political donation rules in electoral law.

I understand from your media team that the Ministry intends to release a summary, however given one of the aims of the review is to increase transparency in the regime, s 9(2)(a) believes these submissions should be released in full."

The Ministry received 276 submissions on the proposed changes to political donation rules, 269 through public consultation and 7 through targeted consultation.

Three submissions which were received from political parties have been withheld in full under s9(2)(ba)(i) of the Act to protect information, which is subject to an obligation of confidence, where release would be likely to prejudice the supply of similar information, and it is in the public interest that such information should continue to be supplied.

The political parties which the Ministry received submissions from provided these on a confidential basis. These parties may not have provided submissions if they knew they were going to be identified, so it would be within the public interest to withhold their submissions as release of this would likely prejudice the supply of similar information and it is in the public interest that the Ministry can continue to consult with political parties in the future.

I am satisfied that there are no public interest considerations that render it desirable to make the information being withheld under section 9 of the Act available.

Out of scope

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. You can contact the Office of the Ombudsman by emailing: info@ombudsman.parliament.nz.

Nāku noa, nā



Kathy Brightwell
General Manager, Civil and Constitutional Policy

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19 July 2022

OIA 5

Our ref. OIA 96858

Tēnā koe s 9(2)(a)

Official Information Act request: Public submissions on proposed changes to political donation rules in our electoral law

Thank you for your email of 20 June 2022 requesting, under the Official Information Act 1982 (the Act), public submissions on proposed changes to political donation rules. Specifically, you requested:

"...From December 2021 to January 2022 the Ministry of Justice held a public consultation on "Proposed changes to political donation rules in our electoral law" (consultation page here: <https://consultations.justice.govt.nz/policy/political-donations/>). I would like to request the following information under the OIA:

** all submissions to this consultation."*

The Ministry of Justice received 269 submissions through the public consultation to the proposed changes to political donation rules.

One of the submissions received through the public consultation was from a political party, which I have withheld in full under s9(2)(ba)(i) of the Act to protect information, which is subject to an obligation of confidence, where release would be likely to prejudice the supply of similar information, and it is in the public interest that such information should continue to be supplied.

The political party which the Ministry received this submission from provided this on a confidential basis. This party may not have provided their submission if they knew they were going to be identified, so it would be within the public interest to withhold their submissions as release of this would likely prejudice the supply of similar information and it is in the public interest that the Ministry can continue to consult with political parties in the future.

I am satisfied that there are no public interest considerations that render it desirable to make the information being withheld under section 9 of the Act available.

Out of scope

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. You can contact the Office of the Ombudsman by emailing: info@ombudsman.parliament.nz.

Nāku noa, nā



Kathy Brightwell
General Manager, Civil and Constitutional Policy

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