



## EXECUTIVE COUNCIL CHAMBERS

25 November 2015

Chris Werry

By email: [fyi-request-3125-5ca048a4@requests.fyi.org.nz](mailto:fyi-request-3125-5ca048a4@requests.fyi.org.nz)

Dear Mr Werry

### Information request: Flag Consideration Panel

*Our ref: DPMC 103-2015*

- 1 Your email of 3 September 2015 requested information under the Official Information Act 1982 (“OIA”) relating to the Flag Consideration Panel (“Panel”) and its design selection process. Your request was for:

*“Copies of correspondence between Flag Consideration Panel members and/or officials and other documents prepared by panel members or officials regarding:*

- 1 the process used to select the final four*
- 2 the relative merits of the different designs in the long list*
- 3 the results of any votes taken to decide on candidates including which way each member voted”*

- 2 My response of 30 September 2015 responded to points two and three of your request. With regard to point one, my response:

2.1 declined your request under section 18(d) of the OIA to the extent that the information requested was or would soon be publicly available; and

2.2 extended any remaining part of your request to 27 November 2015.

- 3 The Panel’s meeting papers (including material concerning the Panel’s design selection process) have now been published on the Department of the Prime Minister and Cabinet’s (“DPMC’s”) website ([www.dPMC.govt.nz/dPMC/publications/nzflag-process](http://www.dPMC.govt.nz/dPMC/publications/nzflag-process)). Some of this information falls within the scope of your request.

- 4 Redactions have been made to some of the information published on DPMC’s website (as marked). These redactions have been made on the following grounds of the OIA:

4.1 section 9(2)(a), to protect the privacy of natural persons;

4.2 section 9(2)(ba)(i), to protect information which is subject to an obligation of confidence, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;

- 4.3 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 employers of any department or organisation in the course of their duty; and
- 4.4 section 9(2)(h), to maintain legal professional privilege.
- 5 The remainder of the information that falls within the scope of point one of your request constitutes email correspondence between the Secretariat (that supports the Panel) and the Panel. This correspondence is included in the material **enclosed**, with redactions as marked under the following grounds:
- 5.1 section 9(2)(a), to protect the privacy of natural persons;
- 5.2 section 9(2)(ba)(i), to protect information which is subject to an obligation of confidence where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;
- 5.3 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 employers of any department or organisation in the course of their duty; and
- 5.4 section 9(2)(h), to maintain legal professional privilege.
- 6 I do not consider that the withholding of the information referred to above is outweighed by other considerations which render it desirable, in the public interest, to make that information available.
- 7 Please note that you have the right to complain about these decisions to the Office of the Ombudsman under section 28(3) of the OIA.

Yours sincerely



Michael Webster  
Clerk of the Executive Council