

9 October 2023

John Smith

By email only: fyi-request-24094-51869f20@requests.fyi.org.nz

Dear Mr Smith

Official Information Act # 23.050: Official Information request - Salary band information

1. We refer to your request received on 11 September 2023 for information about Commerce Commission (Commission) salary bands, specifically salaries of defined roles within our legal team.
2. We also refer to our email dated 12 September 2023, our follow-up email on 22 September 2023 and your reply on 26 September 2023 to clarify that the relevant time period for your request is for the 1 July 2022 – 30 June 2023 financial year.
3. We have treated this as a request for information under the Official Information Act 1982 (OIA).

Our response

4. Your request included asking for the following information:
 - 4.1 The entry point salary (i.e., the lowest starting salary for the position) and the highest available salary within the band for the following roles:
 - 4.1.1 General Counsel;
 - 4.1.2 Chief Legal Counsel;
 - 4.1.3 Senior Legal Counsel;
 - 4.1.4 Legal Counsel; and
 - 4.1.5 Law Graduate.

- 4.2 Should there not be an exact starting point for each salary band, if the Commission can provide the lowest and highest salaries for each of the roles above.
- 4.3 The average salary for each of the bands set out above and the total spent on legal salaries for the end of the 2022 financial year. This was subsequently clarified with you as the 1 July 2022 – 30 June 2023 financial year.
5. We are unable to provide the information requested for the General Counsel role. This is because we do not have a separate General Counsel role within the Commission. The position of General Manager, Legal Services incorporates aspects of a General Counsel role but also includes additional responsibilities above and beyond those of a General Counsel. As there is only one holder of the General Manager, Legal Services/General Counsel role within the Commission, we would likely decline to provide salary information for that role on the basis of protecting the privacy of that holder under s 9(2)(a) of the OIA.
6. Set out below are the Commission's salary bands for each of the roles listed at 4.1.2 to 4.1.5 above:

Position	Annual salary band for 2022/23 (\$)	Average annual salary for that role as at 30 June 2023 (\$)
Chief Legal Counsel	176,108 – 238,263	192,357
Senior Legal Counsel	122,923 – 166,307	148,500
Legal Counsel	97,001 – 131,237	106,911
Law Graduate	62,908 / 69,025	62,908
Government Legal Network (GLN) Graduate Programme	The higher figure applies once the secondee obtains their practising certificate	Note: annualised salary. GLN rotations are of eight-month duration.

7. The total spent on salaries for staff in these defined legal roles for the period 1 July 2022 – 30 June 2023 is \$5,326,800.

Further information

8. If you are not satisfied with the Commission's response to your OIA request, section 28(3) of the OIA provides you with the right to ask an Ombudsman to investigate and review this response. However, we would welcome the opportunity to discuss any concerns with you first.

9. Please note the Commission will not be publishing this response to your request on its website. We have informed current Commission staff holding these roles of this request and our response.
10. Please do not hesitate to contact us at oiia@comcom.govt.nz if you have any questions about this response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chantellie Lye'.

Chantellie Lye
OIA and Information Coordinator