

# The Treasury

## New Zealand Aluminium Smelters (NZAS) Information Release

September 2013

### Release Document

[www.treasury.govt.nz/publications/information-releases/nzas](http://www.treasury.govt.nz/publications/information-releases/nzas)

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.

**From:** John Crawford  
**Sent:** Monday, 25 March 2013 6:40 p.m.  
**To:** Peever, David (RTS); Chris White; ^EXT: Brett Shepherd; Adam Wood  
**Cc:** Baker, Phil (PacAl); Biswas, Sandeep (PacAl); Gordon, Lynda (RTS)  
**Subject:** RE: Letter from NZ Treasury

David

Thanks you for your offer to discuss the issues in my letter. If it suits, we would be grateful for a timeslot of 45 – 50 mins to discuss these with you, with the ability to have a follow on call with Ministers if required. We can make anytime tomorrow other than 3.45 to 4.30pm NZT.

Our preference is to have the discussion directly with you and to not involve Meridian or Pacific Aluminium on the call. This is on the basis that the key issue for us is the disclosure issues and that commercial issues remain the responsibility of Meridian and Pacific Aluminium. If Pacific Aluminium is to be on the call, I would prefer Meridian did not participate as I want to ensure that we do not get engaged in discussions that are not within our domain.

On this basis the agenda for the call would be :-

1. Meridian's impending disclosure
2. Rio's review process
3. Our disclosure requirements for the MRP IPO, and the process for NZAS and Rio engagement

Kind regards

**John Crawford** | Deputy Secretary, Commercial Transactions | **The Treasury**  
Tel: +64 4 917 6251 | [1] | [John.Crawford@treasury.govt.nz](mailto:John.Crawford@treasury.govt.nz)

CONFIDENTIALITY NOTICE

The information in this email is confidential to the Treasury, intended only for the addressee(s), and may also be legally privileged. If you are not an intended addressee:

- a. please immediately delete this email and notify the Treasury by return email or telephone (64 4 472 2733);
- b. any use, dissemination or copying of this email is strictly prohibited and may be unlawful.

---

**From:** Peever, David (RTS) [<mailto:David.Peever@riotinto.com>]  
**Sent:** Monday, 25 March 2013 2:59 p.m.  
**To:** John Crawford  
**Cc:** Baker, Phil (PacAl); Biswas, Sandeep (PacAl); Gordon, Lynda (RTS)  
**Subject:** RE: Letter from NZ Treasury

John

Thanks for your letter. I am very happy to talk but cannot do so today . This is a PAC Al issue so in any discussions it is necessary that PacAl Executives are also present .

I have copied Lynda Gordon who will try to schedule a hook up for tomorrow .

I am not across the detail but am having trouble understanding how a negotiation which is apparently proceeding well, suddenly elicits ultimatums and need to understand what is happening here. This has surprised the PacAl team.

Kind Regards,  
David

Sent with Good ([www.good.com](http://www.good.com))

-----Original Message-----

**From:** John Crawford [[John.Crawford@treasury.govt.nz](mailto:John.Crawford@treasury.govt.nz)]  
**Sent:** Monday, March 25, 2013 10:45 AM AUS Eastern Standard Time  
**To:** Peever, David (RTS)  
**Cc:** Baker, Phil (PacAI)  
**Subject:** Letter from NZ Treasury

Dear Mr Peever

Please find attached a letter from the NZ Treasury regarding Meridian, and issues that arise from its proposed disclosure to the NZX.

It also seeks to arrange a telephone call between yourself and shareholding Ministers later today. I believe the letter requires your urgent attention.

Kind regards

**John Crawford** | Deputy Secretary, Commercial Transactions | **The Treasury**  
Tel: +64 4 917 6251 [1] | [John.Crawford@treasury.govt.nz](mailto:John.Crawford@treasury.govt.nz)

CONFIDENTIALITY NOTICE

The information in this email is confidential to the Treasury, intended only for the addressee(s), and may also be legally privileged. If you are not an intended addressee:

- a. please immediately delete this email and notify the Treasury by return email or telephone (64 4 472 2733);
- b. any use, dissemination or copying of this email is strictly prohibited and may be unlawful.