



## EXECUTIVE COUNCIL CHAMBERS

16 November 2018

John Luke  
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Reference: OIA-2018/19-0211

Dear John Luke

### **Official Information Act request: Cabinet Appointments and Honours Committee**

Thank you for your Official Information Act 1982 (the Act) request received on 19 October 2018. You requested:

- *All written material considered by the Honours Unit in relation to Chinese businessman Yikun Zhang award, including nomination letters.*
- *All written material prepared by the Honours Unit, including recommendations, discussion points.*
- *Minutes of any meeting of the Cabinet Appointments and Honours Committee discussing Chinese businessman Yikun Zhang.*
- *All correspondence between relevant officials discussing the award.*

I can confirm that Mr Yikun Zhang was appointed a Member of the New Zealand Order of Merit as part of the Queen's Birthday Honours List 2018, which was announced on Monday 4 June 2018.

The citation for Mr Zhang's award, which sets out the basis for the award, is publicly available on the website of the Department of the Prime Minister and Cabinet at:  
<https://dpmc.govt.nz/honours/lists/qb2018-mnzm#zhangyi>

#### *Information about nomination and consideration of the award*

I am aware that three people have stated publicly that they were involved in the nomination for Mr Zhang, namely Hon Phil Goff, Eric Roy and Jian Yang. I can confirm that this office holds further information that relates to the nomination and the decision to confer this honour.

In response to your request for the remainder of the information relating to the nomination, consideration and discussion of the award, I am withholding most of this information including the names of others involved in the nomination, in full under the following sections of the Act:

- s 9(2)(a) to protect the privacy of natural persons;
- s 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,

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;

- s 9(2)(f)(i) to maintain the constitutional conventions for the time being which protect the confidentiality of communications by or with the Sovereign or her representative;
- s 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; and
- s 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 or officials in the course of their duty.

Protecting the confidentiality of material about Honours nominations and appointments is essential to maintaining the integrity of the New Zealand Royal Honours system. In particular, the protection of such information ensures that those engaging with the Honours system can rely on the confidentiality of the process.

I have considered whether the withholding of the information is outweighed by other considerations which render it desirable, in the public interest, to make the information available. I have set out some further information about this nomination below, which I consider it is in the public interest to disclose.

There is an established practice that recommendations for honours made by an outgoing Prime Minister are accepted by the incoming administration. As was communicated publicly at the time, decisions about the recipients included on the New Year 2018 Honours List were made by the previous Government, prior to the 2017 General Election.

However, there is no established practice in relation to nominations that have been received by the Honours Unit, but have not been considered and included on an upcoming list at the time of a change of government. Those nominations are considered by the new administration's Appointments and Honours Committee in the normal way as part of the bi-annual cycle of decision-making for the Honours lists. A summary of that process is set out below. The nomination for Mr Zhang falls into this latter category.

#### *Summary of the honours nomination and consideration process*

Honours nominations are received by the Honours Unit throughout the year, but must generally be received at least six months prior to the announcement of an honours list in order to be considered for inclusion on that list.

The information received in the nomination is entered into a database, and receipt of the nomination acknowledged. A draft citation is prepared based on the information in the nomination.

These citations and a list of all nominations are provided to the Cabinet Appointments & Honours Committee, which is chaired by the Prime Minister. The Committee meets twice a year, and considers and discusses each nomination individually. The membership of that Committee is available on the DPMC website at <https://www.dPMC.govt.nz/cabinet-committees/aph-cabinet-appointments-and-honours-committee>

A number of factors are taken into account by the Committee in considering nominations – length of service, level of achievement, whether the contribution is of local, regional, national or international significance.

A selection or shortlist is made for submission to The Queen. The formal responsibility for making recommendations to The Queen for the grant of honours rests with the Prime Minister.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Yours sincerely



for Michael Webster  
Clerk of the Executive Council