



17 May 2024

Harris Leigh
fyi-request-26574-ec4c00bf@requests.fyi.org.nz

Ref: PMO OIA 240-2023-24

Dear Harris Leigh

Official Information Act request: Briefings, documentation or advice prepared in the handling of requester's earlier OIA request (PMO OIA 234-2023-24)

Thank you for your Official Information Act 1982 (the Act) request, received on 30 April 2024. You requested:

“Under the OIA I request any briefings or documentation or advice prepared in the handling of my earlier OIA request, your reference: PMO OIA 234-2023-24

Information being released

Please find enclosed the following documents:

Item	Date	Document description	Decision
1.	26 April 2024	Email	S9(2)(a), s9(2)(g)(i)
2.	26 April 2024	Email	S9(2)(a), s9(2)(g)(i)
3.	24 April 2024	Email	S9(2)(a)
4.	24 April 2024	Email	S9(2)(a)
5	24 April 2024	Email	Released in full

I have decided to release the relevant parts of the documents listed above, subject to information being withheld under one or more of the following sections of the Act, as applicable:

- section 9(2)(a), to protect the privacy of the individual
- section 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinion.

Information to be withheld

There are two documents, a “Game plan” and a “Cover note” dated 26 April and 29 April 2024 respectively. The Game plan provides a record of actions on each OIA request and the Cover note provides advice to the decision maker. I have decided to withhold these in full under section 9(2)(g)(i) of the Act to maintain the effective conduct of public affairs through the free and frank expression of opinion. I have considered the public interest considerations in section 9(1) of the Act and acknowledge there is an interest in accountability, however, I consider this is satisfied by the presence of an Ombudsman who is available to provide the independent review of the release of such information.

I refer to my reply of 29 April 2024 to you (ref PMO OIA 234-2023-24) (“PMO 234”) and the reference to the Ministerial Warrant being issued on 27 November 2023. If information was held by Rt Hon Christopher Luxon prior to him obtaining the Ministerial Warrant on 27 November 2023 that information would not have been held by him as ‘official information’ under the Act. I understood the prior request to relate to data from the previous two administrations (2008-2017 and 2017-2023) and can confirm he has not received any specific advice about private dwelling and house building rates in his capacity as Prime Minister.

You have noted that you consider the information referred to in the response provided to you on 24 April 2024 (ref PMO OIA 202-2023-24) (“PMO 202”) comes within scope of your request set out in PMO 234. I have referred to the specific wording in your PMO 234 request and, in my opinion, the information referred to in PMO 202 is not within scope of your PMO 234 request. The response in PMO 202 noted that on that occasion the Prime Minister drew upon informal advice and oral briefings relating to average rent increases, the Kiwi Build scheme, debt at Kainga Ora, and the social housing wait list and the number of children growing up in emergency motel accommodation. In your request, PMO 234 you requested specific information about private dwellings and house building rates in specific periods. In my opinion, these two requests PMO 202 and PMO 234 covered different subject matter.

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

Yours sincerely



Cameron Burrows
Chief of Staff