

13 June 2022

Eric Crampton
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The New Zealand Initiative
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REF: OIA-9807

Dear Eric

Request made under the Official Information Act 1982

Thank you for your email of 30 March 2022 requesting the following information under the Official Information Act 1982 (the Act):

I am writing to find out whether the government sought any advice from NZTA before announcing its petrol excise discount, and whether it received any advice on how to apply such a discount to RUC before the government announced the decision.

Please provide any correspondence received by NZTA advising about the government's intended policy prior to its announcement. Please also provide any internal discussion documents, email threads, minutes from relevant meetings, and notes and recollections of officials regarding the government's intended petrol excise and RUC rebate scheme and how it might be operationalised for RUC. I would also like any advice provided to the government by NZTA about the intended policy prior to its announcement.

Further to Waka Kotahi NZ Transport Agency's letter of 23 May 2022, please find enclosed the following documents which fall within scope of your request:

- Attachment 1 - Advice provided to Te Manatū Waka - Ministry of Transport
- Attachment 2 - Implementation of Temporary RUC Reduction

The names and contact details of external parties have been withheld under section 9(2)(a) of the Act, in order to protect the privacy of natural persons, including that of deceased natural persons.

The costs of removing the option for overlapping RUC licences has been withheld under section 9(2)(b)(ii) of the Act. This section allows for the withholding of information that would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.

Information subject to further decisions yet to be made by Ministers has been withheld under section 9(2)(f)(iv) in order to maintain the constitutional conventions for the time being which protect the advice tendered by Ministers and officials.

Information has also been withheld under section 9(2)(g)(i), which allows for the withholding of information in order to maintain the effective conduct of public affairs through the free and frank expression of officials in the course of their duty.

In-house legal advice has also been withheld under section 9(2)(h) of the Act in order to maintain legal professional privilege.

As noted in our acknowledgement email of 30 March 2022, the documents contain the names and contact details of Waka Kotahi staff. As we have not received a response to advise whether these details are required, the information has been deemed as outside of the scope of your request. Information relating to the temporary reduction of public transport fares has also been deemed out of scope.

I understand that Te Manatū Waka - Ministry of Transport is currently planning to release all relevant information, including Cabinet papers and advice provided to Ministers on its website. The relevant web page is www.transport.govt.nz/area-of-interest/revenue/rates-of-petrol-excise-duty-and-road-user-charges/.

With respect to the information that has been withheld, I do not consider there are any other factors which would render it desirable, in the public interest, to make the information available.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to withhold this information. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

If you would like to discuss this reply with Waka Kotahi, please contact Ministerial Services, by email to official.correspondence@nzta.govt.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sam Du Fresne', written in a cursive style.

Sam Du Fresne
Senior Manager Commercial Licensing and Revenue