

# Hon Dr David Clark

MP for Dunedin

Minister of Commerce and Consumer Affairs  
Minister for the Digital Economy and Communications  
Minister for State Owned Enterprises  
Minister of Statistics  
Minister Responsible for the Earthquake Commission



21 NOV 2022

J Bruning  
fyi-request-20586-e7027f7f@requests.fyi.org.nz

Dear J Bruning

Thank you for your email of 16 September 2022 requesting the following under the Official Information Act 1982 (the Act):

*"... all reports, briefings, white papers, notes/emails and Cabinet minutes which refer to both 'digital identity' and 'biometric' data, emailed/received by the Hon David Clark from both internal agencies, and external contracted/non-contracted organisations/institutions during 2022".*

There are two documents and 10 emails that fall within the scope of your request.

I am releasing, attached as **Appendix A**, the two documents that fall within the scope of your request. Some information is withheld under the following sections of the Act:

- 9(2)(a) – to protect the privacy of natural persons;
- 9(2)(b)(ii) – to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- 9(2)(f)(iv) – to maintain the constitutional conventions of the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials;
- 9(2)(g)(i) – maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment;
- 9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); and
- 9(2)(k) – to prevent the disclosure or use of official information for improper gain or improper advantage.

I am releasing, attached as **Appendix B**, the 10 emails that fall within the scope of your request. Some information is withheld under section 9(2)(a) of the Act, to protect the privacy of natural persons.

As is required by section 9(1) of the Act, I have considered whether the grounds for withholding information from the documents provided with this response are outweighed by other considerations which would make it desirable, in the public interest, to make that information available. In this instance, I do not consider that to be the case.

You have the right, under section 28(3) of the Act, to seek an investigation and review of this decision by the Office of the Ombudsman. The postal address of the Office of the Ombudsman is PO Box 10152, Wellington. Alternatively, you can phone 0800 802 602 or email [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

Thank you again for writing.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'David Clark', written in a cursive style.

Hon Dr David Clark  
**Minister for the Digital Economy and Communications**