



2 June 2023

Jay

By email: fyi-request-22627-56452931@requests.fyi.org.nz

Tēnā koe Jay

**Ref: OIA 23-001 Official Information Act 1982 request for Border Executive Board information**

Thank you for your request dated 30 April 2023 to the New Zealand Customs Service (Customs) in which you request the following information under the Official Information Act 1982 (the Act):

*Under the OIA, I request copies of all agendas, minutes and any pre-reading documentation provided to members of this group from October 2022.  
I also request a copy of the boards most current work programme.*

On 2 May 2023, your request was transferred to the Border Executive Board.

Your request was acknowledged on 4 May 2023, in which we requested to split your request into two parts:

Part 1: Agenda, minutes and most current work programme

Part 2: Pre-reading documents

On 8 May 2023, you agreed to remove Part 2 of your request for the time being. We acknowledge that you may seek specific pre-reading information once Part 1 has been received.

**Part 1: Agenda, minutes and most current work programme**

The scope of Part 1 of your request covers 10 Border Executive Board meetings, from 5 October 2022 to the agenda for the 19 April 2023 meeting. During the period of your request, the frequency of the Border Executive Board meetings changed from fortnightly to monthly.

Please find attached Border Executive Board meeting agendas from 5 October 2022 to 19 April 2023 and Border Executive Board meeting minutes from 5 October 2022 to 19 April 2023.

The Border Executive Board Secretariat have been informed that the Royal Commission of Inquiry into COVID-19 Lessons is not subject to the Official Information Act 1982 until it reports (section 32 of the Inquiries Act 2013) in June 2024.

Therefore, all references to Border Executive Board discussions relating to the Royal Commission of Inquiry into COVID-19 Lessons have been redacted under section 32(1) of the Inquiries Act 2013.

The references to the Border Executive Board's discussions on Project Paheko refer to the redevelopment project being undertaken by Auckland International Airport. Auckland Airport's website contains more information about the [redevelopment plans](#).

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

- Section 6(a) - to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand;
- Section 6(c) - to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
- Section 9(2)(a) – the withholding of the information is necessary to protect the privacy of natural persons
- Section 9(2)(b)(ii) - would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- Section 9(2)(f)(iv) – To maintain 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;
- Section 9(2)(j) - 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);
- Section 9(2)(k) – prevent the disclosure or use of official information for improper gain or improper advantage.

As required by the Act, where information has been withheld under section 9 of the Act, the public interest arguments in favour of making this information available have been considered; however, the Secretariat's view is that these interests do not outweigh the necessity to withhold the information.

You also requested a copy of the Border Executive Board's most recent work programme. This can be found within the Briefing to the Minister of Customs from March 2023 when the Border Executive Board portfolio was transferred to the Minister of Customs. The briefing has been [proactively released](#) on the Border Executive Board webpage. The rest of the briefing may also be of interest to you. The Border Sector Strategy will be proactively released by 27 June 2023.

Additionally, the first two Border Executive Board annual reports highlighting activity from 11 January 2021 (when the Border Executive Board was established) to June 2021 and 31 July 2021 to 30 June 2022 have been [published](#) on the Border Executive Board webpage.

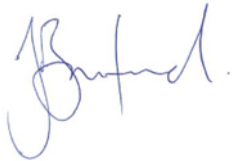
## UNCLASSIFIED

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](http://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@beb.govt.nz](mailto:BEB.info@beb.govt.nz).

Yours sincerely



Jamie Bamford  
**Acting Chair, Border Executive Board**

Encl:

Border Executive Board agendas 5 October 2022 - 19 April 2023  
Border Executive Board minutes 5 October 2022 – 19 April 2023