

17 January 2025

OIAD-1424

9(2)(a)

Tēnā koe 9(2)(a)

Thank you for your request under the Official Information Act 1982 to the Ministry for the Environment, which was clarified on 14 January 2025 to be for:

Can I refine this request to (separately) info relating to info relating to this amendment [238] and:

(1) Private benefit and whether this bill could be done under private legislation

(2) everything relating to mining or exploration Also can remove purely administrative emails (such as requesting sign out) as well.

We have transferred part two of your request to the Ministry of Business, Innovation and Employment (MBIE). Information regarding *info relating to this amendment [238] and everything relating to mining or exploration* is believed to be more closely connected with the functions of MBIE.

In these circumstances, we are required by section 14 of the Official Information Act 1982 to transfer your request. You will therefore hear directly from MBIE concerning that part of your request.

Regarding part 1 of your request, amendment paper 238 sought to include the 149 Listed Projects in schedule 2 of the Fast-track Approvals Bill. Any information relating to private benefit and whether this bill could be done under private legislation was outside of the consideration of Amendment Paper 238 and therefore falls outside of the scope of your request. As a result, part 1 of your request has been refused under section 18(g)(i) of the Act, as no information within the scope of your request is held by the Ministry.

Amendment paper 238 was considered by the Chairperson of the Committee of the Whole House (deputy Speaker), and then subsequently by the Speaker of the House as the members of the House unanimously sought a ruling by the Speaker. The Speaker set out three tests for future application when determining whether provisions are private legislation. The Speaker's ruling can be found on the Parliament website at: www.parliament.nz/mi/pb/hansard-debates/rhr/combined/HansDeb_20241210_20241212_20.

If you are interested in any further information regarding the Speaker's ruling, or the Fast-track Approvals Bill (now the Fast-track Approvals Act 2024), you are welcome to submit a new request for information.

You have the right to seek an investigation and review by the Ombudsman of the decisions relating to this request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

Ngā mihi,



Lachlan Brown
Team Leader, Ministerial Services
Ministry for the Environment | Manatū Mō Te Taiao