

Reference: 20190560

30 September 2019

s9(2)(a)

Dear s9(2)(a)

Thank you for your Official Information Act request, received on 21 August 2019. You requested:

- *all documents, reports, briefings, aides memoire, correspondence prepared by and for Treasury prior to the signing of the 2013 Memorandum of Understanding between the Government and, Lightstorm and Twentieth Century Fox Film Corporation, on the making of three further Avatar feature films.*
- *all documents, reports, briefings, aides memoire, and correspondence prepared by and for Treasury relating to the MOU, and the making of the Avatar sequels, since the signing of that MOU.*
- *any correspondence between Treasury and Lightstorm, Twentieth Century Fox, PBT New Zealand, T Base 2, and Wingnut Films on the Avatar sequels, since the signing of the 2013 MOU.*

On 27 August, a Treasury official contacted you to clarify your request. We explained that Treasury is not involved in decision-making on which productions qualify for the NZ Screen Production Grant and as such the Treasury does not hold any information which contains substantive advice or opinion of either the Avatar sequels or the Memorandum of Understanding, beyond the document we have enclosed. Since you are yet to come back to us in regards to clarifying what information you are after, we have proceeded on the basis that it is just for substantive advice of which we only have the one document. If you do have any further queries please get in touch with [ministerial.services@treasury.govt.nz](mailto:ministerial.services@treasury.govt.nz)

On 19 September, I extended the timeframe to decide on your OIA request. A response to your request is due no later than 2 October.

## Information being released

Please find enclosed the following documents:

Item	Date	Document Description	Decision
1.	2 December 2013	Pre-Cabinet Briefing – 2 December 2013	Release in part

I have decided to release the relevant parts of the document listed above.

In regards to part 3 of your request, there has been no correspondence between Treasury and Lightstorm, Twentieth-Century Fox, PBT New Zealand, T Base 2 and Wingnut Films. Therefore I must refuse this part of your request under the following section of the Official Information Act:

- Section 18(g)(i) - that the information requested is not held by the department or Minister of the Crown or organisation and the person dealing with the request has no grounds for believing that the information is held by another department or Minister of the Crown or organisation, or by a local authority.

Please note that this letter (with your personal details removed) and enclosed documents may be published on the Treasury website.

This reply addresses the information you requested. You have the right to ask the Ombudsman to investigate and review my decision.

Yours sincerely

Natalie Labuschagne  
**Policy Manager, Transitions, Regions, and Economic Development**

# OIA 20190560

## Information for Release

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1. [Pre Cab Briefing 2 December 2013](#)

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**PRE-CAB BRIEFING – 2 DECEMBER 2013**

**Notes:**

- The time for briefing the Minister of Finance and Associate Ministers on Cabinet is **10.00am on Monday 2 December 2013** in **Beehive 7.6**.
- We provide briefing on **9 items** on the Cabinet agenda. We expect **2 oral items**.

**Papers for Cabinet Consideration**

Item	Title	
Description and analysis	Fiscal implications	Treasury recommendation
<i>[Withheld – not relevant to request]</i>		
<b>5</b>	<b>Government Assistance to the Screen Sector</b>	
This paper recommends increasing the level of Government support for the Large Budget Screen Production Grant (LBSPG) and Screen Production Incentive Fund (SPIF), specifically: •Increasing the subsidy from 15% to 20% plus	Unknown, but proposed changes could put pressure on the LBSPG appropriation of	<b>Do not support</b>  There is no urgency for large scale changes to the schemes. If the concern is with retaining

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<p>an additional 5% if significant economic benefit to New Zealand can be proven;</p> <ul style="list-style-type: none"> <li>•Uncapping the overall budget for SPIF and allowing for support to be provided through equity rather than grants.</li> </ul> <p>Past evaluations show small net economic benefits from the subsidies; a total of \$13.6m between 2004-2011 (an annual rate of return of less than 1%).</p> <p>Other jurisdictions are offering increasingly large subsidies to attract films. Continuingly matching overseas subsidies to generate activity in New Zealand is not a sound basis for economic development policy and favours the film industry over other sectors.</p> <p><i>[Withheld -- not relevant to request]</i></p>	<p><b>\$50.5m per annum.</b></p> <p><b>MBIE and MCH officials will report back to Ministers by October 2014 with an assessment of the increased pressure on the existing baselines for the funds and options on how to manage any fiscal pressure.</b></p>	<p>Avatar in New Zealand, <b>Cabinet could consider a one-off concession for this production.</b></p>
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[Withheld -- not relevant to request]



[<sup>2</sup>Withheld -- not relevant to request]



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