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K. I. Davis

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[53c5f1ae@requests.fyi.org.nz](mailto:fyi-request-5402-53c5f1ae@requests.fyi.org.nz)

Dear K. I. Davis

Thank you for your request under the Official Information Act 1982 (the Act).

You have requested:

1. *Marilyn Little's response to Rebecca Elvy's email 30/9/16 withdrawing Ngā Taonga from the co-location project at Wigram (Ms Elvy's email has been released in an earlier OIA request);*

This request is being refused under section 18(e) of the Act as the document alleged to contain the information requested does not exist. A telephone conversation between Rebecca Elvy and Marilyn Little took place shortly before the email from Rebecca to Clare Bugden and Justin Angell of the Department's Property Group announcing the withdrawal of Ngā Taonga from the Wigram building on 30 September 2016. A search of the Department's records was undertaken, but returned a nil result for any other reply to Rebecca Elvy's email.

2. *The "Archive Collection and Employees Agreement" (which is referenced in the "Access to TVNZ Archive Collection" Memorandum of Understanding between Ministry for Culture and Heritage and DIA). I am primarily interested in the definition of "Archive Collection". My current understanding is that it relates only to the TVNZ archive collection;*

This document has been supplied by the Ministry for Culture and Heritage and is enclosed with this letter. Please note that some information is being withheld at the request of the Ministry:

Proposed information to withhold	Section of OIA Act	
	Number	Provision
Personal names and contact phone numbers	9(2)(a)	To protect the privacy of natural persons
Employment agreement information	9(2)(a)	To protect the privacy of natural persons
Financial information	9(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information

3. *All documentation held by DIA in relation to clause 3.2 [additions, alternations and repairs] in the License to Occupy Archive Facility document between MCH and Ngā Taonga (i.e. "The Archive Manager [Ngā Taonga] WILL SEEK THE CONSENT OF DIA before undertaking any activity which may have more than a minor effect..."). I am primarily interested to find out what consents have been requested/agreed to or declined by DIA; and*

This request is being refused under section 18(e) of the Act, as the documents alleged to contain the information requested do not exist.

4. *In relation to point 6 [use of DIA fixtures] in the "Access to TVNZ Archive Collection" MoU between MCH and DIA, please supply all documentation held by DIA relating to the additional use of DIA fixtures and fittings for non-TVNZ Archive related material (e.g. apparent agreement from DIA for Nga Taonga to house the Sound Archive's 50,000+ items and other private film collections at Avalon).*

This request is being refused under section 18(e) of the Act, as the documents alleged to contain the information requested do not exist.

You have the right, by way of complaint to the Ombudsman under s 28(3) of the Act, to seek an investigation and review of my response to your request. The contact address is: Office of the Ombudsman, PO Box 10152, Wellington.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Harley Spence', written over a horizontal line.

Harley Spence
General Manager, Property
Shared Services Branch