



Section 9(2)(a)

Thank you for your email of 6 October 2023 requesting the following under the Official Information Act 1982 (the Act):

Update on NZ ETS reporting obligations deferral process

Do you currently have plans to proactively release a summary of submissions and any cabinet papers or briefings to Ministers on the matter? If not, then could they please be provided under the Official Information Act.

The Ministry for the Environment (the Ministry) regularly proactively releases information, including briefings and cabinet papers, on our website. In addition, when we undertake consultation processes, it is our usual practice to proactively release summaries of submissions made.

In response to your request, the Ministry has identified 13 documents in scope of your request, listed in the document schedule attached.

Four documents are being released to you in part, with some information 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)(h) to maintain legal professional privilege.

Five documents are being released to you as excerpts under section 16(1)(e) of the Act, where the information requested by any person is comprised in a document, that information may be made available by giving an excerpt of the contents. Some information has been withheld from these documents under section 9(2)(h), to maintain legal professional privilege and some information has been removed as it is out of scope of your request.

Four documents are being refused in full under section 18(d) of the Act, as the information requested is or will soon be publicly available. Where known, links to where information has been or is expected to be published have been provided.

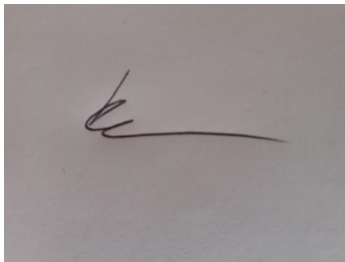
On page 8, paragraph 41 of document 6 '*BRF-2992 Draft Cabinet Paper Approval to consult on the annual update to New Zealand Emissions Trading Scheme limit and price control settings for units*' there is a reference to a cabinet paper (*CAB-224 refers*). I would like to note that this cabinet paper did not go to cabinet.

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.

Yours sincerely

A square image containing a handwritten signature in dark ink on a light-colored background. The signature is stylized and appears to be 'Kara Lok'.

Kara Lok
Manager – Market Development
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Document no.	Document date	Content	Decision	OIA sections applied
1.	28 April 2023	BRF-3129 Progressing an Order in Council to defer NZ ETS reporting obligations for animals-farmer activities	Released in part	Section 9(2)(a)
2.	11 May 2023	BRF-3202 Options to progress an OiC to defer reorting obligations under the NZ ETS for animals-farmer activities	Released in part	Section 9(2)(a) Section 9(2)(h)
3.	15 September 2023	BRF-3680 Briefing: Authorise drafting to make an Order in Council to defer NZ ETS animals-farmers' obligations	Released in part	Section 9(2)(a) Section 9(2)(h)
4.	25 September 2023	BRF-3890 Briefing: Order in Council to defer NZ ETS animals-farmers' obligations - Approval to lodge Cabinet Paper	Released in part	Section 9(2)(a)
5.	21 February 2023	BRF-2687 Pricing system for agricultural emissions – Excerpts of pages 14 & 15	Released as excerpt	Section 16(1)(e) Section 9(2)(h)
6.	3 April 2023	BRF-2992 Draft Cabinet Paper: Approval to consult on the annual update to New Zealand Emissions Trading Scheme unit limit and price control settings - Excerpt of pages 2, 3 & 8	Released as excerpt	Section 16(1)(e) Section 9(2)(h)
7.	20 April 2023	BRF-3140 Next steps on agricultural greenhouse gas	Released as excerpt	Section 16(1)(e) Section 9(2)(h)

		emissions - Excerpt of pages 2, 3, 6, 7 & 10		
8.	21 June 2023	BRF-3457 Timeframe to defer obligations for animals-farmers under the NZ ETS- legally privileged - Excerpt of pages 2, 4, 8, 9 & 10	Released as excerpt	Section 16(1)(e)
9.	19 July 2023	BRF-3588 Lodgement of Cabinet Paper- Pricing system for agricultural emissions - Excerpt of pages 1, 2 & 3	Released as excerpt	Section 16(1)(e) Section 9(2)(h)
10.	14 August 2023	CAB-327 Progress update on agricultural greenhouse gas emissions pricing	Refused in full	Section 18(d) Document can be found at: environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/agricultural-greenhouse-gas-emissions-pricing-progress-update/
11.	August 2023	CAB-353 Deferral of Climate Change Response Act 2002 obligations for animals-farmer activities	Refused in full	Section 18(d) Will soon be published at: environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/consultation-on-a-review-of-the-

				new-zealand-emissions-trading-scheme-to-incentivise-emission-reductions/
12.	25 September 2023	Regulatory Impact Statement	Refused in full	<p>Section 18(d)</p> <p>Will soon be published at: environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/consultation-on-a-review-of-the-new-zealand-emissions-trading-scheme-to-incentivise-emission-reductions/</p>
13.	Date Unknown	Summary of Submissions	Refused in full	<p>Section 18(d)</p> <p>Will soon be published and linked to: consult.environment.govt.nz/climate/deferral-nz-ets-reporting-for-animals-farmers/</p>