



EXECUTIVE COUNCIL CHAMBERS

30 September 2015

Chris Werry
fyi-request-3125-5ca048a4@requests.fyi.org.nz

Dear Mr Werry

Information request: Flag Consideration Panel documents

Our reference: DPMC 103-2015

- 1 On 3 September 2015 the Department of the Prime Minister and Cabinet (“DPMC”) received a request for information from you under the Official Information Act 1982 (“OIA”). Your request asked for:

“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 I have responded to your questions in the order asked, below.

The process used to select the final four

- 3 Some of the information you request is already publicly available and can be viewed on the Flag Consideration Panel (“the Panel”)’s website. For example:
- 3.1 a summary of how the final four designs were selected (<https://www.govt.nz/browse/engaging-with-government/the-nz-flag-your-chance-to-decide/project-updates/announcement-of-the-four-alternative-flag-designs/> and https://www.govt.nz/browse/engaging-with-government/the-nz-flag-your-chance-to-decide/how-four-flags-chosen)
 - 3.2 the Panel’s open letter following the publication of the long-list of designs (<https://www.govt.nz/browse/engaging-with-government/the-nz-flag-your-chance-to-decide/open-letter/>), and
 - 3.3 the Panel’s report to the Responsible Minister (<https://www.govt.nz/browse/engaging-with-government/the-nz-flag-your-chance-to-decide/project-updates/report-to-responsible-minister/>).

- 4 There is information additional to what is currently on the Panel's website (for example, reports and papers from the Secretariat to the Panel). Much (if not all) of this information will be made publicly available in November 2015.
- 5 With respect to the categories of information addressed in paragraphs 3 and 0 above, I accordingly decline your request pursuant to section 18(d) of the OIA on the ground that the information requested is or will soon be publicly available.
- 6 To the extent that any information falling within the scope of your request that is not already publicly available is not made publicly available in November 2015, pursuant to s 15A of the OIA I am extending the time limit for responding to this part of your request to 27 November 2015 on the grounds that:
 - 6.1 the request is for a large quantity of official information or necessitates a search through a large quantity of information and meeting the original time limit would unreasonably interfere with the operations of DPMC; and
 - 6.2 consultations necessary to make a decision on the request are such that a proper response to the request cannot reasonably be made within the original time limit.
- 7 Please note that you have the right to complain about these decisions to the Ombudsman under section 28(3) of the OIA.

The relative merits of the different designs in the long list

- 8 In reviewing flag designs, first and foremost, the Panel were guided by the results of the ten week engagement programme across a range of communities where thousands of New Zealanders shared what was special to them about New Zealand. This provided the Panel, and flag designers, with invaluable direction as to how New Zealanders see themselves and their country and how those values might best be expressed in a new flag. The Panel agreed a flag should:
 - 8.1 unmistakably be from New Zealand and celebrate us as a progressive, inclusive, environmentally connected country, that has a sense of its past and a vision of its future;
 - 8.2 be a 'great' flag, which means that: it adheres to the principles of good flag design, has an enduring quality which will not become outdated, and will work well in all situations from celebration to commemoration;
 - 8.3 be inclusive, in that all New Zealanders should be able to see themselves within it; and
 - 8.4 not have any impediments to its use as a potential New Zealand flag.
- 9 The Panel was focussed on selecting designs that met the criteria outlined above and on their website. In so doing, they did not record the relative merits of each design as you suggest. I accordingly decline this part of your request pursuant to section 18(g) of the OIA on the ground that the information requested is not held by

DPMC and I have no grounds for believing that it is either held by, or connected more closely with the functions of, another department or Minister of the Crown or organisation or local authority.

- 10 Please note that you have the right to complain about this decision to the Ombudsman under the section 28(3) of the OIA.

The results of any votes taken to decide on candidates including which way each member voted

- 11 The Panel did not reach its decisions on the four alternative designs by voting or by any analogous process. When announcing the four alternative designs, Chair of the Flag Consideration Panel, Professor John Burrows, stated the Panel was unanimous in its decision (see: <https://www.govt.nz/browse/engaging-with-government/the-nz-flag-your-chance-to-decide/project-updates/announcement-of-the-four-alternative-flag-designs/>).

Yours sincerely



Michael Webster
Clerk of the Executive Council