



28 February 2024

Ref: DOIA 2324-1342

Adam Irish

Email: fyi-request-24883-799a0464@requests.fyi.org.nz

Tēnā koe Adam Irish

Thank you for your email of 15 December 2024 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

“any new briefings to Ministers that aren't incorporated in the proactive release material relating to Fair pay agreements”

Four documents have been identified as in scope of your request. The documents, and the decisions as to their release, are outlined in the table below. The documents being released are enclosed with this letter.

Please note some information has been withheld under the following sections of the Act:

- 9(2)(a), to protect the privacy of natural persons, including that of deceased natural persons;
- 9(2)(f)(iv), to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials;
- 9(2)(g)(i), 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;
- 9(2)(h), to maintain legal professional privilege.

#	Date	Description/Title	Withholding grounds
1	27 Nov 2023	Excerpts from: 2324-0920 Fiscal Sustainability Options for the Workplace Relations and Safety Portfolio	S 9(2)(f)(iv)
2	28 Nov 2023	Briefing: 2324-0918 Repeal of the Fair Pay Agreements legislation Annex three is withheld full under s 18(d) (see note below).	S 9(2)(a) S 9(2)(f)(iv) S 9(2)(g)(i) S 9(2)(h)
3	29 Nov 2023	Briefing: 2324-1084 Final Cabinet Paper – Repeal of the Fair Pay Agreements legislation Annexes Two, Three, Four and Five are withheld full under s 18(d) (see note below).	S 9(2)(a) S 9(2)(h)
4	7 Dec 2023	Briefing: 2324-1140 Final Cabinet Paper – Fair Pay Agreement Repeal Bill - Approval for Introduction Annexes Two, Three, Four and Five are withheld full under s 18(d) (see note below).	S 9(2)(a) S 9(2)(f)(iv) S 9(2)(h)


Note: The annexes of three of the documents below contain documents that have been made public and are therefore withheld under section 18(d) of the Act. These can be found at:

<https://www.mbie.govt.nz/document-library/search?keywords=fairpayagreement&df=&dt=&sort=desc>

I do not consider that the withholding of this information is outweighed by public interest considerations in making the information available.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'BMS', is enclosed in a thin black rectangular border.

Beth Goodwin
Manager, Employment Relations Policy
Labour, Science, and Enterprise