



Office of the Prime Minister

Prime Minister

Minister for National Security and Intelligence

Minister of Tourism

Minister Responsible for Ministerial Services

3 NOV 2014

Alex Harris

Email: fyi-request-2084-21cd0cc6@requests.fyi.org.nz

Dear Alex Harris

Official Information Act Request Relating to the Minister for National Security and Intelligence

I refer to your official information request of 6 October 2014 for "*all advice and communications on the creation of the role of Minister of National Security and Intelligence.*"

Identified as relevant to your request is advice the Prime Minister received relating to the creation of the role of the Minister for National Security and Intelligence from the Department of the Prime Minister and Cabinet. These briefings were provided to the Prime Minister in confidence at the time of the formation of the current government following the 2014 general election and have been withheld under the following sections of the Official Information Act:

- Section 9(2)(f)(iv) as withholding the information is necessary to "*maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.*"
- Section 9(2)(g)(i) as withholding the information is necessary to "*maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty.*"

No public interest in releasing the withheld information has been identified that would be sufficient to override the reasons for withholding it.

In a press release issued on 6 October 2014 the Prime Minister explained publicly the rationale for the creation of the new portfolio, and the way in which ministerial responsibility would be allocated as a result. The press release may be found at www.beehive.govt.nz/release/national-security-and-intelligence-role-created.

You are entitled to ask the Ombudsman to review this response under section 28(3) of the Official Information Act.

Yours sincerely

Wayne Eagleson
Chief of Staff