

11 March 2024

Ministerial Services 45 Pipitea St, Thorndon PO Box 805, Wellington 6140, New Zealand Phone +64 4 495 7200 Website: www.dia.govt.nz

J Bruning <u>fyi-request-25205-</u> bde14dd0@requests.fyi.org.nz

Dear J Bruning

Official Information Act request (OIA 2324-0590)

Thank you for your request for information dated 16 December 2023 made under the Official Information Act 1982 (the Act) to the Department of Prime Minister and Cabinet (DPMC). You requested the following information:

Dear Department of the Prime Minister and Cabinet,

All advice/memos/reports/communications between Prime Minister and/or Cabinet and the Minister of Finance (or acting Minister of Finance) which refer to or discuss central bank digital currencies (CBDCs). From March 2022 – December 16 2023.

The Department understands that on 21 December 2023 your request was transferred by DPMC to the Reserve Bank of New Zealand - Te Pūtea Matua for response.

On 12 February 2024 your request was subsequently transferred by the Reserve Bank of New Zealand - Te Pūtea Matua to the Department of Internal Affairs (the Department) for response as your request is more closely related to the functions of the Department.

To clarify, the Department will only search for the electronic correspondence and emails of the Rt Hon Dame Jacinda Ardern, Rt Hon Chris Hipkins, and Hon Grant Robertson as this is the correspondence held in our capacity as holders of former Minister's records. The Department will not hold correspondence with Cabinet office or hold Cabinet papers, the rules of release of such papers are governed by the Cabinet manual.

Response to your request

The Department has accepted transfer of your request as it relates to a former Minister of the Crown.

- Former Ministers are not subject to the Act but records from their time as a Minister of the Crown are in scope of the legislation.
- For the purpose of the Act, the Department is deemed to be the agency that holds the records of former Ministers during their time as Ministers of the Crown.

- The Department has in place a set process for accessing and releasing email records of former Ministers of the Crown under the Act. Please see **Appendix A**.
- Electronic records of former Ministers' text messages, WhatsApp, Facebook and other social media messages are searched and retrieved through a separate process.

When commissioning a search of such records on the parliamentary server the Department would provide Parliamentary Service with specific key words, dates or topics, to help condense its search to produce the most accurate and manageable output.

For your request the Department will apply the following approach for your search:

- Time period 1 March 2022 to 16 December 2023
- Individuals Rt Hon Dame Jacinda Ardern, Rt Hon Chris Hipkins, and Hon Grant Robertson.
- Key word Central bank digital currencies, CBDCs

Due to the potential large volume of information to be searched and reviewed for this part of your request, and the consultation that may be required with Rt Hon Dame Jacinda Ardern, Rt Hon Chris Hipkins and Hon Grant Robertson it is generally not possible for the Department to respond to this information request within the 20 working day time limit set out in the Act.

We will therefore extend our response timeframe to 70 working days to 23 May 2024, under the following sections of the Act:

- Section 15A(1)(a) the request is for a large quantity of official information or necessitates
 a search through a large quantity of information and meeting the original time limit would
 unreasonably interfere with the operations of the department or the venture or the
 Minister of the Crown or the organisation; and
- Section 15A(1)(b) consultations necessary to make a decision on the request are such that a proper response to the request cannot reasonably be made within the original time limit.

If you have any concerns with the information in this response, you have a right to request an investigation and review by the Ombudsman under section 28(3) of the Act. Information on how to do this is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

We will endeavour to provide a response to your request sooner than the updated timeframe, where practicable.

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Briget Ridden General Manager – Ministerial Services Te Haumi – Enterprise Partnerships Te Tari Taiwhenua – The Department of Internal Affairs

Appendix A: Process for identifying official information for former Ministers

- 1. The following outlines the search process for searching former Ministers' records:
 - The Department will request the Parliamentary Service to perform a search for email correspondence of the former Minister as specified in the information request terms.
 - The search function in relation to emails held on the parliamentary server is limited. The product used by the Parliamentary Service is based on a single word keyword approach, for example, "OIA," "request" instead of the search phrase "OIA request".
 - Once the Parliamentary Service has identified email correspondence that may fall within the scope of the request, the former Minister would be requested to review the emails to determine if they were sent or received by them in their capacity as a Minister of the Crown (and thus constitute official information), and which emails were not.
 - The former Minister may themself review the identified information or request the Parliamentary Service to complete this step on their behalf.
 - Once emails have been identified as official information, they would be provided by the Parliamentary Service to the Department for consideration of release under the Act.
- 2. Due to the potential large volume of information to be searched and reviewed, and consultation required with the former Minister, it is generally not possible for the Department to respond to an information request within the twenty working day time limit set out in the Act. An extension of at least 60 days or longer is generally required under section 15A of the Act as:
 - (1) Where a request in accordance with section 12 is made or transferred to a department or an interdepartmental venture or a Minister of the Crown or an organisation, the chief executive of that department or board of that venture or an officer or employee of that department or venture authorised by that chief executive or board or that Minister of the Crown or that organisation may extend the time limit set out in section 14 or 15(1) in respect of the request if -
 - (a) the request is for a large quantity of official information or necessitates a search through a large quantity of information and meeting the original time limit would unnecessarily interfere with the operations of the department or the venture or the Minster of the Crown or the organisation; or
 - (b) consultations necessary to make a decision on the request are such that a proper response to the request cannot be reasonably be made within the original time limit.

Any decision on timeframes is considered on a case-by-case basis.