

The Treasury

New Zealand Aluminium Smelters (NZAS) Information Release

September 2013

Release Document

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Key to sections of the Official Information Act 1982 under which information has been withheld.

Certain information in this document has been withheld under one or more of the following sections of the Official Information Act, as applicable:

- [1] 9(2)(a) - to protect the privacy of natural persons, including deceased people
- [2] 9(2)(b)(ii) - to protect the commercial position of the person who supplied the information, or who is the subject of the information
- [3] 9(2)(f)(iv) - to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials
- [4] 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinions
- [5] 9(2)(i) - to enable the Crown to carry out commercial activities without disadvantage or prejudice
- [6] 9(2)(j) - to enable the Crown to negotiate without disadvantage or prejudice
- [7] 9(2)(ba)(i) - to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
- [8] 9(2)(h) – to maintain professional legal privilege

Where information has been withheld, a numbered reference to the applicable section of the Official Information Act has been made, as listed above. For example, a [3] appearing where information has been withheld in a release document refers to section 9(2)(f)(iv).

In preparing this Information Release, the Treasury has considered the public interest considerations in section 9(1) of the Official Information Act.

negotiating on behalf of Meridian and that its expectation was that the parties would endeavour to reach a commercial agreement.

PA then said:

- [2,5,6,7]

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John Crawford asked if that meant PA was not prepared to negotiate with Meridian over the price that it had proposed for the contract variation. PA said that it was not willing to negotiate and that:

- [2,5,6,7]

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John Crawford said that Rio/NZAS had entered into a freely negotiated contract with Meridian, ^[4]

PA agreed that the contract had been freely entered into but

- PA needs NZAS to be cashflow positive – this is about survival
- “circumstances had changed” and when that happens, “contracts need to be rebalanced”

- [2,5,6,7]

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[5]

[2,5,6,7]

[2,5,6,7]

The meeting closed at that point, with John Crawford stating he would pass on PA's request for a meeting with the Minister for SOEs, and respond directly to PA.