

10 June 2022

John Luke

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Ministry for
**Ethnic
Communities**
Te Tari Mātāwaka

Tēnā koe John

Official Information Act request OIA2122-0080

I am writing in response to your request made under the Official Information Act 1982 (OIA) and follow-up emails regarding the Ministerial Ethnic Communities Advisory Group (MECAG). I apologise for the delay in my responding to you.

Background

On 19 August 2021, the Ministry for Ethnic Communities (the Ministry) responded to your OIA request for:

“...the name of agencies you sought nominations from and how you ask for the nominations? The copy of these communications- such as email would be helpful.


Also, since the new Ministry has been established, are there any future communication or discussion around this Advisory committee? Further, has the new Ministry has any future plan in setting up any new committee/ board etc?”

In response to the first part of your request, the Ministry wrote that, “although recommended candidates for the proposed MECAG were provided by several Ministers and agencies, the Ministry for Ethnic Communities does not hold a record of all agencies approached for nominations”. The Ministry refused this part of your request under section 18(e) of the OIA.

On 22 August 2021, you wrote to the Ministry that you did not agree with the decision to refuse this part of your request under section 18(e) of the OIA, and that you wanted the Ministry to provide whatever information it had on file about what agencies it approached for MECAG nominations.

Reconsideration of your OIA request

I have reconsidered the Ministry’s response to your OIA request. After searching our records, I have found that we hold no information on the name of agencies the Ministry sought nominations from and how the Ministry asked for the nominations. This is because, contrary to our letter of 19 August 2021, nominations for the proposed MECAG were not sought or received from other agencies.



Rather, the Minister for Ethnic Communities sought and received nominees for potential members to join the MECAG from her ministerial colleagues. Other nominees came from the Minister for Ethnic Communities' Office and the Office of Ethnic Communities' stakeholder lists and nominations database—the latter of which is an internal database of individual community members who have expressed their interest in being considered for governance positions by registering with the Nominations Service previously run by the Office of Ethnic Communities (and now run by the Ministry).

As the Ministry neither sought nor received recommendations from any agency, it holds no information within scope of your request for *“the name of agencies you sought nominations from and how you ask for the nominations? The copy of these communications- such as email would be helpful.”* Accordingly, the Ministry should have refused your request under section 18(g) of the OIA, as the information requested is not held by the Ministry, and I have no grounds for believing that the information is either held by or connected more closely with the functions of another department.

I apologise for the inaccuracy in the Ministry's previous response. I also apologise for my delay in responding to you to rectify this matter.

You have the right, under section 28(1)(a) of the OIA, to seek an investigation and review of this response by the Office of the Ombudsman. You can do so by contacting the Office of the Ombudsman at www.ombudsman.parliament.nz or by calling 0800 802 602.

Ngā mihi



Pratima Namasivayam

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