



27 January 2023

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Tēnā koe Justin,

**Request under the Official Information Act: Ref. Number OIA2223-0383**

Thank you for your request, which was received by The Department of Internal Affairs (the Department) on 12 November 2022.

**Background context on The Film and Literature Board of Review (The Board) and The Department's relationship for your information.**

The Film and Literature Board of Review is an independent statutory body, carrying out quasi-judicial functions. It was established under the Films, Videos, and Publications Classification Act 1993 (the Act) which falls under the Minister of Internal Affairs.

The Department is responsible for three aspects of supporting the Board which is split between three separate teams:

- Recruitment / appointment of Board members (Monitoring and Appointments team)
- Responsibilities delegated to the Secretary of Internal Affairs (Digital Safety team)
- Secretariat / administrative responsibilities (The Office of the DCE, Te Haumi)

The scope of information you have requested, sits within secretariat / admin responsibilities. Therefore, the following responses have been constructed solely in our capacity as secretariat support to the Board.

Some information is being withheld under the Act. Personal and contact information of some Departmental staff and staff from other agencies, and of members of the public are withheld under section 9(2)(a), to protect the privacy of natural persons. Some information is subject to professional legal privilege and has therefore been withheld under section 9(2)(h) of the Act.

**Response to your request**

For ease of reference, we have first set out your question, followed by our answer. You requested the following information:

***1. All applications to The Film and Literature Board of Review of the Past 12 Months up to the 30th November 2022***

In the past 12 months, the Board has received a total of six applications. Under Section 6(c) of the act to prejudice the maintenance of the law and the right to a fair trial, we are unable to release one application. Please see attached for the remaining five applications.

**2. A Copy of all decisions to Grant and Refuse Leave to apply to the Film and Literature Board of Review.**

As no time period was provided for this part of the request, we took that to mean the past 12 months. Please see attached four confirmation emails from the Board Secretariat informing the applicants of the Secretary's decision to grant or refuse their application to seek leave. As mentioned above, a total of six requests were made in the past 12 months, however one decision is being withheld under Section 6(c) of the Act. One applicant was informed of their decision over the phone. We have instead provided a copy of the internal email from the Secretary, confirming that the reduced fee was granted.

**3. A copy of all Final decisions from the Film and Literature Board of Review from the Past 12 months up to and including to 30th November 2022**

All final decisions made by the Board are released and publicly available on the Department's website. They can be found at this link: [Forms to download - dia.govt.nzhttps://www.dia.govt.nz/pubforms.nsf/wpg\\_Publications\\_FLBRD?Openview](https://www.dia.govt.nz/pubforms.nsf/wpg_Publications_FLBRD?Openview)

**4. A Copy of All Written Submissions to Film and Literature Board of Review for Publications being reviewed.**

This specific material is subject to the tribunal exception of an organisation acting judicially. We therefore refuse this part of your request.

**5. Examination transcripts**

We are refusing this part of your request under Section 18(e) of the Act as the document alleged to contain the information requested, does not exist.

**6. Supplementary materials (could be video footage, content declaration questionnaire,)**

This specific material is subject to the tribunal exception of an organisation acting judicially. We therefore refuse this part of your request.

**7. Emails and its attachment to and/or from FVLB, OFLC, distributor, publisher, developer and Internal Affairs staff and Board Members.**

As no time period was provided for this part of the request, we took that to mean the past 12 months. We have themed all correspondence into four separate areas: Application communications, Invoices/accounts communications, meeting communications and miscellaneous. Further correspondence and attachments are being withheld under section (9)(2)(h) to maintain professional legal privilege.

**8. Any other email / Mail / letter correspondence relating to the Film and Literature Board of Review for the Past 12 months including to the 30th November 2022.**

We have themed all correspondence into four separate areas: Application communications, Invoices/accounts communications, meeting communications and miscellaneous. For completeness, we have merged all correspondence requested for points seven and eight for the past 12 months. Further correspondence and attachments are being withheld under sections (9)(2)(h) to maintain professional legal privilege.

We intend to publish this OIA response on [www.dia.govt.nz](http://www.dia.govt.nz) (with your personal details having been removed). Publishing responses to OIA requests increases the availability of information to the public and is consistent with the purpose of the Act to enable effective participation in the making and administration of laws and policies, and to promote the accountability of Ministers and officials.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'M Ingram', followed by a period.

**Morag Ingram**

Director, Office of the DCE

Te Haumi | Enterprise Partnerships Branch

Te Tari Taiwhenua | The Department of Internal Affairs