

# **The Treasury**

## **Mixed Ownership Model for Crown Commercial Entities: Treasury Advice Information Release**

**4 September 2012**

### **Release Document**

**[www.comu.govt.nz/publications/information-releases/mixed-ownership-model](http://www.comu.govt.nz/publications/information-releases/mixed-ownership-model)**

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)(h) - to maintain professional legal privilege
- [6] 9(2)(i) - to enable the Crown to carry out commercial activities without disadvantage or prejudice, or
- [7] Information is out of scope or not relevant.

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



Date: 13 January 2012

To: Minister of Finance  
Minister for State-Owned Enterprises  
Associate Minister of Finance (Hon Steven Joyce)

## **Aide Memoire: Mixed Ownership Model – Draft Timeline for Legislation and Consultation with Māori**

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### **Consultation work plan**

We have divided consultation into five work-streams, broadly running sequentially.

- *Analysis and planning:* We have commissioned the MOM companies and selected departments to provide analysis of likely issues and risks that will arise from the consultation. Removing the MOM companies from section 9 of the SOE Act is shaping up as the trickiest issue. We will synthesise departmental and company views with our own analysis next week. This may inform your approach to the consultation process, timeline and material.
- *Consultation material:* We will draft a short consultation document which we propose releasing in the week prior to consultation. Note, we have assumed that shareholding ministers will sign off the consultation material without the need to take it to Cabinet.
- *Hui logistics:* We have 'subcontracted' TPK to take care of logistical arrangements for the hui – such as venues, invitations and distribution of consultation material – through their regional networks. A detailed plan for this is in development, and we are holding off any engagement on logistics outside the public sector until you have considered the broader timing issues.
- *Consultation:* Consultation is proposed to begin with an informal meeting between the PM, Minister of Finance and four senior iwi leaders on 19 January. The public portion of the consultation will kick-off at the iwi leaders group on 5 February and run over eight hui over the next two weeks. Wira Gardiner also plans to meet with the NZMC/FOMA ahead of 5 February. Written feedback will be sought by 22 February.
- *Analysis of feedback:* We have allowed two weeks for officials and ministers to consider the feedback from the hui (one and a half weeks from the final deadline for

written feedback). Ministers will need to consider the feedback as they make decisions on the final shape of the legislation. We also anticipate that consultation will raise issues around opportunities to invest and will consider these views as we advise on allocation policy as the IPO draws closer.

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### **Legislative work plan**

The legislative work plan provides for a first draft prior to consultation with Māori and a revised draft subsequently. It also provides for BORA consultation and political consultation with support parties in parallel with consultation with Māori. You should note that the timetable assumes the legislation is referred straight to Cabinet for approval rather than being considered by LEG.

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### Reporting schedule

As detailed in the timeline, we are planning to report to you on major issues/decisions on the following schedule. Other interim reports will no doubt also be necessary.

Issue(s)	Decision makers	Report date	Decision date
Scan of issues and risks that may arise during the hui	Shareholding ministers	Fri 20 Jan	Tue 24 Jan
Policy decisions prior to consultation arising from draft legislation	Shareholding ministers	Tue 24 Jan	Thu 26 Jan
Approve consultation material	Shareholding ministers	Wed 25 Jan	Fri 27 Jan
Revisions to policy or legislation as a result of consultation	Shareholding ministers	Fri 24 Feb	Mon 27 Feb
Approval of legislation	Cabinet	Thu 1 Mar	Mon 5 Mar

**Chris White**, Manager, Commercial Transactions Group, 5

