

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.

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28 March 2013

Dear Prime Minister,

Thank you very much for the time you took to speak with us yesterday. We greatly appreciate your preparedness to become personally involved and for the offer you made to try to reach a resolution to the issue of the successful future of NZAS.

While we are unable to accept your proposal for the reasons we discussed, I wanted to again assure you that Pacific Aluminium remains committed to finding a mutually acceptable outcome. Sandeep has also advised in a discussion with Meridian which followed our last discussion that notwithstanding their impending announcement Meridian is prepared to continue negotiating towards a successful outcome. With this, and the direct involvement and support of the New Zealand Government we feel confident that a mutually satisfactory agreement for all parties can be achieved in the very near future.

We are encouraged by this and will do all in our power to bring it to a speedy resolution.

Kind Regards,

David Peever
Managing Director
Rio Tinto Australia