



12 April 2024

John Luke

Tēnā koe John Luke

Official Information Act request

Thank you for your email of 16 March 2024, requesting the information on the appointment process for the Student Allowance Appeal Authority.

I have considered your request under the Official Information Act 1982 (the Act).

The Ministry sought advice from the Ministry of Justice, who administers the Student Allowance Appeal Authority (the Authority), on the appropriate appointment mechanism for finding a candidate to appoint to Chairperson.

When making appointments to Statutory tribunals (such as the Authority), the appointment process is selected from among the following:

- an open search where the position is made known as widely as possible through online advertising,
- a closed search where nominations are sourced through relevant agencies and through the responsible Minister, or
- a targeted search where suggestions are sought from relevant bodies, such as the Ministry of Justice, and the individuals suggested for appointment are invited to apply.

The Ministry of Justice recommended a targeted appointment process due to there being active appeals and suggested a suitable, well-qualified and experienced candidate.

The Ministry did not seek nominations from other agencies or the public for this appointment as it was determined that suitable candidates were unlikely to be found as:

- candidates with the desired skills and experience were likely to be current or former members of a tribunal and therefore known to the Ministry of Justice, and
- the Authority had a very small caseload and given the skill mix required it would have been difficult for a new person to gain the expertise necessary to fill the role.

This process may have also taken a long time, increasing the possibility of the candidate no longer being interested in becoming Chair.

Given the strength of the candidate's application, they were not formally interviewed. Once the candidate was reviewed by the Ministry they were recommended to the Minister for appointment. The candidate was then appointed as Chair of the Authority.


The Ministry is satisfied that the process to appoint the current Chair into this position was robust and proper.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui

p.p. 

Magnus O'Neill
General Manager
Ministerial and Executive Services