



7 July 2026

Ref: OIA-2025/26-0803

[REDACTED]
[REDACTED]
[REDACTED]

Tēnā koe [REDACTED],

Follow-up Official Information Act request relating to Fonterra and Z Energy briefing document

Thank you for your Official Information Act 1982 (the Act) request, which was received by the Department of the Prime Minister and Cabinet (DPMC) on 9 June 2026. You requested:

"My request is specifically seeking information that DPMC holds and not the PM's Office and I don't want it transferred."

Your request was a follow-up to your previous request of 24 May 2026 which was for:

"I am requesting, under the Official Information Act 1982, all information held by your office regarding the Briefing Note handed over by Fonterra and Z Energy in mid 2024."

Specifically, I seek:

- Any correspondence, internal notes, or records relating to the handling, consideration, or outcome of this document;
- Information on any actions taken as a result of the document's submission;
- The current status of the document and any decisions or recommendations made in relation to it.

If any part of my request is unclear or too broad, please let me know so I can refine it. If the information requested is more closely connected with another agency or Minister, I ask that you transfer the relevant parts of my request as appropriate."

We understood your request to relate to a joint briefing document from Fonterra and Z Energy that was reported to have been provided to the former Chief Policy Advisor in the Prime Minister's office in mid-2024. The document related to the Smith v Fonterra litigation.

Our response to your initial request was to advise that we believed the information you had requested was more closely connected to the Prime Minister. As you had made a request for the same information directly to the Prime Minister, we referred you to the Prime Minister's response.

In relation to information held by DPMC, at the time you made your request, I can confirm that DPMC did not hold any information about the joint briefing document from Fonterra and Z Energy. Your request for information held by DPMC is, therefore, refused under section 18(e) of the Act on the basis that information requested does not exist.

This has also been confirmed publicly in the response by the Prime Minister to the Written Parliamentary Question 20436 (2026), which is available on the Parliament website at: questions.parliament.nz/written-questions/question/WQ_20436_2026?lang=en.

I refer you again to the response of 16 June 2026 from the Prime Minister's office that sets out the circumstances of how the document was received in hard copy by the former staff member of the Prime Minister's office and also sent to the same staff member on a private email account.

Since that time both Fonterra and Z Energy have published the joint briefing document on their websites at:

- Fonterra: view.publitas.com/fonterra-comms/climate-change-response-act
- Z Energy: znz-webbackendassets-s3bucket-prod.s3.ap-southeast-2.amazonaws.com/public/Uploads/240626-Smith-Note-on-Legislative-Resolution.pdf.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the DPMC website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Nāku noa, nā



Janine Smith
Deputy Chief Executive, Policy and Delivery Unit