



OIA23-0752

11 January 2024

John Luke
fyi-request-24891-8aeedbee@requests.fyi.org.nz

Dear John,

Thank you for your email of 27 November 2023 requesting information relating to the public nominations process. Your request has been considered under the Official Information Act 1982 (OIA).

You requested the following:

I noted from this Ministry of Women's response, - MW DOIA- 23-24-0010, You have recently sought nomination for the Milk Price Panel, New Zealand Horticulture Export Authority (NZHEA) and New Zealand Horticulture Export Authority (NZHEA)

May I ask how you called for public nomination and on what platform you have call for public nominations for these boards, e.g. govt.jobs website. Also, how many applications you have received from the public and how many you have received from other nominating agencies such as TPK or Ministry of women etc with you most recent call for nomination. Also, can you please supply the term of appointment and member's pay rate.

Milk Price Panel

Section 150E(1)(a) of the Dairy Industry Restructuring Act 2001 (DIRA) stipulates that Fonterra's Board must appoint two persons to the Milk Price Panel who are nominated by the Minister of Agriculture. The Ministerial nominees must be independent from Fonterra and have experience in relevant fields such as financial management, commerce or agriculture. They are subject to the same Fonterra's Milk Price Panel Terms of Reference (ToR) and conditions as all other Panel members.

Please refer here for the Milk Price Panel ToR:

<https://www.fonterra.com/content/dam/fonterra-public-website/fonterra-new-zealand/documents/pdf/milk-prices/milk-price-panel-terms-of-reference.pdf>

The Ministry for Primary Industries (MPI) sought candidates directly from Te Puni Kōkiri (the Ministry of Māori Development), the Ministry for Women, the Ministry of Foreign Affairs and Trade, and the Ministry for Ethnic Communities. Each of these agencies maintain extensive databases of candidates who possess relevant skills, knowledge, and expertise to serve on public boards. MPI received 12 suggestions for potential nominees from these agencies, including candidates with a range of backgrounds and skillsets. While MPI did not call for public nominations while seeking candidates for the Milk Price Panel, when expressions of interest from members of the public are received, they are welcomed and considered as appropriate.

Milk Price panellists are appointed by Fonterra for a term of at least two years, in accordance with Fonterra's Milk Price Panel ToR.

In relation to the Milk Price Panel members' pay rate, I have refused this part of the request under the following grounds of the OIA:

- Section 9(2)(a) – *to protect the privacy of natural persons.*

New Zealand Horticulture Export Authority (NZHEA)

Section 10 and 11 of the *New Zealand Horticulture Authority Act 1987* stipulates the conditions for the appointment of five members to the New Zealand Horticulture Export Authority (HEA) Board and for a term of up to three years each. Please see the following link for *New Zealand Horticulture Authority Act 1987*:

<https://www.legislation.govt.nz/act/public/1987/0093/latest/DLM117372.html>

The Chair and a board member position expired in March 2023, and two female candidates were appointed to these roles by the previous Minister of Agriculture in August 2023.

The remuneration for the Chair of the HEA Board is \$22,000 per annum, and \$11,480 per annum for members. This is consistent with the Board's classification as a Group 3a, Level 5 Governance Board under the Cabinet Fees Framework:

<https://www.publicservice.govt.nz/guidance/interpreting-and-implementing-the-cabinet-fees-framework/>

To support the Minister, MPI sought nominations from the HEA, Te Puni Kōkiri, the Ministry for Ethnic Communities, the Ministry for Women, and the Ministry for Pacific Peoples in September 2022 and May 2023. MPI also sought nominations through internal processes. Although public nominations were not sought, an extensive list of potential candidates with broad ranging skills and experience was received:

- Two candidates were nominated by the HEA;
- No nominations were received from Te Puni Kōkiri.
- Four were nominated by the Ministry for Ethnic Communities;
- Seven were nominated by the Ministry for Women;
- One was nominated by the Ministry for Pacific Peoples; and
- Five candidates were nominated through internal processes.

MPI considered all nominations for the two roles based on their skills and experience that would complement sitting Board members. From this list, several candidates and a preferred candidate for each role was provided to the Minister for consideration.

Should you have any concerns with this response, I would encourage you to raise these with the Ministry for Primary Industries at Official.InformationAct@mpi.govt.nz. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143 or at info@ombudsman.parliament.nz.

Yours sincerely



Lisa Collins
Acting Director Primary Sector Policy