

s9(2)(a)

Dear s9(2)(a)

Thank you for your request, received on 11 February 2021, for the following information under the Official Information Act 1982 (The Act):

"I am requesting all correspondence and reports both internal and external relating to the Authority's decision to pause operational enhancements to the FTR market as outlined by the letter from Andy Doube on 26 January 2021.

In particular I am interested in the Authority's decision-making process and what issues from submissions it decided warranted this action. I am also interested in any correspondence with external parties that attempted to influence the Authority's decision."

During the Authority's consultation on changes to the FTR rental calculation last year several submitters raised broader concerns about the current operation of other aspects of the FTR market. The Authority considers these issues warrant further attention and decided to pause the operational work in the meantime. This will provide the Authority time to concentrate on confirming the scope of the review, ensure the review runs efficiently, and to be open with stakeholders. The Authority will communicate any updates to all affected stakeholders at the same time. We are currently unable to advise what issues will be considered as part of the future work programme, as the final scope is yet to be approved.

Your request is declined under sections 9(2)(f)(iv) and 9(2)(g)(i) of the Act. The Authority considers that release of information in the infancy of its decision-making process would inhibit the effective conduct of public affairs through the free and frank expression of opinions.

Disclosure of advice to others before it has been tendered to the relevant decision maker may prejudice the orderly and effective conduct of the decision-making process. There is also the need to protect some of the early and informal work that goes into developing advice. That work is essential to the quality of the advice that is ultimately tendered, and its disclosure may affect how advice is developed in future.

I am satisfied, in terms of section 9(1) of the Act, that the need to withhold the information referred to above is not outweighed by other considerations that render it desirable, in the public interest, to make the information available.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact us by emailing OIA@ea.govt.nz.

Yours sincerely



Sarah Gillies
General Manager – Legal, Ministerial, and Compliance