



MINISTRY OF SOCIAL DEVELOPMENT
Te Manatū Whakahiato Ora

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21 AUG 2012

Alex Harris
fyi-request-437-b1c9b161@requests.fyi.org.nz

Dear Ms Harris

Thank you for your email of 30 July 2012 requesting, under the Official Information Act 1982, the following information in relation to the Law Commission's Review of the Official Information Act 1982:

- *a copy of the Ministry's submission*
- *all drafts, advice, and internal communications (including emails) relating to that submission.*

The Law Commission has published the submissions it received on the review of the Official Information Act on its website. I am therefore refusing the part of your request that relates to the Ministry's submission under section 18(d) of the Official Information Act on the grounds that this information is already publicly available.

I have identified a number of internal emails and drafts that fall in the scope of the second part of your request. I am withholding these documents under sections 9(2)(h) and 9(2)(g)(i) of the Official Information Act 1982. The Ministry's submission to the Law Commission was compiled by the Ministry's Legal Services team with input from across the Ministry and therefore a number of the emails are covered by legal professional privilege. In addition, the drafts and emails consist of free and frank expressions of opinions by Ministry of Social Development officials in the course of their duty and I consider that the need to maintain the effective conduct of public affairs outweighs any public interest in releasing this information. The Ministry's position is represented in its final submission.

You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-152
WELLINGTON 6143

Yours sincerely

PP David Shanks
Deputy Chief Executive Corporate and Governance

Page 1 of 1