



11 April 2024

OIAD-1005

9(2)a

Tēnā koe 9(2)a,

Thank you for your email of 12 March 2024 requesting the following under the Official Information Act 1982 (the Act):

I request that you release all MfE information and advice provided to one or more ministers regarding He Pou a Rangi the Climate Change Commission's "Advice on NZ ETS unit limits and price control settings for 2025-2029" including information and advice relating to its technical annexes. The report was published on 12 March 2024. This includes any relevant communications plans provided to one or more ministers/their offices. For the avoidance of doubt, I am not requesting all advice and information related to all the issues that are broadly covered by the Commission's report, I am requesting information and advice about the report itself and the specific contents of the report, its analysis, and its recommendations.

The Ministry for the Environment has identified two documents in scope of your request, as listed in the attached document schedule. These documents have been released to you in part as some information has been withheld under section 9(2)(f)(iv) of the Act to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

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.

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 Ministerial Services team: ministerials@mfe.govt.nz.

Nāku noa, nā,

Kate Whitwell,
Manager, ETS Policy
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Document no.	Document date	Content	Decisions	OIA sections applied
1	29 February 2024	BRF-4335 Release of the Climate Change Commission's advice on NZ ETS settings	Released in part	S (9)(2)(f)(iv)
2	6 March 2024	PR and Backpocket Q&A for MCC Office - CCC Advice on NZ ETS Price Settings and Unit Limits Updates 2024	Released in part	S (9)(2)(f)(iv)