

20-D-01622

s 9(2)(a)

Tēnā koe s 9(2)(a)

Thank you for your email of 19 August 2020 requesting the following under the Official Information Act 1982 (the Act):

I would like you to provide me with the list of names and their backgrounds, of all the people on the Waste Minimisation Fund Independent Panel and any declarations of interest any member of the panel has made on any application, including my application, during the recent WMF 2020 Expression of Interest (EOI) I applied for being WMF 2020 Expression of Interest (EOI) code CND -CER 037

The Ministry for the Environment has identified two documents in scope of your request, as listed in the following document schedule

Document no.	Document date	Content	Decisions	OIA sections applied
1	7 July 2020	WMF External Panel Bios	Withheld in full	9(2)(a) 9(2)(b)(ii) 9(2)(g)(ii)
2	6 June 2020	WMF 2020 Panel conflicts of interest – Master register	Withheld in full	9(2)(a) 9(2)(b)(ii) 9(2)(f)(iv) 9(2)(g)(ii)

The information within these documents has been withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons, including that of deceased natural persons.
- 9(2)(b)(ii) to protect information where the making available of the information would likely unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.
- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- 9(2)(g)(ii) to maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

Any Expression of Interest (EOI) received by the Waste Minimisation Fund (WMF) via the contestable funding round undergoes assessment by an independent panel (the Panel). The function of the Panel is to inform the Associate Minister for the Environment (the Minister) on making a decision as to which submissions will be invited to submit an application for funding to the WMF. The Panel's role in recommending the commitment of WMF funds to applicants is strictly advisory. The Minister has absolute discretion to accept or decline in whole or part, recommendations of the Panel.

Information pertaining to the names and backgrounds of the independent panel is confidential in order to avoid lobbying and protect the privacy of the Panel. All panel members must declare any interest which conflicts (or might conflict, or might be perceived to conflict) with the interests of the Ministry in ensuring that applications for grants of money under the WMF are assessed fairly and impartially. An interest can be pecuniary or non-pecuniary. Any panel member who is directly or indirectly associated with any application must declare their interest prior to the panel meeting and, if a conflict exists, withdraw from the discussion and decision on that application.

Information pertaining to the assessment and decision making process is confidential and release of information on conflicts of interest which identify submissions prior to a decision made by the Minister may unfairly advantage or disadvantage one or all parties who may have submitted an application.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Executive Relations team ministerials@mfe.govt.nz.

Nāku noa, nā



Shaun Lewis
Director, Waste and Resource Efficiency, System Change and Investments