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17 November 2022

Damien De Ment

By email: fyi-request-20961-90@..org.nz

Tēnā koe Damien,

Official Information request and response

Thank you for your request under the Official Information Act (“OIA”) dated 27 October 2022.

You have requested:

- 1. All meeting minutes, or emails relating to the application for funding, including all applications, proposals or grant submissions made by the producers for the production of Web of Chaos.*
- 2. All meeting minutes, emails relating to the approval of funding by NZ on Air to the producers for the production of Web of Chaos. Including all contracts, agreements, conditions finalised as part of funding.*
- 3. All meeting minutes, emails, forms or resources used to qualitatively review and safety check the Web of Chaos 'documentary' before it was approved to be published publicly.*
- 4. An explanation why this documentary is being marketed by two names*

Please find our response to your request below:

1. The producers of the project your request concerns were originally provided funding for a treatment that differs in subject matter from the *Web of Chaos* documentary that was screened on TVNZ. Due to delays caused by COVID-19, the original treatment for the project was not able to be completed within a reasonable timeframe.

A revised treatment was then provided by the producers. This treatment was approved by Television New Zealand and agreed to by NZ On Air on 19 November 2021.

The subject matter of the original proposal is considered both personally and commercially sensitive and remains a live issue that the producers may yet create as a new project. We therefore decline to release the original proposal under Section 9(2)(b)(ii) of the OIA due to commercial sensitivity.

However, having regard to the aims of your request, we can provide you with the following documentation:

- A copy of the revised treatment for the project, as approved by Television New Zealand.
2. As noted at Paragraph 1 of this response, the original proposal submitted significantly changed and a revised treatment was prepared and approved. Considering this, the funding recommendation paper submitted to NZ On Air's Staff Investment Committee, which discusses the original proposal at length, does not discuss the ultimately created documentary your request concerns.

As stated above, the subject matter of the original proposal is considered both personally and commercially sensitive and remains a live issue. The original treatment may be covered in the creation of future content. We therefore decline to release the original recommendation paper under Section 9(2)(b)(ii) of the OIA due to commercial sensitivity.

However, we can provide you with the following documentation:

- A copy of the funding agreement for the original documentary
- A copy of the funding letter of offer provided to the producers of the project

The following redactions in these documents have been made:

- Details of private information under s9(2)(a) of the OIA to protect the privacy of natural persons
 - Details of commercially sensitive information under s9(2)(b)(ii) of the OIA
3. Under [Section 42](#) of the Broadcasting Act, NZ On Air is prohibited from giving any editorial direction to any successful funding applicant. NZ On Air does not view any content it funds prior to publication of the content and has no right of review. The editorial oversight in addition to the pre-release viewing and approval of any funded content is the responsibility of the platform that commissions and publishes the content.

Considering this, we decline this part of your request under section 18(g) of the OIA as the information requested is not held by NZ On Air and we have no grounds for believing that the information is either held by another department or is connected more closely with the functions of another department.

4. As noted above, NZ On Air is prohibited from giving any editorial direction to any successful applicants. It is at the applicant and commissioning broadcaster's discretion as to how the funded content is titled or marketed.

For your information, funding provided by NZ On Air for all successful projects is [searchable](#) on our website. You can also [sign up](#) to receive our regular industry newsletter via our website.

You have the right to refer this response to the Ombudsman if you are dissatisfied with it. More information on how to do this is [here](#). NZ On Air proactively releases information in accordance with the Government's commitment to the Open Government Partnership National Action Plan. This includes publishing responses to requests for information under the OIA. Please note that this response (with your name removed) will be published on the NZ On Air website shortly and will remain on our website for 12 months.

Thank you for your interest in our work.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sharon Kerry', with a long horizontal flourish extending to the right.

Sharon Kerry
HEAD OF CORPORATE SERVICES