

6 July 2012

INTERNAL AFFAIRS

Te Tari Taiwhenua

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CITIZENSHIP
Raraunga

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Dear Alex

Request for information under the Official Information Act 1982

As advised in the letter you received from the Office of the Hon. Chris Tremain, Minister of Internal Affairs, the Department has been asked to provide relevant material to you in response to your Official Information Act request.

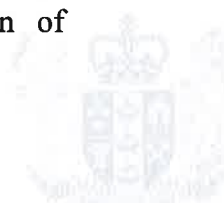
You have requested:

“all information , advice and communication relating to Shane Jones’ decision to grant Bill Liu/Yang Liu citizenship.”

In an assessment of your request due regard was given to the relevant provisions of the Official Information Act 1982 (OIA).

I now enclose all information the Department considers is capable of being released to you. I must advise that certain information has been withheld for the following reasons:

- Section 6(a) which provides for withholding in circumstances where it would be likely to prejudice the international relations of the Government of New Zealand;
- Section 6(b) which provides for withholding in circumstances where the release would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence;
- Section 6(c) which provides for withholding in circumstances where the release would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial;
- Section 9(2)(a) which provides for withholding in circumstances where it is necessary to protect the privacy of natural persons;
- Section 9(2)(ba)(i) which provides for withholding in circumstances where it is necessary to protect information which is subject to an obligation of confidence;



- Section 9(2)(f)(iv) which provides for withholding in circumstances where it 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) which provides for withholding in circumstances where it is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions between officers and employees of any department or organisation in the course of their duty;
- Section 9(2) (h) which provides for withholding information in circumstances where it is necessary to maintain legal professional privilege.

You are also advised that some information held by the Department is already publicly available. In accordance with section 18(d) of the OIA this information has not been included in the information I release to you today. Specifically, you are referred to the Department's website which makes available both the Department and Mr. Billington QC's submission to the Minister of Internal Affairs regarding Mr. Liu's New Zealand citizenship application. In addition you are directed to the High Court at Auckland where information has been made available regarding the recent trial involving Mr. Liu.

I have considered carefully the public interest element when forming a decision to withhold information pursuant to section 9 of the OIA. Where it has been considered that the public interest element overrides a reason for withholding the information under section 9(2) of the OIA, the information has been released. In circumstances where information has been withheld pursuant to section 9 of the OIA, I am satisfied that the reason for withholding has not been outweighed by a public interest element.

You are advised of your right pursuant to section 28(3) of the OIA, to seek an investigation and review of my decision to withhold the information referred to above.

Yours sincerely



Geoff May
General Manager, Citizenship