



OIA15-053

25 AUG 2015

OFFICIAL INFORMATION ACT REQUEST

I refer to your official information request of 27 July 2015 relating to swamp kauri material within the Ministry for Primary Industries (MPI). Your request specifically asked for:

- (i) any internal memoranda or briefing notes relating to swamp kauri circulated within MPI or Customs since 28 May 2015;
- (ii) any policies or amendments to policies related to the assessment of swamp kauri product for export, made or implemented by MPI or Customs since 28 May 2015; and
- (iii) any emails or other correspondence since 28 May 2015 between the Minister and/or members of the MPI Senior Leadership Team and/or the Customs Senior Leadership Team that refer to swamp kauri.

In response to the first part of your request, there has been no material identified which falls under your request. However, you may be interested to refer to responses to other Official Information Act requests which MPI has proactively been publishing online at <http://mpi.govt.nz/exporting/forest-products/wood-and-wood-products/swamp-kauri>. In particular, OIA15-032 includes a briefing provided to the Minister for Primary Industries ahead of operational changes announced on 13 July 2015.

Regarding part two of your request, I refuse your request under section 18(d) of the Official Information Act because the information requested is publicly available. Again, I would draw your attention to the material contained in OIA15-032 which details operational changes related to MPI's implementation and enforcement of the Forests Act in relation to swamp kauri milling and exports.

The third part of your request has asked for emails or other correspondence between members of the MPI senior leadership team and/or the Minister regarding swamp kauri. MPI briefed the Minister for Primary Industries regarding swamp kauri on 10 July 2015. That briefing has been recently released under the Official Information Act 1982 and published to the MPI website under OIA15-032. Any matters of substance in any emails and other correspondence between members of the MPI senior leadership team and the Minister since 28 May 2015 on swamp kauri matters would be considered free and frank advice, and as such would be withheld under section 9(2)(g)(i) of the Official Information Act 1982.

I am satisfied that in the circumstances of this case, the withholding of this information is not outweighed by other considerations which render it desirable in the public interest to make the information available.

You have the right under section 28(3) of the Official Information Act to seek an investigation and review by the Ombudsman of our decision to withhold information. A request must be made in writing to:

The Ombudsman
Office of the Ombudsmen
PO Box 10 152
WELLINGTON

Yours sincerely



Craig Trotter
Director (Acting), Spatial, Forestry and Land Management