



**Te Tari Taiwhenua  
Internal Affairs**

21 April 2023

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Nick Smale

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Tēnā koe Nick,

**Your Official Information Act 1982 request, reference OIA 22/23-0640**

I am responding to your email of 10 March 2023 to Te Tari Taiwhenua | the Department of Internal Affairs. With reference to the report entitled *Report on Liquor Licensing Trusts acting as Management Service Providers in the C4 Sector* dated 31 March 2017, you requested:

*"I'm interested to know what subsequently occurred in relation to the issues highlighted in this paper.*

*Please provide me with the following information:*

- 1. The minutes of the Board meeting at which the document mentioned above was considered.*
- 2. Documents (such as reports / advice / updates / memos etc) that record what actions were taken subsequent to the abovementioned paper.*

*If it is easier, I would be happy to receive a summary that simply outlines the decision taken by the board and the actions that were subsequently taken by the Department.*

*I'd also appreciate if you can review the "Report on Liquor Licensing Trusts acting as Management Service Providers in the C4 Sector" dated 31 March 2017; and determine if the grounds for the redactions are still relevant or whether any more of the document can be released"*

Te Tari Taiwhenua has located six documents which fall within scope of your request. These date from April 2017 to June 2021. The six documents are listed in date order at **Appendix A**.

I am releasing these documents to you with some information withheld under the following sections of the Act:

- 9(2)(b)(ii), to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- 9(2)(ba)(i), to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to

prejudice the supply of information, and it is in the public interest that such information should continue to be supplied;

- 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 ; and
- 9(2)(h), to maintain legal professional privilege.

Some information has also been redacted from documents one and two, as the information is out of scope of your request.

As is required by section 9(1) of the Act, I have considered whether the grounds for withholding information from the documents are outweighed by other public interest considerations which would make it desirable to make this information available. In this instance, I do not consider that to be the case.

Regarding the previously released document *Report on Liquor Licensing Trusts acting as Management Service Providers in the C4 Sector*, I have considered whether information withheld in the previous release of this document can now be released. I have determined that the withholding grounds still stand, as the need to withhold is not outweighed by other public interest considerations in favour of release.

You have the right, under section 28(3) of the Act, to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

We intend to publish our response to your request on [www.dia.govt.nz](http://www.dia.govt.nz). This letter, with your personal details removed, will be published in its entirety. Publishing responses increases the availability of information to the public and is consistent with the Act's purpose of enabling more effective participation in the making and administration of laws and policies and promoting the accountability of Ministers and officials.

Nāku noa nā



Anita Balakrishnan

**Tumuaki | Director Ministerial, Monitoring, and Capability**



## Appendix A – List of documents within scope

#	Title	Date	Decision (release, partial release, refusal)	Withholding grounds
1.	Action Points – Outcomes and Advisory Board Meeting	10 April 2017	Partial release	Out of scope; 9(2)(g)(i)
2.	Agenda – Outcomes and Advisory Board Meeting	10 April 2017	Partial release	Out of scope; 9(2)(h)
3.	OAB paper - Communications with Licensing Trusts over MSP related issues	8 May 2017	Partial release	9(2)(ba)(i); 9(2)(g)(i); 9(2)(h)
4.	OAB Memo – Licensing Trusts acting as Management Service Providers for Class 4 gaming societies	1 September 2017	Partial release	9(2)(b)(ii)
5.	Report – Analysis of Masterton Community Trust Non-Compliance	June 2021	Partial release	9(2)(h)
6.	Memo to GLT – Trust House Foundation Class 4 Operator’s License Renewal	29 June 2021	Release in full	Nil