



Ref: DOIA 2223-0658

2 November 2022

John Luke

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Dear John

Thank you for your email of 4 October 2022 to the Ministry of Business, Innovation and Employment (the Ministry), requesting the following information under the Official Information Act 1982 (the Act):

"MBIE is the lead policy advisor to government on the building regulatory system, responsible for advice on legislation and regulations, including the Building Act and Building Code. The Building Advisory Panel plays a key role in focusing on strategic issues facing the building sector and providing independent advice, guidance and direction on the ways MBIE can support an innovative and high-performing sector.

During their tenure, the previous Building Advisory panel reviewed and provided comment on key MBIE work programmes, including: Building System Reforms; Building for Climate Change; annual building code programme.

The Building Advisory Panel is designed to supplement our technical expertise at MBIE with strategic insights from across the building and construction sector. We are looking for sector leaders who can demonstrate relevant knowledge and experience, across the following areas:

experience in the building and construction industry thorough knowledge of regulatory frameworks, preferably including experience with the building regulatory system proficiency at building and maintaining effective networks and relationships in the wider building and construction sector and ability to utilise these networks to inform advice the ability to test assumptions around decisions from a strategic perspective.

The frequency and length of Building Advisory Panel meetings is decided by each incoming Chair. Historically, the panel have met on a quarterly basis for full day meetings. MBIE officials often present to these meetings on pressing topics and issues facing the industry."

May I ask how did you call for public nomination and on what platform you have call for public nominations, e.g. govt.jobs website. Also, how many applications you have received from the public and how many you have received from other nominating agencies such as TPK. Further, how many position you are intend to appoint.

I am also requesting the position description of this role and the pay rate.

The answers to each of your questions are outlined below.



Q: What avenues did you publicly call for nominations through?

A: An article was published on building.govt.nz on 16 September 2022 announcing the expressions of interest period for the next iteration of the Building Advisory Panel. The article was re-published on 6 October 2022.

Q: How many applications have you received, and how many are from the general public compared to organisations?

A: As the process is currently underway, we are unable to provide this information at this time. This information is therefore withheld under Section 9(2)(f)(iv) of the Act: in order to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

Q: How many people do we intend on appointing?

A: Section 172 of the Building Act 2004 stipulates that the Building Advisory Panel must contain one person to convene and chair the panel, and no less than five other members.

Q: What is the pay rate?

A: The Panel is a statutory board for the purposes of the Fees and Travelling Allowances Act 1951. In accordance with that Act, the following fees have been agreed for the Panel:

- Chairperson - \$810 per day or an hourly pro-rata rate as required, up to a maximum of \$24,300 excluding GST per annum.
- Panel members - \$540 per day or an hourly pro-rata rate as required, up to a maximum of \$16,200 excluding GST per annum.

It is expected that there will be 1 or 2 days' preparation required for each Panel meeting for which fees are payable. Actual and reasonable costs incurred in travelling or other expenses in performing duties as a member of the Panel will be met, up to a maximum of \$5,000 excluding GST per annum.

Q: What is the job description?

A: The documents detailing the position description, and the terms of reference are attached.

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

You have the right to seek an investigation and review by the Ombudsman of this decision, in accordance with section 28(3) of the Act. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



Dr Micheal Warren
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