



3 May 2018

Ref: DOIA 1718-1541

David Lawson

fyi-request-7724-6ce3fa7f@requests.fyi.org.nz

Dear Mr Lawson

Official Information Act request transfer

Thank you for your email of 26 April 2018 requesting, under the Official Information Act 1982 (the Act), the following information:

"...request the provision of all official information that the Ministry of Business, Innovation & Employment holds in respect of the sale of the previously owned Crown Entity FairWay Resolution Limited, into private ownership, lead by the FairWay Resolution Limited Management team. I welcome your provision to me of all official information, including advice provided by, and or to the MBIE to and from any and all parties associated with the sale of FairWay Resolution Limited out of crown ownership that both proceeded the sale and or came into existence following the sale of FairWay Resolution Limited...

...I would also appreciate you providing to me within my request a copy of MBIE's "Cost Benefit Analysis associated directly with the proposed sale of Crown Owned FairWay Resolution Limited, inclusive of MBIE's suggested/indicated sale premium for the purchase" that was completed prior to the sale of the Crown Owned FairWay Resolution Limited into private ownership for which any and all advice was provided by MBIE to any and all third parties associated with, or affected by the sale of FairWay Resolution Limited into private ownership...

...I would also welcome confirmation as to whether MBIE factored into any advice upon the sale of FairWay Resolution Limited any social and natural justice rights of what ACC claimants stood to gain and or lose from the removal of FairWay Resolution Limited from Crown Ownership, including whether MBIE was aware that as a consequence of the sale of FairWay off the government books that FairWay Resolution Limited would claim that they no longer answerable to the statutory obligations of the Official Information Act 1982, for which they were required to comply with prior to the sale of the entity to a non crown owned private interest."

The Ministry of Business, Innovation and Employment (the Ministry) was not responsible for providing advice to Ministers on the sale of FairWay. All work on the sale of FairWay was undertaken by the Treasury as the primary advisors to shareholding Ministers on the Crown's commercial portfolio.

This letter is to advise you that your request has therefore been transferred to the Treasury as the information you have requested is not held by the Ministry. Section 14(b)(i) of the Act allows me to transfer any request where the information is not held by the Ministry, but is believed to be held by another department, organisation or Minister of the Crown.

I trust you find the information helpful. You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kathryn MacIver', with a long horizontal flourish extending to the right.

Kathryn MacIver
Manager, Accident Compensation Policy
Ministry of Business, Innovation and Employment