



OIA058

2 October 2024

Barry Garrick  
fyi-request-27462-dd2745af@requests.fyi.org.nz

Dear Barry Garrick,

Thank you for your email of 7 August 2024 requesting information relating to livestock exports by sea. Your request has been considered under the Official Information Act 1982 (OIA).

You requested the following:

*any advice on the impacts on animal welfare on the decision reinstate livestock exports by sea*

Please find the following documents included with this letter as Appendix One:

- MO24-0057 – *Livestock Exports by Sea Continuous Improvements*
- MO24-0056 – *New Zealand Livestock Exports by Sea – Identified welfare concerns*
- B24-0118 – *Process for reinstating the livestock export by sea trade*
- MO24-0165 – *Live Exports Ban Review Project – High Level Targeted Engagement Plan*
- B24-0327 – *Livestock Exports Work Programme Update*
- B24-0060 – *Animal Welfare: Livestock Export Review - Cabinet Paper for Ministerial Consultation*
- AM24-0538 – *Meeting about Livestock by Sea Exports*

I also received B24-0428, *Livestock Export Review – Discussion Document for Ministerial Consultation*, on 26 July 2024; however, I am still considering this advice, so this briefing has been withheld pursuant to section 9(2)(f)(iv) of the OIA. The draft Cabinet paper appended to B24-0327 and B24-0060 has also been withheld pursuant to section 9(2)(f)(iv) of the OIA.

Some information has been withheld pursuant to the following sections of the OIA:

- Section 6(a) – *the making available of that information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand.*
- Section 9(2)(a) – *to protect the privacy of natural persons.*
- Section 9(2)(b)(ii) – *to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who is the subject of the information.*
- Section 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.*
- Section 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 department or organisation in the course of their duty.*

- Section 9(2)(h) – *to maintain legal professional privilege.*
- Section 9(2)(j) – *to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, negotiations.*

I am satisfied that, in the circumstances of this case, the withholding of the information is not outweighed by other considerations which render it desirable in the public interest to make the information available.

Please note that an error was made in the drafting of AM24-0538. In paragraph 3, where it reads that the meeting attendees “believe the risks... do not outweigh the potential benefits,” it should read that the attendees do believe the risks outweigh the potential benefits.

You also requested:

*and any correspondence to and from the Minister's office with stakeholder groups on this decision.*

I have decided to grant this part of your request; however, my office is still preparing this information for release. I will provide this to you by no later than 31 October 2024, earlier if possible. I apologise for any inconvenience this delay may cause you.

You are advised of your right to raise any concerns with the Office of the Ombudsman. You can contact the Ombudsman at [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

Yours sincerely,



Hon Andrew Hoggard  
**Associate Minister of Agriculture**