



Ref. No. DOIA 2324-1938

7 May 2024

Percy Doyle

fyi-request-26053-e7074248@requests.fyi.org.nz

Kia ora Percy,

Thank you for your email of 10 March 2024 making the following request for information under the Official Information Act 1982 (the Act):

Please provide a copy of documents prepared in relation to the review of the list of occupational disease set out in Schedule 2 of the Accident Compensation Act 2001.

Please also provide a copy of the draft and final report of the panel of independent health experts in reviewing the list of occupational disease set out in Schedule 2 of the Accident Compensation Act 2001.

I have identified a set of documents within scope of your request, as outlined in the document schedule in Appendix One.

I am withholding in full the final report from the panel of independent health experts under section 9(2)(f)(iv) of the OIA. This is to maintain the confidentiality of advice provided to Ministers by officials, as the content is under active consideration and the release of the advice would prejudice the orderly and effective conduct of Government decision making processes. I also note that MBIE did not receive a draft version of this report.

Please find the requested documents attached to this letter with selected information withheld under the following sections of the Act:

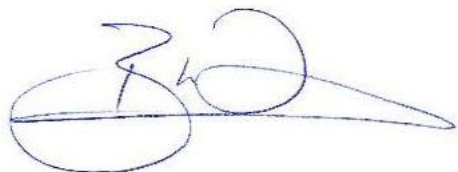
- section 9(2)(a), to protect the privacy of natural persons, including that of deceased natural persons,
- section 9(2)(f)(iv), to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials,
- section 18(d), that the information requested is or will soon be publicly available.

I am also withholding information in the documents where I consider it to be outside the scope of your request.

I do not consider that the public interest in the information outweighs the interest to withhold the information under the Act on the grounds set out above.

I trust you find this information helpful. You have the right to seek investigation and review of the Ministry's decision by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found at: www.ombudsman.parliament.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'BD', with a long horizontal line extending to the right.

Bridget Duley
Manager, Accident Compensation Policy
Ministry of Business, Innovation and Employment

Appendix One: Document Schedule

Document schedule:

Date	Description	Relevant reasons for redactions
6 December 2022	Briefing 2223-2007: Schedule 2 Review Framework: Stage 1	s 9(2)(a)
28 February 2023	Briefing 2223-2307: Schedule 2 – Stage 2 Draft Cabinet Paper and Discussion Document	s 9(2)(a)
27 March 2023	Aide Memoire 2223-3138: Schedule 2 Talking Points for Social Wellbeing Committee	s 9(2)(a)
19 June 2023	Briefing 2223-3850: 2023 Schedule 2 Consultation Update and Next Steps	s 9(2)(a)

Withheld in Full:

Date	Description	Relevant reasons for withholding in full
6 December 2022	Annex One for briefing 2223-2007: Non-Parliamentary paper – publicly available here: https://bills.parliament.nz/v/4/16fd4ac2-9cf3-4446-9f59-3a7a6c257227	s 18(d)
28 February 2023	Annex One for briefing 2223-2307: Cabinet paper – publicly available here: https://www.mbie.govt.nz/dmsdocument/26637-seeking-proposals-for-additions-to-the-list-of-occupational-diseases-under-the-accident-compensation-act-2001-approval-to-consult-proactiverelease-pdf	s 18(d)
28 February 2023	Annex Two for briefing 2223-2307: Discussion document seeking submissions – publicly available here: https://www.mbie.govt.nz/dmsdocument/26258-discussion-document-seeking-proposals-for-additions-to-the-list-of-occupational-diseases-under-the-accident-compensation-act-2001	s 18 (d)
19 June 2023	Summary of Submissions – publicly available here: https://www.mbie.govt.nz/dmsdocument/26880-summary-of-submissions-to-schedule-2-pdf Note: the individual submissions will also be made public in due course.	s 18(d)
29 November 2023	Occupational Diseases Review: <i>For Schedule 2 of the Accident Compensation Act 2001.</i>	s 9(2)(f)(iv)