



Matthew Hooton

fyi-request-9744-15d1b466@requests.fyi.org.nz

Dear Mr Hooton,

Official Information Act 1982 request – advice on change to 5% MMP threshold

I refer to your request of 3 March 2019 seeking the following information under the Official Information Act 1982 (the Act):

all information (whether in documentary or non-documentary form) about:

- 1) *Any and all advice you have received from officials about reducing the 5% threshold in time for the 2020 election*
- 2) *Any and all advice or representations you have received from NZ Greens, NZ First or any other external source on reducing the 5% threshold in time for the 2020 election*
- 3) *Any and all discussions you have had with ministers on reducing the 5% threshold in time for the 2020 election*
- 4) *Whether or not the government has ruled out or will rule out reducing the 5% threshold in time for the 2020 election, and*
- 5) *Whether or not it is government policy that a change to the 5% threshold should only be done by way of referendum*

I note that part one of your request was answered in my initial response to you on 29 March 2019, while parts two – five of your request were declined under sections 9(2)(g)(i) and 9(2)(f)(iv) of the Act.

My office has since been contacted by the Office of the Ombudsman regarding your request and having reviewed your request I am able to update my response as follows:

Part two of your request is declined under sections 9(2)(g)(i) and 9(2)(f)(iv) of the Act.

Part three of your request was incorrectly declined under sections 9(2)(g)(i) and 9(2)(f)(iv) of the Act. Part three should have been declined under section 18(g)(i) of the Act as the information requested is not held by my office and I have no reason to believe that it is held by another department or Minister.

In response to part four of your request, the Government has ruled out reducing the five percent threshold in time for the 2020 election.

In response to part five of your request, the Government has no policy on whether a change to the 5% threshold should only be done by way of a referendum.

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 black ink, appearing to be 'A. Little', written over the typed name.

Hon. Andrew Little
Minister of Justice

CC Office of the Ombudsman