



13 August 2020

Ref: DOIA 1920-1675

Nick Smale

Email: fyi-request-12912-b084bb71@requests.fyi.org.nz

Dear Nick Smale

Thank you for your email of 28 May 2020 to the Ministry of Business, Innovation and Employment (MBIE) requesting the following information under the Official Information Act 1982 (the Act):

During the recent period of COVID-19 level 4 restrictions, MBIE published a definition of 'essential services' which determined which businesses were allowed to operate. The definition of 'essential services' for alcohol gave special consideration for areas with licensing trust monopolies. The definition was amended a number of times during the lock-down period.

Could you please provide me with the following information:

All correspondence - including but not limited to emails, letters, meeting notes and reports - relating to the definition of essential services for alcohol in areas where licensing trusts hold a monopoly, sent or received during the period 21 March 2020 to 12 April 2020.

As you are aware, MBIE extended the timeframe for your response as the consultations necessary to make a decision on the request were such that a proper response could not be made within the original time limit.

Also, on 7 August 2020, we provided you with a decision letter confirming that MBIE had decided to grant your request, but that it would take us more time to finalise the information for release, and that we would send you the information as soon as it was ready and without undue delay.

MBIE has considered your request under the provisions of the Act and identified the attached documents that are fully or partially in scope of your request. Some information has been withheld under section 9(2)(g)(ii) of the Act to maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment.

Some private individuals' names have been redacted under section 9(2)(a) of the Act to protect the privacy of natural persons.

I do not consider that the withholding of this information under section 9(2) is outweighed by public interest considerations in making the information available.

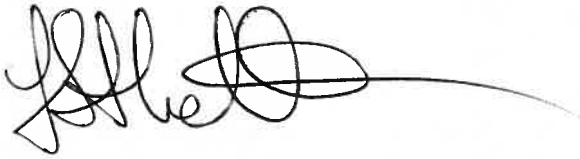
You requested "that the attachments are provided in the original file format in which they were created, and not as image-only (rasterised) PDF documents, and that they are not watermarked with 'Released under the OIA' or similar text, as the law does not require the Ministry to do this." As some information needed to be withheld under section 9(2)(g)(ii) of the Act, MBIE is unable to provide the information to

you in "the original file format" in order to be able to redact the relevant parts. We have attempted to save these redacted files as readable PDFs for your convenience.

I trust you find this information helpful. You have the right to seek an investigation and review of this response by the Ombudsman, including my decision to withhold information, in accordance with section 28(3) of the Act. The relevant details can be found at www.ombudsman.parliament.nz.

As noted in our decision letter, separate to your OIA request, we are in the process of responding to your further correspondence regarding the decision to allow only Liquor Licencing Trust bottle stores to open, without undue delay.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Iain Southall', with a long horizontal flourish extending to the right.

Iain Southall
Policy Director
Economic Development and Transitions