DEPARTMENT OF THE
PRIME MINISTER AND CABINET
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

29 June 2026

Ref: OIA-2025/26-0808

[redacted]

Tēnā koe [redacted],

Follow-up to Official Information Act request OIA-2025/26-0722

Thank you for your follow-up Official Information Act 1982 (the Act) request, which was received by the Department of the Prime Minister and Cabinet (DPMC) on 10 June 2026. You requested:

> *"Thank you for your response dated 10 June 2026 regarding my request concerning the Equal Pay Amendment Bill.*
>
> *I note that DPMC has confirmed that relevant information exists, including:*
> - *Briefings prepared by the DPMC Policy Advisory Group for the Prime Minister;*
> - *Cabinet-related material;*
> - *Emails;*
> - *Draft documents;*
> - *Talking points;*
> - *Inter-agency communications.*
>
> *I further note that searches undertaken by DPMC identified a significant volume of material relating to the Bill.*
>
> *While I acknowledge your decision to withhold certain Prime Ministerial briefings, I am concerned by the refusal of the balance of the request under section 18(f) of the Official Information Act.*
>
> *In particular, DPMC has identified categories of documents and confirmed that searches have already been undertaken. In these circumstances, it appears that there may be scope to provide a schedule of documents, indices, date ranges, document titles, or other information that would allow the request to be refined without refusing access to the remaining material in its entirety.*
>
> *Accordingly, I request that DPMC reconsider whether partial release, a schedule of documents, or further assistance under section 13 of the Official Information Act could be provided to enable a more targeted request.*
>
> *In the alternative, please confirm:*
> 1. *The date range searched by DPMC;*
> 2. *The systems searched;*
> 3. *The DPMC teams involved in the search;*
> 4. *The approximate number of documents identified;*
> 5. *Whether a document schedule exists or could reasonably be prepared."*

We have interpreted this request as seeking details of the information refused under section 18(f) of the Act in our response to your recent request (OIA-2025/26-0722 refers).

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Information identified as in scope and withheld in full

In our decision letter of 10 June 2026, the only material we confirmed as being in scope of your request OIA-2025/26-0722 were briefings provided by DPMC's Policy Advisory Group to the Prime Minister. Most of these briefings had already been identified in responding to previous requests related to the Equal Pay Amendment Bill, so it was possible to respond to your request with respect to these briefings without substantial collation and research.

I can confirm that a schedule of these briefings was prepared to respond to your request. However, for the reasons set out in our response to your earlier request, the information in that schedule is withheld in full under sections 9(2)(f)(ii), 9(2)(f)(iv), 9(2)(g)(i), and 9(2)(h) of the Act. As noted in our letter of 10 June 2026, those provisions allow for the withholding of information to maintain collective and individual ministerial responsibility, to protect the confidentiality of advice tendered by or to Ministers and officials, to maintain the effective conduct of public affairs through the free and frank expression of opinions, and to preserve legal professional privilege. In accordance with section 9(1), DPMC considered the public interest, and concluded that it did not outweigh the reasons for withholding this information. We note that consecutive Ombudsmen have upheld decisions to withhold DPMC Policy Advisory Group briefings, including titles and dates.

Refusal under section 18(f) of the Act

DPMC refused the remainder of your request under section 18(f) of the Act, on the basis that identifying and assessing any emails, talking points, draft documents or other related material we may hold would require substantial collation and research. In refusing this information under section 18(f) of the Act, we did not – and are unable to – confirm what types of information were potentially in scope.

As noted in our response, DPMC interpreted your request as seeking information for the period from 27 November 2023, when the current administration's term began, to 12 May 2025, when the Bill was passed. DPMC searched its information management systems for that date range, with input from the Ministerial Services team and relevant subject matter experts. The searches identified a substantial volume of potentially relevant material, totalling more than 500 records. Each individual record would need to be reviewed, assessed and collated to determine whether it fell within scope. This did not include searches of former staff members' emails for potentially relevant material, which would likely have increased the number of records to be assessed.

Therefore, no schedule of documents exists for the remainder of your request, as DPMC has not determined whether the results returned by its searches are relevant to your request. I am therefore refusing this part of your request under section 18(e) of the Act.

Transfer considered but not required

To the extent your request sought Cabinet material, we noted that such information was more closely connected with the Minister for Workplace Relations and Safety, Hon Brooke van Velden, and the Ministry of Business, Innovation and Employment (MBIE), as the relevant portfolio Minister and lead agency for the Equal Pay Amendment Bill. In making this assessment, we did not confirm whether there was Cabinet material in scope of your request. Although Cabinet Office holds Cabinet papers and minutes, decisions on what material is in scope of a request, and its release, are generally more appropriately made by the responsible portfolio Minister or lead agency.

Ordinarily, DPMC would have considered transferring those parts of your request under section 14 of the Act. However, as you had already made your request to MBIE, DPMC referred you to MBIE's forthcoming response. MBIE confirmed it would work with the Minister's office to consider relevant material.

Reasonable assistance

Finally, you have asked DPMC to consider whether your request could be refined in such a way as to avoid refusal under section 18(f) of the Act, and submitted as a new request. Based on the searches undertaken in responding to your earlier request, we believe a manageable refinement would be for formal advice provided by DPMC to Ministers, including the Prime Minister. Since DPMC has already identified such advice in relation to the Prime Minister and determined that it should be withheld under the Act, the only other refinements we could suggest would be in terms of timeframe. It should be noted that as we have not conducted a search for more refined date ranges, we cannot confirm whether this refined scope would constitute a more manageable amount of collation.

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
DCE, Policy and Delivery Unit