



27 August 2021

BEB OIA 21-004

Sebastian

By email: fyi-request-15553-e4de83f9@requests.fyi.org.nz

Dear Sebastian

Request for official information

I refer to my letter dated 16 August 2021 which provided my decision on your request of 19 July 2021 to the Border Executive Board Secretariat for the following information under the Official Information Act 1982 (the Act):

Dated from the beginning of May:

- 1) *Copies of the minutes of all BEB meetings*
- 2) *Copies of all reports produced by BEB and supplied to the Minister for the COVID-19 Response*

The minute for the 1st April BEB meeting refers to a "facilitated CEs workshop – scheduled for 4 June." I would like to request copies of the following documents relating to this workshop:

- 1) *The agenda*
- 2) *Any prepared presentations (as for instance PowerPoint slides)*
- 3) *The write-up, minutes or other document summarising the workshop and its outcomes*

Thank you for your patience and as advised in my decision letter, the following documents are being released and are attached for your information.

Copies of the minutes of all BEB meetings (dated from the beginning of May)

While the Border Executive Board usually meets weekly, there are some weeks where a meeting was not scheduled and therefore there are no meeting minutes.

Some of the information in these meeting minutes has been withheld under the following sections of the Act:

- section 6(a) – where making the information available would be likely to prejudice the international relations of the New Zealand Government;
- section 6(c) – where making the information available would be likely to prejudice the maintenance of law;

- section 9(2)(b)(ii) – where making the information available would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information;
- section 9(2)(f)(iv) – where the withholding of the information is necessary to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials;
- section 9(2)(g)(i) – where the withholding of information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown;
- section 9(2)(j) – where the withholding of information is necessary to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Please note that in the Meeting Minutes for 13 May 2021 (Item 3, paragraph 6) and 13 June 2021 (Item 4, paragraph 11), the reference to IATA (International Air Transport Association) is incorrect and it should be ICAO (International Civil Aviation Organization).

Copies of all BEB reports submitted to the COVID-19 Response Minister (dated from the beginning of May 2021)

The following five reports are attached.

- *RPT 21/021 – Implementation of return green flights from Victoria*
- *RPT 21/026 – Implementation of pre-departure testing as trans-Tasman travel resumes*
- *RPT 21/027 – Minister’s Satisfaction Survey: 11 January 2021 to 30 June 2021*
- *RPT 21/029 – Implementation of PDT for all air passenger arrivals from Australia*
- *RPT 21/033 – Increasing compliance assurance over pre-departure testing for air passenger arrivals from Australia*

Some of the information in these reports has been withheld under the following sections of the Act:

- section 6(a) – where making the information available would be likely to prejudice the international relations of the New Zealand Government;
- section 6(c) – where making the information available would be likely to prejudice the maintenance of law;
- section 9(2)(a) – the withholding of the information is necessary to protect the privacy of natural persons;
- section 9(2)(b)(ii) – where making the information available would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information;
- section 9(2)(c) – the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public;
- section 9(2)(f)(iv) – where the withholding of the information is necessary to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials;
- section 9(2)(g)(i) – the withholding of the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions;

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- section 9(2)(h) – the withholding of the information is necessary to maintain legal professional privilege.

For both the meeting minutes and the five reports, the Border Executive Board Secretariat has considered the public interest arguments in favour of making this information available; however, it is considered that these interests do not outweigh the necessity to withhold the information.

If you are not satisfied with my response, you have the right, by way of complaint to the Office of the Ombudsman under section 28(3) of the Act, to seek an investigation and review of this decision. Information about how to make a complaint is available online at: www.ombudsman.parliament.nz or alternatively the Office of the Ombudsman can be contacted on 0800 802 602.

I also wish to advise that the Border Executive Board Secretariat may proactively release responses to Official Information Act requests on the Board Executive Board page hosted on the Customs' website. As such, this response, without your name and contact details, may be published on the website after it has been sent to you.

If you have any queries about this response, please contact the Border Executive Board Secretariat at BEB.info@customs.govt.nz.

Yours sincerely



Fiona McKissock
Executive Director
Border Executive Board