

24 September 2019

Anthony Jordan

[fyi-request-11228-0695a2b1@requests.fyi.org.nz](mailto:fyi-request-11228-0695a2b1@requests.fyi.org.nz)

Tēnā koe Anthony

**Your Official Information Act request, reference: GOV-001672**

Thank you for your email of 16 September 2019, asking for the following information under the Official Information Act 1982 (the Act):

1. *All official Information act disclosures supplied to Q A Mines Ltd for the years 2004 to 2014*
2. *All official Information act disclosures supplied to Quentin Arthur Mines for the years 2004 to 2014*

**The information you requested is attached**

Please find attached copies of the six official information responses we have provided to Mr Mines between 2004 to 2014.

Personal information of individuals has been withheld in the documents provided. This decision was made under section 9(2)(a) of the Act to protect their privacy. ACC has carefully considered whether there are reasons why it is desirable, in the public interest, to make this information available. ACC is of the view that maintaining the privacy of these individuals outweighs any public interest in making the information available.

**How to get in touch**

If you have any questions, you can email me at [GovernmentServices@acc.co.nz](mailto:GovernmentServices@acc.co.nz).

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or by phoning 0800 802 602.

Nāku iti noa, nā



Emma Coats  
Manager Official Information Act Services  
Government Engagement & Support

10 February 2009

Mr Quentin Mines  
 O. A. Mines Limited  
 s 9(2)(a)

Corporate Office  
 Shamrock House  
 81-83 Molesworth Street  
 PO Box 242, Wellington  
 New Zealand  
 Ph 04-918 7700  
 Facsimile 04-918 7701  
 www.acc.co.nz

Dear Mr Mines

### Here is the information you asked for

Thank you for your request of 7 January 2009, asking for information in relation to the ACC Investment Committee, ACC's investment in 'Breweries', and ACC's investment in overseas corporations of government agencies which manufacture either nuclear weapons, or componentry for nuclear weapons.

I will answer each question as it is asked.

#### ACC Investment Committee

You have asked for *"the names of the members of the ACC Investment Committee, over the last 10 years. The name of the Chairperson for each year would also be appreciated."*

ACC's Board has a sub-committee known as the 'Investment Committee'. Please find enclosed a table which details the committee's membership, and Chairperson, for the last ten financial years.

#### Investments

It may be useful if I were to briefly outline ACC's Ethical Investment Policy. When determining whether to invest a portion of ACC's reserves in a company, ACC's Fund Managers look to see whether the company's operating practices, or product, are in accordance with the Laws of New Zealand (or the country within which a company operates), what is reasonably believed the New Zealand public would deem to be ethical, or the United Nations Principles for Responsible Investment. A more detailed commentary on ACC's Ethical Investment Policy can be found at pages 57 to 59 of ACC's 2008 Annual Report.

I have enclosed a copy of this excerpt from the 2008 Annual Report for your reference.

#### ACC's Investment in 'Breweries'

You have asked *"whether the ACC currently has any investment in the Breweries? If the answer is "yes", what is the amount of the investment?"*

ACC currently has NZ\$35.2 (New Zealand share market value) invested in international, publicly listed, brewing companies. ACC does not release the breakdown of its investments to an individual company, or investment, level, as this information is commercially sensitive. However, I can advise that ACC has invested and divested in such companies for, at least, the last ten years.

**ACC's Investment in 'Nuclear Weapons, or Componentry'**

You have asked "whether the ACC currently has any investment in overseas corporations or government agencies which manufacture nuclear weapons, or componentry for nuclear weapons?"

Since May 2008, ACC has, in accordance with its Ethical Investment Policy, excluded investment in organisations whose main product is the design, testing, assembly and/or refurbishment of nuclear explosive devices. Prior to this time, ACC's externally managed investment fund had holdings in four companies which designed, tested, assembled, and/or refurbished nuclear explosive devices. Details of these companies can be found within page 58 of the excerpt attached from the 2008 Annual Report.

It is difficult to categorically exclude investment in all companies who design a form of componentry, which may ultimately end up in a nuclear explosive device. Therefore, ACC's Ethical Investment Policy is targeted toward the nuclear explosive device, and not the method of delivery.

**We're happy to answer your questions**

Please call me on [REDACTED] if you would like to talk about the information we've provided. Alternatively, I can be contacted at s 9(2)(a) [REDACTED] @acc.co.nz.

s 9(2)(a)

**Senior Advisor, Government Services**

Encl: *Table of Membership of the ACC Investment Committee 1998 – 2008*  
*Pages 57 – 59 of the 2008 ACC Annual Report*

**Membership of the ACC Investment Committee  
1998 – 2008**

Date	Person	Role	Notes
Year ended 30/06/1998	RW Stannard	Chair	
	P V O'Brien		
	W A Ractliffe		
	D I Brown		
	N Munro		
	G Wilson		
Year ended 30/06/1999	RW Stannard	Chair	
	P V O'Brien		
	W A Ractliffe		
	D I Brown		To March 1999
	N Munro		
	G Wilson		
	T D Janes		From April 1999
Year ended 30/06/2000	RW Stannard	Chair	To March 2000
	N Munro	Chair	From April 2000
	P V O'Brien		To March 2000
	W A Ractliffe		
	G Wilson		
	T D Janes		
Year ended 30/06/2001	N Munro	Chair	
	W A Ractliffe		
	G Wilson		
	T D Janes		
Year ended 30/06/2002	N Munro	Chair	
	W A Ractliffe		
	G Wilson		
	T D Janes		
Year ended 30/06/2003	N Munro	Chair	
	W A Ractliffe		
	G Wilson		
	T D Janes		To October 2002
	E S Edgar		From November 2002
Year ended 30/06/2004	N Munro	Chair	To July 2003
	E S Edgar	Chair	From August 2003
	W A Ractliffe		To September 2003
	G Wilson		
	T D Janes		From November 2003
	P Duignan		From November 2003
Year ended 30/06/2005	G B Fortuin		From September 2003
	E S Edgar	Chair	
	T D Janes		
	P Duignan		
	G B Fortuin		
	G Wilson		

Year ended 30/06/2006	E S Edgar	Chair	To November 2005
	D Turkington	Chair	From December 2005
	T D Janes		
	P Duignan		
	G B Fortuin		
	D Collins		
Year ended 30/06/2007	D Turkington	Chair	
	G B Fortuin		
	T D Janes		
	P Duignan		
	D Collins		To August 2006
	P Dunphy		From March 2007
	B Tahi		From August 2006
Year ended 30/06/2008	D Turkington	Chair	
	T D Janes		
	P Duignan		
	G B Fortuin		
	P Dunphy		
	R Wilson		
Year ended 31/12/2008	D Turkington	Chair	
	T D Janes		
	P Duignan		
	S Lunam		
	P Dunphy		

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OFFICIAL INFORMATION ACT

# Ethical investment

## Ethical Investing Statement

ACC has a policy of conducting its investment activities in an ethical manner, which avoids prejudice to New Zealand's reputation as a responsible member of the world community. ACC also has a fiduciary responsibility to maximise the long-term risk-adjusted net return on reserves (relative to the change in value of the funding account liabilities).

ACC recognises that high standards of corporate governance and consideration of a company's impact on the community and environment have the potential to protect and enhance long-term investment returns. Specifically, ACC:

- avoids investing in activities which it believes are repugnant to the laws of New Zealand or regarded as unethical by a substantial majority of the New Zealand public
- requires all internal and external fund managers to transact purchases and sales of investments in an ethical manner
- instructs internal and external fund managers to avoid investing in companies which:
  - undertake activities which are illegal in the jurisdictions in which the company operates, or which are in contravention of UN sanctions
  - have a culture of disregard for laws, regulations, good governance procedures or interest of shareholders, unless the fund manager believes that direct contacts with the management of the company and/or proxy voting will result in improvements to this culture
  - have been identified by ACC as being contrary to its ethical policy
- encourages its fund managers to cast proxy votes in a manner that is consistent with ACC's ethical investment policy.

## Guiding principles

ACC's interpretation of its requirement to invest ethically has evolved based on the following underlying assumptions:

- we should only apply ethical principles which, in our judgement, are widely held by the New Zealand public
- as a starting point, we will take the laws of New Zealand as a reflection of the views of the New Zealand public on the ethics or otherwise of a particular activity. New Zealand laws are set by a democratically elected house of representatives and we would therefore expect that unless it was particularly impractical, laws would have been passed against business activity that the substantial majority of the New Zealand public regards as unethical. ACC's decision to avoid investing in tobacco in part reflects a judgment that the continued legality of tobacco is one of those situations where the activity is regarded as undesirable, but criminalisation is seen as impractical
- in using New Zealand law as a gauge for assessing the ethics of a particular activity, we look at the spirit of the law rather than the strict letter. A company might sometimes inadvertently break the law, but this does not make them unethical (although a culture of disregarding the law might suggest an unethical operation). However, where the New Zealand law reflects an ethical belief, we will look to ban investments in companies undertaking these activities in other parts of the world, even if these activities are legal in the relevant overseas jurisdiction

- we also consider how directly a company is involved with what we have decided is an unethical activity. For example, while ACC avoids investing in companies involved primarily in the production, sale or distribution of tobacco products, ACC may invest in supermarket companies which derive only a small proportion of their income from the sale of tobacco products. Or, ACC may invest in a company that supplies electricity to an entity that is involved with nuclear explosive devices
- finally, for practical reasons, the directions to exclude investments in specific companies do not apply to investments in pooled funds or other collective investment vehicles.

## **Actions**

Over recent years, ACC has taken a number of specific actions:

### **Tobacco**

Effective June 2006, ACC banned investments in any company whose primary business is the production, sale or distribution of tobacco products (companies categorised as tobacco companies under the Global Industry Classification Standard).

### **Anti-Personnel Mines**

Effective March 2007, ACC banned investments in the following four companies because of their actual or potential involvement (directly or via subsidiaries) in the production of landmines which are not compliant with the Ottawa Mine Ban Treaty (The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction), and hence contrary to the spirit of the Anti-Personnel Mines Prohibition Act 1998:

- Singapore Technologies Engineering Ltd
- Textron Inc
- Alliant Techsystems
- General Dynamics Corporation.

### **Nuclear Explosive Devices**

Effective May 2008, ACC excluded investments in the following four companies because of their involvement (directly or via subsidiaries) with the design, testing, assembly and/or refurbishment of nuclear explosive devices and hence contrary to the spirit of the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987:

- McDermott International Inc
- Honeywell International Inc
- Lockheed Martin Corporation
- Serco Group Plc.

### **UN Principles for Responsible Investment**

ACC became a signatory to the UN Principles for Responsible Investment in March 2008. These Principles aim to provide a general framework for investors to incorporate environmental, social and governance (ESG) issues into their management of investment portfolios. Where consistent with their fiduciary responsibilities, signatories commit to implementing the following six principles:

- we will incorporate ESG issues into investment analysis and decision-making processes
- we will be active owners and incorporate ESG issues into our ownership policies and practices

- we will seek appropriate disclosure on ESG issues by the entities in which we invest
- we will promote acceptance and implementation of the Principles within the investment industry
- we will work together to enhance our effectiveness in implementing the Principles
- we will each report on our activities and progress towards implementing the Principles.

### Continuing evolution

The development and implementation of these ethical investment policies will continue to evolve over time. In particular, ACC will continue to work with other Crown-owned funds that have similar ethical investing objectives, including implementing some arrangement for sharing resources. We expect to implement some form of screening of companies within ACC's investment universe for potential ESG issues, and begin to report on ESG issues that arise for both the internally and externally managed portfolios, and subsequent actions taken.



23 July 2010

Mr Quentin Mines

s 9(2)(a)

Corporate Office  
Shamrock House  
81-83 Molesworth Street  
Wellington  
New Zealand  
www.acc.co.nz

Dear Mr Mines

### Official Information Act 1982 Request

Thank you for your request of 3 June 2010, under the Official Information Act 1982. You asked the following question:

*Could you please advise the remuneration and fees (of any description) paid by the Corporation to Dr John Collier over the last 5 years.*

The table below shows the total payments made to the vendor Dr John Collier for the period 1 July 2005 to 23 June 2010. This period is four complete financial years, and a part year (1 July 2009 – 23 June 2010). ACC is not able to provide accurate financial information under your request prior to the 2005/2006 financial year. The part year finishes on 23 June 2010 as this is the date the data extract for your request was completed. This information has been expressed in bands of \$40,000.

*Table: ACC payments to Dr John Collier from 1 July 2005 to 23 June 2010\*.*

2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
\$80,001 - \$120,000	\$80,001 - \$120,000	\$120,001 - \$160,000	\$200,001 - \$240,000	\$240,001 - \$280,000

\* Table shows full financial years (1 July to 30 June), except for 2009 - 2010 which is a part year from 1 July 2009 to 23 June 2010.

Please note, the cost information that has been made available is a net amount (i.e. excludes GST). It includes not only professional fees, but also reimbursement of other expenses, which could include airfares, hotel accommodation, vehicle expenses, chaperone services, hire of professional rooms and other administrative expenses that facilitate the provision of services to ACC.

The costs recorded are vendor information, which shows the company or individual to whom payment is made. The professional who provided the service (called the 'provider') does not need to be recorded. Because the payment records do not have to include provider information, they may not always show instances where a particular provider has worked for other vendors. Conversely, the data for a particular vendor may include instances where the vendor has sub-contracted work to another provider and passed on the payments made to the vendor account.

**ACC is happy to answer your questions**

Please call me on [REDACTED] if you would like to talk about this letter. I'll be happy to answer any questions or, if you have any concerns, work with you to resolve these.

If you're still not happy, you may make a complaint to the Office of the Ombudsmen. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsmen  
P O Box 13482  
CHRISTCHURCH

Yours sincerely

s 9(2)(a)

**Advisor, Government Services**

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

28 February 2010

Mr Quentin Mines  
Q.A. Mines Limited  
s 9(2)(a)

Dear Mr Mines

### Official Information 1982 Act Request

Thank you for your request of 26 October 2010, under the Official Information Act 1982. Unfortunately, your request was not noticed by ACC until 10 January 2011. ACC then wrote you a letter informing you that it had filed your request with another letter you had written on the same date. Please accept my sincere apologies for the lateness of this response.

Your request is as follows:

*'Could you please provide the income and fees, of any description, paid to Dr Greg Finucane by the Corporation over the last 5 years.'*

ACC declines to release this information pursuant to section 9(2)(a) of the Act as there is a need to protect people's privacy (including that of people who have died). ACC has considered the public interest aspect of your request. It considers that by providing a range of payment information for providers who hold contracts with ACC in Dr Finucane's area of practice, that the public interest test will be met.

Please find below details of payments in the last five years to vendors who have provided psychiatric services. Please note that payments are made to vendors, not to individuals. Vendors may be individuals or a group of psychiatrists.

Payment Bands	Number of vendors for each band per year				
	2006	2007	2008	2009	2010
\$0 - \$50,000	81	68	63	78	59
\$50,001 - \$100,000	5	14	18	18	29
\$100,001 - 150,000	2	5	4	5	6
Over \$150,000	1	2	1	6	6

**ACC is happy to answer your questions**

Please call me on s 9(2)(a) if you would like to talk about this letter. I'll be happy to answer any questions or, if you have any concerns, work with you to resolve these.

If you're still not happy, you may make a complaint to the Office of the Ombudsmen. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsmen  
P O Box 13482  
CHRISTCHURCH

Yours sincerely

s 9(2)(a)

**Advisor, Government Services**

RELEASED UNDER THE OFFICIAL INFORMATION ACT



24 August 2011

Mr Quentin Mines  
ACC & Medico-Legal Specialist  
s 9(2)(a)

Dear Mr Mines

**We're sorry, we're not able to provide the information you requested**

Thank you for your request of 25 July 2011, asking for the following information under the Official Information Act 1982.

You requested information clarifying the employment status of Mr John Wilder Haines, who you say may have worked as a Branch Manager for ACC.

We are not able to provide this information because the document alleged to contain it does not exist, or cannot be found. This decision complies with section 18(e) of the Act.

We have searched both our current system 'PeopleSoft' and our previous system 'Leader' for all Haines surnames. As we are only required to keep employee records for a period of seven years, it is possible Mr Haines was employed by ACC, but we could not find any record to confirm this.

**We're happy to answer your questions**

Please call me on [redacted] if you would like to talk about this letter. I'll be happy to answer any questions or, if you have any concerns, work with you to resolve these.

If you're still not happy, you may make a complaint to the Office of the Ombudsmen. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsmen  
PO Box 10 152  
WELLINGTON 6143

Yours sincerely

s 9(2)(a)  
[redacted]

**Advisor, Government Services**

Telephone: [redacted]

12 September 2011

Mr Quentin Mines  
Q.A. Mines Limited

s 9(2)(a)

Dear Mr Mines

**We're sorry, we're not able to provide the information you requested**

Thank you for your request received on 15 August 2011, asking for the following information under the Official Information Act 1982.

You requested how much remuneration and fees ACC has paid to Mr V Hadlow, in his own right, or to a company or trust should he have one.

We are not able to provide this information pursuant to section 9(2)(a) of the Act, where there is a need to protect people's privacy. We have also been unable to identify why the release of this information would be in the public interest. This decision complies with section 9(2)(a) of the Act.

ACC considered releasing Mr Hadlow's data within the range of payment information based on Orthopaedic Specialists generally. However, as he is not a practising Orthopaedic Specialist, this would not be appropriate.

**We're happy to answer your questions**

Please call me on [REDACTED] if you would like to talk about this letter. I'll be happy to answer any questions or, if you have any concerns, work with you to resolve these.

If you're still not happy, you may make a complaint to the Office of the Ombudsmen. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsmen  
PO Box 10 152  
WELLINGTON 6143

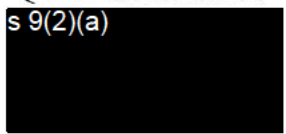
Yours sincerely

s 9(2)(a)

**Advisor, Government Services**

7 October 2011

Q A Mines Limited

s 9(2)(a)  


Dear Mr Mines

**Here is the information we can provide**

Thank you for your request of 9 August 2011, asking for the following under the Official Information Act 1982:

*“the remuneration and fees (of any description) paid by the corporation to Mr V Hadlow, in his own right, or to a company or trust should he have one”*

ACC declines to release this specific information as it would breach Mr Hadlow’s privacy. However, ACC is required to balance the public interest and Mr Hadlow’s privacy. There is a public interest in how ACC spends public money. The table below provides sufficient information to satisfy the public interest while providing Mr Hadlow a degree of privacy. This decision is made pursuant to section 9(2)(a) of the Official Information Act.

The following table shows payment bands for vendors in Mr Hadlow’s peer group by financial year from 2007 to 2011. To define Mr Hadlow’s peer group, the four most common contract classes (that make up 97% of Mr Hadlow’s payments) have been used. The four contract classes are:

- Initial and vocational independence medical assessment
- Non-contracted purchasing
- Orthopaedic surgeon
- Transitional invoicing

Mr Hadlow’s payment bands have been highlighted in grey.

\$ payment bands	Financial year				
	2007	2008	2009	2010	2011
0 to 49,999	159	146	117	105	97
50,000 to 99,999	40	33	31	27	19
100,000 to 149,999	18	12	21	12	13
150,000 to 199,999	10	9	4	7	2
200,000 to 249,999	2	4	6	8	7
250,000 to 299,999	3	4	4	1	3
Over 300,000	28	25	33	26	17

The data for a particular vendor may include instances where the vendor has sub-contracted work to another provider and passed on the payments.

It is also important to note that the cost information that has been made available is in a net amount. This includes not only professional fees, but also reimbursement of other expenses, which could include airfares, hotel accommodation, vehicle expenses, chaperone services, hire of professional rooms and other administrative expenses that facilitate the provision of services to ACC.

Please note that if ACC releases information that providers consider confidential this could result in fewer providers who wish to offer services to ACC. Fewer providers may lead to increased costs and a reduction in the public's access to treatment and rehabilitation services.

If you would like further information related to the fees paid to Mr Hadlow, ACC will be happy to reconsider your request. In making such a request, you may wish to provide any reasons ACC has not considered related to the public interest. Alternatively, you may wish to ask for Mr Hadlow's consent for ACC to release information about his fees.

I am declining the part of your request related to payments Mr Hadlow received through a company or trust owned under section 18(e) of the Act as this information cannot be found. ACC is not able to provide this information without the name or names of the companies involved.

**ACC is happy to answer your questions**

Please contact me on **s 9(2)(a)** @acc.co.nz if you have concerns about the information we've provided. I'll be happy to answer any questions or work with you to resolve any issues.

If you're still not happy, you may make a complaint to the Office of the Ombudsmen. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsmen  
P O Box 10 152  
WELLINGTON 6143

Yours sincerely

**s 9(2)(a)**

**Advisor, Government Services**