

13 December 2023

Bob Jones

By email only: fyi-request-23249-e29a26e3@requests.fyi.org.nz

Dear Bob

Official Information Act #22.214 – Response – Tranche two

1. We refer to your request received on 23 June 2023 for information about the Commerce Commission's (the Commission) draft data request into the Rural Connectivity Study (RCS), specifically:
 - 1.1 all internal communications within the Commerce Commission as well as any communications/discussions held with the Privacy Commissioner/Crown law/other 3rd parties involved with the RCS/inhouse counsel/legal advisers with regards to the scope of the data collection, privacy implications of collecting the data requested within the draft data request and plans to dispose of or retain the data after the completion of the RCS for any future use.
2. On 21 August 2023 we provided a response to your request and documents as a first tranche.

Our response

3. We are now in a position to provide a second and final tranche.
4. The documents we are releasing to you have been split into two parts:
 - 4.1 Internal communications about the scope of the data collection and privacy implications (**Appendix A**)
 - 4.2 Communications with third parties involved in the RCS in relation to the scope of data collection and privacy implications in the form of meeting file notes (**Appendix B**).
5. We consider it is necessary to withhold information under:

- 5.1 section 9(2)(a) because the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons,
 - 5.2 section 9(2)(b)(ii) because the withholding of the information is necessary 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,
 - 5.3 section 9(2)(g)(i) because the withholding of 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 public service agency or organisation in the course of their duty; and
 - 5.4 section 9(2)(h) because the withholding of the information is necessary to maintain legal professional privilege.
6. We consider that good reasons exist for withholding information and this is not outweighed by other considerations which would make it desirable, in the public interest, to make the information available (section 9(1) of the OIA).

Further information

7. If you are not satisfied with the Commission's response to your OIA request, section 28(3) of the OIA provides you with the right to ask an Ombudsman to investigate and review this response. However, we would welcome the opportunity to discuss any concerns with you first.
8. Please note the Commission will be publishing this response to your request on its website. Your personal details will be redacted from the published response.
9. Please do not hesitate to contact us at uia@comcom.govt.nz if you have any questions about this request.

Yours sincerely



Chantellie Lye
OIA and Information Coordinator

Appendix A – “scope of data collection”			
Document number	Date	Document	Redactions
CC.00000001	Various	Teams messages	S 9(2)(a) of the OIA
CC.00000043.0002	Undated	Charts. Attachment to CC.00000043	No redactions
CC.00000085	7 July 2023	Email	No redactions
CC.00000117	9 May 2023 to 22 May 2023	Emails	s 9(2)(h) and 9(2)(g)(i) of the OIA
CC.00000171	9 May 2023 to 25 May 2023	Emails	s 9(2)(h) and 9(2)(g)(i) of the OIA
CC.00000138	9 May 2023 to 17 May 2023	Emails	s 9(2)(h) of the OIA
CC.00000303	9 May 2023 to 19 May 2023	Emails	s 9(2)(h) of the OIA
CC.00000188	9 May 2023 to 19 May 2023	Emails	s 9(2)(h) and 9(2)(g)(i) of the OIA
CC.00000319	9 May 2023 to 22 May 2023	Emails	s 9(2)(h) and 9(2)(g)(i) of the OIA
CC.00000143	9 May 2023 to 16 May 2023	Emails	s 9(2)(h) and 9(2)(g)(i) of the OIA
CC.00000124	9 May 2023 to 16 May 2023	Emails	s 9(2)(a), 9(2)(h) and 9(2)(g)(i) of the OIA
CC.00000190	9 May 2023 to 17 May 2023	Emails	s 9(2)(h) of the OIA
CC.00000214	9 May 2023 to 18 May 2023	Emails	s 9(2)(g)(i) of the OIA
CC.00000028	9 February 2023	Cover email	No redactions
CC.00000028.0001	9 February 2023	Rural Connectivity Study Kick-off Meeting presentation	No redactions

Appendix B – meeting file notes			
Document number	Date	Document	Redactions
CC.00000136	14 June 2023	Meeting file note	s 9(2)(a) and s 9(2)(g)(i) of the OIA
CC.00000091	20 June 2023 (12pm)	Meeting file note	s 9(2)(a) of the OIA
CC.00000054	22 June 2023	Meeting file note	s 9(2)(a) and 9(2)(b)(ii) of the OIA
CC.00000039	20 June 2023 (8.30am)	Meeting file note	S 9(2)(a) and 9(2)(b)(ii) of the OIA and out of scope
CC.00000320	30 May 2023	Meeting file note	s 9(2)(a) of the OIA
CC.00000248	13 June 2023	Meeting file note	No redactions
CC.00000235	9 June 2023	Meeting file note	s 9(2)(a) and s 9(2)(g)(i) of the OIA
CC.00000200	31 May 2023	Meeting file note	s 9(2)(a) and 9(2)(b)(ii) of the OIA
CC.00000148	30 May 2023	Meeting file note	s 9(2)(a) of the OIA