

18 November 2019

Mr George Morrison
fyi-request-11377-bae82740@requests.fyi.org.nz

Dear Mr Morrison

Thank you for your request made under the Official Information Act 1982 (OIA), received on 4 October 2019. This request was extended by 10 working days on 24 October 2019. You requested the following:

all briefings and correspondence regarding the decision to exempt the Provincial Growth Fund from paying tax

Please find enclosed the following documents:

Item	Document description	Decision
1.	IR2019/380 – Order in Council to designate Provincial Growth Fund Limited a public purpose Crown-controlled company	Released in part.
2.	Summary of Provincial Growth Fund Limited: Orders in Council Cabinet Paper	Released in part.
3.	LEG-19-SUB-0149 – Provincial Growth Fund Limited Orders	Released in full.
4.	CAB-19-MIN-0499 – Report of the Cabinet Legislation Committee: Period Ended 27 September 2019	Released in part.
5.	Combined emails regarding the decision to exempt PGF from paying tax	Released in part.

Where some information in the documents is withheld, the relevant withholding ground of the OIA is specified in the document. An explanation of the withholding grounds follows:

- Section 9(2)(a) – to protect the privacy of natural persons, including deceased persons.
- Section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions.

Items 4 and 5 also contain information that is outside the scope of your request. This information has not been considered for release and has been withheld as “not in scope”.

Ref: 200IA1110

The following information you requested is soon to be publicly available on the both the Grow Regions and Ministry of Business, Innovation, and Employment websites:

Document title	Website
MBIE 0634 19-20 / IR2019/481 – Draft Cabinet paper for authorising the Orders in Council for Provincial Growth Fund Limited	Grow Regions website – growregions.govt.nz/about-us/data-stats-information/ MBIE website – mbie.govt.nz/document-library?start=0
Provincial Growth Fund Limited: Orders in Council	Grow Regions website – growregions.govt.nz/about-us/data-stats-information/ MBIE website – mbie.govt.nz/document-library?start=0
LEG-19-MIN-0149 – Provincial Growth Fund Limited Orders	Grow Regions website – growregions.govt.nz/about-us/data-stats-information/ MBIE website – mbie.govt.nz/document-library?start=0

Your request for the documents listed in the above table is refused under section 18(d) of the OIA, as the information will soon be publicly available. Some information has been removed from documents listed above, on the OIA grounds described in the documents.

Some documents are being withheld under section 9(2)(g)(i) of the OIA, to maintain the effective conduct of public affairs through the free and frank expression of opinions. No public interest in releasing the withheld information has been identified that would be sufficient to outweigh the reasons for withholding.

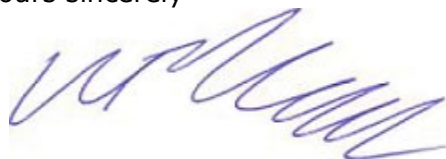
Right of Review

If you disagree with my decisions on your OIA request, you can ask an Inland Revenue review officer to review my decisions. To ask for an internal review, please email the Commissioner of Inland Revenue at: CommissionersCorrespondence@ird.govt.nz.

Alternatively, under section 28(3) of the OIA, you have the right to ask the Ombudsman to investigate and review my decision. You can contact the office of the Ombudsman by email at: info@ombudsman.parliament.nz.

Thank you for your request. I trust that the information provided is of assistance to you.

Yours sincerely



Peter Frawley
Policy Lead

Ref: 20OIA1110

IN CONFIDENCE