

The Treasury

Phase two Overseas Investment Act reform (April - September) Information Release

November 2021

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- [25] 9(2)(b)(ii) - to protect the commercial position of the person who supplied the information or who is the subject of the information
- [34] 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinions
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- [36] 9(2)(h) - to maintain legal professional privilege
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Treasury Report: Overseas Investment Amendment Act 2021: Updated delegations to Hon Dr Woods and Hon Parker

Date:	1 July 2021	Report No:	T2021/1670
		File Number:	IM-5-3-8-12

Action sought

	Action sought	Deadline
Minister of Finance (Hon Grant Robertson)	Approve the updated delegation letters to Associate Ministers of Finance (Hon Dr Woods and Hon Parker), and refer to the Prime Minister for approval. Sign and issue the letter.	12 July 2021
Associate Minister of Finance (Hon Dr Megan Woods)	Note this report.	N/A
Associate Minister of Finance (Hon David Parker)	Note this report.	N/A

Contact for telephone discussion (if required)

Name	Position	Telephone	1st Contact	
Hugo Van Dyke	Senior Analyst, International	[39]	[35]	✓
Thomas Parry	Manager, International			

Minister's Office actions (if required)

Return the signed report to the Treasury.

Send the updated delegation letters, once signed, to Associate Ministers of Finance Hon Parker and Hon Woods.

Note any feedback on the quality of the report

Enclosure: Yes – draft delegation letters (clean) and draft delegation letters (track-change)

Treasury Report: Overseas Investment Amendment Act 2021: Updated delegations to Hon Parker and Hon Woods

1. This report recommends changes to your (Minister Robertson's) delegations to Associate Ministers of Finance Hon Dr Woods and Hon Parker that are necessary to account for amendments introduced under the Overseas Investment Amendment Act 2021 (the Amendment Act).

Background

2. On 5 July 2021, the Amendment Act comes into force. The Amendment Act introduces new powers that may be delegated to the Associate Ministers of Finance, including:
 - a. the power to recommend regulations that require applicants to provide tax information in relation to their investment, including the types of investments the requirement applies to and the information required (tax information powers),
 - b. an extension of the existing power to recommend regulations relating to farmland advertising (for example, exemptions from the requirements),
 - c. additional responsibilities relating to fees reviews, including a requirement to undertake reviews every four years,
 - d. a new power to exempt certain non-New Zealand government investors from the national interest test, and
 - e. the power to recommend the temporary reinstatement of the emergency notification regime (ENR) where justified, which was recently replaced with the permanent national security and public order call-in regime [T2021/576 refers].
3. The Amendment Act also alters existing powers, including those relating to offers to the Crown to acquire special land (now called fresh and seawater areas), and the benefit to New Zealand test. Although, many of the changes will not be in force until 24 November 2021 and 24 May 2022 (six months and one year following Royal assent).
4. The delegation of some these powers, as proposed in this report, is distinct from the other delegation changes that you have recently made [T2021/1113 and T2021/1206 refer].¹

Recommended changes to the delegations to Associate Ministers of Finance Hon Parker and Hon Dr Woods

5. We recommend that you approve and sign the draft delegation letters at Attachments A and B, which:
 - a. delegate to the Associate Minister of Finance (Hon Parker), the tax information powers, extended farm land advertising powers, and new powers and

¹ You recently agreed to updated delegations to the Associate Minister of Finance (Hon Parker) reflecting commencement of the permanent national security and public order call-in regime, and the delegation to the regulator of the power to issue directions for call-in transactions where no conditions are imposed [T2021/1113 refers]. The delegations recommended in this report were not included in that previous delegation because the Overseas Investment Amendment Regulations 2021, which are relevant to these delegations, were still being finalised.

You also agreed to delegate operational powers introduced under the Amendment Act to the regulator, such as the power to grant certain exemptions and to make decisions under the repeat investor test [T2021/1206 refers].

responsibilities relating to fees reviews (see paragraph 2 a - c, above). The scope of these new delegations are generally consistent with your existing general delegation of policy and regulation-making and powers under the Act,

- b. remove from the delegation to the Associate Minister of Finance (Hon Parker) a power which expired on 16 June (clause 26 of Schedule 1AA), which related to recommending regulations for transitional matters, and
 - c. make minor amendments to the existing delegation to the Associate Minister of Finance (Hon Dr Woods) to update amended section references, and to reflect that the powers relating to special land (fresh and seawater areas) will pass to the Minister for Land Information when those provisions commence (see paragraph 3, above).
6. We recommend that you retain the powers to reinstate the ENR and to grant exemptions for non-New Zealand government investors (see paragraph 2 d – e above). These powers form part of the suite of national interest and call-in decision-making powers, which Cabinet agreed should rest with the Minister responsible for the Act (currently yourself, as the Minister of Finance).
 7. In addition to the draft letters, we have provided marked-up versions from the current delegation letters, to provide additional transparency at Attachments C and B. If you approve these letters, you are required to seek the Prime Minister's approval before signing and issuing the letter to the Associate Ministers of Finance (Hon Dr Woods and Hon Parker).
 8. These delegations should be given effect to on or shortly following 5 July 2021, when the Amendment Act commences. It is not essential to have these delegations in place at commencement because they do not relate to decisions that will be immediately required.

Recommended Action

We recommend that you:

- a **Note** that your delegations to Associate Ministers of Finance Hon Parker and Hon Dr Woods must be updated to reflect the new and amended powers introduced under the Overseas Investment Amendment Act 2021.

- b **Approve** the updated delegation letters at Attachment A and Attachment B to give effect to these necessary changes.

Approved/Not approved.

- c **Refer** the updated delegation letters at Attachment A and B to the Prime Minister for her approval.

Referred/Not referred.

- d **Sign** the updated delegation letter at Attachments A and B, following the Prime Minister's approval, and issue to Associate Ministers of Finance (Hon Dr Woods and Hon Parker).

Signed/Not signed.

Thomas Parry
Manager, International

Hon Grant Robertson
Minister of Finance

Hon Dr Megan Woods
Associate Minister of Finance

Hon David Parker
Associate Minister of Finance

ATTACHMENT A
(Letter to Hon Parker)

ATTACHMENT B
(Letter to Hon Dr Woods)

ATTACHMENT C
(Letter to Hon Parker - redline)

ATTACHMENT D
(Letter to Hon Dr Woods - redline)

[date]

Hon David Parker
Associate Minister of Finance

Dear David

This letter updates your delegations as Associate Minister of Finance and replaces my previous letter of 10 June 2021.¹

Role and responsibilities

- 1 After consultation with the Prime Minister, in your capacity as Associate Minister of Finance, I delegate to you the following functions and responsibilities of the Finance portfolio:
 - 1.1 assistance with policy work relating to monetary policy and the review of the Reserve Bank Act 1989;
 - 1.2 assistance on tax policy;
 - 1.3 policy work on the Venture Capital Fund;
 - 1.4 some of the responsibilities, functions and powers of the Minister of Finance under the Overseas Investment Act 2005 – this delegation is described more fully below;
 - 1.5 day-to-day responsibilities, functions and powers as a shareholder in certain Crown-owned companies – this delegation is described more fully below;
 - 1.6 replying to Ministerial correspondence and Parliamentary Questions on issues relating to the above;
 - 1.7 other initiatives as agreed from time to time by us.
- 2 The above delegations are subject to the conditions set out in this letter. Please also refer to paragraphs 2.35 to 2.40 of the Cabinet Manual, which deal with the relationship between Ministers and Associate Ministers.

Overseas Investment Act 2005

- 3 I delegate to you responsibility for overseas investment policy.

¹ The changes to your role and responsibilities are at paragraphs 4 to 7 of this letter; updating your delegations relating to the Overseas Investment Act 2005, as a result of the commencement of the Overseas Investment Amendment Act 2021 on 5 July 2021.

- 4 I delegate to you the functions and powers of the Minister of Finance under the following sections of the Overseas Investment Act 2005:
 - 4.1 section 20, to the extent it relates to class exemptions from the farm land offer criterion or its requirements;
 - 4.2 section 30, which relates to designating the regulator;
 - 4.3 section 32, to allow the delegation of powers and functions set out in this letter to the regulator, where you consider it appropriate to do so;
 - 4.4 section 34, which relates to directing the regulator by a Ministerial directive letter;
 - 4.5 section 36, which relates to approving the regulator issuing guidelines;
 - 4.6 section 38A, which relates to recommending that regulations be made requiring applicants to provide tax information;
 - 4.7 sections 61, 61A, and 61C, which relate to recommending that regulations be made, including responsibility for the review of fees under the Act;
 - 4.8 section 87, which relates to the requirements for notification of a call-in transaction;
 - 4.9 section 126(5), which relates to recommending regulations for the power to use and disclose information relating to national security and public order risks;
 - 4.10 section 127, which relates to recommending regulations for the national interest test and call-in regime.
- 5 Except as set out above, I will retain the functions and powers under Part 3 of the Act, relating to the call-in regime, and sections 20A to 20G relating to the national interest test.
- 6 The delegations in my previous letter of 30 November 2020 will continue to apply to transactions under the emergency notification regime, until the end of the transitional period.
- 7 I have delegated to Hon Dr Megan Woods, the functions and powers of the Minister of Finance under the Act to:
 - 7.1 grant, decline, and impose conditions on, applications for consent;
 - 7.2 revoke consents and vary conditions of consent; and
 - 7.3 grant, decline, and impose conditions on, individual exemptions under the Act (including individual exemptions under section 20 and section 61D).
- 8 I also delegate to you all functions and powers of the Minister of Finance under the Act that are not delegated to Hon Dr Megan Woods, and with the exception of the functions and powers I will retain under Part 3 of the Act and sections 20A to 20G. However, you may both delegate the powers and functions you hold pursuant to section 32, and give notices under regulation 68 of the Overseas Investment Regulations 2005 of the exercise of your powers.

Responsibilities as shareholding Minister in certain Crown-owned companies

- 9 I delegate to you my day-to-day responsibilities, functions and powers as a shareholder in the following Crown-owned companies:

State-owned Enterprises (SOEs)	Electricity Corporation of New Zealand Limited Landcorp Farming Limited New Zealand Post Limited Transpower New Zealand Limited
Companies listed in Schedule 4A of the Public Finance Act 1989	Crown Asset Management Limited Research and Education Advanced Network New Zealand Limited The Network for Learning Limited
Crown entity companies	New Zealand Growth Capital Partners Limited
Crown Research Institutes	AgResearch Limited Institute of Environmental Science and Research Limited Institute of Geological and Nuclear Science Limited Landcare Research New Zealand Limited National Institute of Water and Atmospheric Research Limited New Zealand Forest Research Institute Limited (Scion) The New Zealand Institute for Plant and Food Research Limited

- 10 The day-to-day shareholder responsibilities, functions and powers in relation to a company are the following matters:
- 10.1 sending a letter of expectations to the company, and considering the company's strategic issues letter and business plan;
 - 10.2 providing comments to the company on its draft statement of corporate intent (SCI), statement of intent (SOI), or statement of performance expectations (SPE), as applicable;
 - 10.3 requesting the company to amend its SCI, SOI or SPE, or to produce a new SOI, as applicable;
 - 10.4 accepting an SOI, SCI or SPE;
 - 10.5 presenting the company's planning and reporting documents to the House, as required by the relevant legislation;
 - 10.6 requesting information from the company;

- 10.7 attending an annual meeting of shareholders, or appointing a proxy or representative to attend the meeting on behalf of the Minister of Finance;
 - 10.8 permitting interested directors to vote on a matter;
 - 10.9 approving a change to the company's name;
 - 10.10 receiving notices of intention from the company under sections 96 and 100 of the Crown Entities Act or under section 13 of the Crown Institutes Act 1992 (which relate to the company acquiring subsidiaries or other interests), where applicable; and
 - 10.11 other day-to-day matters, such as receiving briefings from the company, consultation on significant transactions, and replying to Ministerial correspondence about the company.
- 11 On those matters I expect you to work with the other shareholding Minister of the company.
 - 12 I will retain other responsibilities, functions and powers in relation to those companies, including: appointing directors; setting directors' remuneration; directing amendments to an SOI, SCI or SPE; approving major transactions; agreeing amendments to a company's constitution; requiring a company to pay a dividend or net surplus to the Crown; approving a company issuing new shares; and, where applicable, giving a financial approval under section 160(1)(b) of the Crown Entities Act. I welcome your assistance on any of those matters.
 - 13 If there is any doubt as to whether something is a day-to-day matter that has been delegated to you, then please discuss it with me.

Policy

- 14 Although you will have responsibility for policy regarding the Venture Capital Fund and overseas investment, any significant policy decisions should be discussed with me.

Public statements

- 15 I expect you to take responsibility for all communications regarding your areas of responsibility, including Ministerial correspondence, press statements and public announcements.
- 16 Ministerial correspondence concerning significant policy issues should be prepared by the Treasury for my signature, where appropriate. Any significant public announcements should be discussed with me prior to release and, in some cases, may be made either by me or the Prime Minister.

Relations with the Treasury and other departments

- 17 You may contact the Treasury (or, in relation to a company, another relevant department) on all matters for which you have delegated responsibility.
- 18 I expect to be kept fully informed of all significant issues and the Secretary to the Treasury (or, in relation to a company, the relevant chief executive of another relevant department) is, of course, free to raise any matter concerning your delegated functions with me.

- 19 You may arrange to have your own regular briefing sessions or ad hoc meetings with departmental officials to discuss matters relating to your areas of responsibility. A designated member of my office may attend any such meeting.

Communications between us

- 20 You should ensure that I am fully briefed on the actions that you think are necessary to undertake in relation to your delegated responsibilities. All significant papers, letters and directions to the Treasury or another relevant department should be copied to me for my information. In particular, you need to ensure I receive the earliest warning of any issues that have the potential to become controversial. In turn, I will keep you informed of my actions in relation to your areas of responsibility.
- 21 I will also consult with you on policy issues, and on matters related to the implementation of policy initiatives within the Finance portfolio more generally.

Cabinet and Cabinet committee papers

- 22 The rules on the submission of papers to Cabinet and Cabinet committees are set out in Chapter 5 of the Cabinet Manual. In particular, in terms of paragraph 5.42, you may submit papers to Cabinet and Cabinet committees within your designated areas of responsibility, provided that the submission clearly indicates that I have been consulted and have agreed that the paper may be lodged.
- 23 You will have access (for example, via CabNet) to all submissions and minutes, of those Cabinet committees of which you are a member. You will also have access to those submissions relating to your delegated responsibilities that are dealt with at any other Cabinet committee.

Information held by you as Associate Minister

- 24 Under the Official Information Act 1982, all papers held by you in relation to your Associate Minister of Finance responsibilities are deemed to be held on behalf of the Minister of Finance. Similarly, you will be treated as my agent, where necessary, for the purposes of the Privacy Act 1993.
- 25 You will be responsible for all Official Information Act requests in the areas of your delegated responsibility.

Parliamentary responsibilities

- 26 Parliamentary questions relating to your delegated areas of responsibility will be addressed to you. In my absence, you may also be required to answer oral Parliamentary questions on my behalf.

Next steps

- 27 A summary of the above delegations will be published on the Department of the Prime Minister and Cabinet's website, and included in a Schedule of Responsibilities Delegated to Associate Ministers and Parliamentary Under-Secretaries. The Schedule will be presented to the House of Representatives to clarify Ministerial accountability (so that, for example, Parliamentary questions can be directed to the appropriate Ministers for answer).

28 I look forward to working with you in the Finance portfolio. Please do not hesitate to discuss these delegations with me at any time.

Yours sincerely

Hon Grant Robertson
Minister of Finance

cc Secretary of the Cabinet
Secretary to the Treasury
Commissioner of Inland Revenue
Chief Executive of Land Information New Zealand
Chief Executive of Ministry for Business, Innovation and Employment

[date]

Hon Dr Megan Woods
Associate Minister of Finance

Dear Megan

This letter updates your delegations as Associate Minister of Finance and replaces my previous letter of 30 November 2020.¹

Role and responsibilities

- 1 In your capacity as Associate Minister of Finance, I delegate to you the following functions and responsibilities of the Finance portfolio:
 - 1.1 in relation to appropriations in Vote Finance for which I am the appropriation Minister, you will have the responsibilities of the Minister of Finance in relation to the proposals I make;
 - 1.2 in relation to appropriations in Vote Sport and Recreation for which I am the appropriation Minister, you will have the responsibilities of the Minister of Finance in relation to the proposals I make;
 - 1.3 in relation to appropriations in Vote Internal Affairs for which I am the appropriation Minister, you will have the responsibilities of the Minister of Finance in relation to the proposals I make;
 - 1.4 in relation to appropriations in Vote Business, Science and Innovation for which I am the appropriation Minister, you will have the responsibilities of the Minister of Finance in relation to the proposals I make;
 - 1.5 assistance with work relating to Budgets and fiscal management;
 - 1.6 assistance with work on expenditure control;
 - 1.7 all responsibilities, functions and powers of the Minister of Finance under the Overseas Investment Act 2005 to:
 - 1.7.1 grant, decline, and impose conditions on, applications for consent;²
 - 1.7.2 revoke consents and vary conditions of consent; and

¹ The changes to your role and responsibilities are at paragraph 1.7 of this letter; updating your delegations relating to the Overseas Investment Act 2005, as a result of the commencement of the Overseas Investment Amendment Act 2021 on 5 July 2021.

² This includes making decisions regarding offers that the Crown buy “special land”, until the new provisions relating to fresh and seawater areas commence on 24 November 2021, and responsibility passes to the Minister for Land Information.

- 1.7.3 grant, decline, and impose conditions on, individual exemptions under the Act;³
- 1.8 all responsibilities, functions and powers of the Minister of Finance in relation to Greater Christchurch Regeneration;
 - 1.9 day-to-day responsibilities, functions and powers as a shareholder in certain Crown-owned companies – this delegation is described more fully below;
 - 1.10 day-to-day responsibilities, functions and powers of the Minister of Finance relating to Public Trust – this delegation is described more fully below;
 - 1.11 all responsibilities, functions and powers of the Minister of Finance in relation to community trusts under the Community Trusts Act 1999, and responsibility for policy relating to community trusts and the Community Trusts Act 1999;
 - 1.12 assistance with oversight and all related issues regarding New Zealand Green Investment Finance Limited;
 - 1.13 assistance with work relating to public sector carbon neutrality, including the State Sector Decarbonisation Fund;
 - 1.14 replying to Ministerial correspondence and Parliamentary Questions on issues relating to the above; and
 - 1.15 other initiatives as agreed from time to time by us.
- 2 The above delegations are subject to the conditions set out in this letter. Please also refer to paragraphs 2.35 to 2.40 of the Cabinet Manual, which deal with the relationship between Ministers and Associate Ministers.

³ This includes individual exemptions under sections 20 and 61D. In terms of exemptions granted under section 20, you may any grant individual exemptions, and I have delegated responsibility for class exemptions to Hon David Parker. You may also give notices under regulation 68 of the Overseas Investment Regulations 2005 of the exercise of your powers (which power may also be utilised by me and my other delegates).

Responsibilities as shareholding Minister in certain Crown-owned companies

- 3 I delegate to you my day-to-day responsibilities, functions and powers as a shareholder in the following Crown-owned companies:

State-owned Enterprises (SOEs)	Airways Corporation of New Zealand Limited Animal Control Products Limited AsureQuality Limited Kordia Group Limited Meteorological Service of New Zealand Limited Quotable Value Limited
Companies listed in Schedule 4A of the Public Finance Act 1989	Education Payroll Limited Health Benefits Limited Ōtākaro Limited Predator Free 2050 Limited

- 4 The day-to-day shareholder responsibilities, functions and powers in relation to a company are the following matters:
- 4.1 sending a letter of expectations to the company, and considering the company's strategic issues letter and business plan;
 - 4.2 providing comments to the company on its draft statement of corporate intent (SCI), statement of intent (SOI), or statement of performance expectations (SPE), as applicable;
 - 4.3 requesting the company to amend its SCI, SOI or SPE, or to produce a new SOI, as applicable;
 - 4.4 accepting an SOI, SCI or SPE;
 - 4.5 presenting the company's planning and reporting documents to the House, as required by the relevant legislation;
 - 4.6 requesting information from the company;
 - 4.7 attending an annual meeting of shareholders, or appointing a proxy or representative to attend the meeting on behalf of the Minister of Finance;
 - 4.8 permitting interested directors to vote on a matter;
 - 4.9 approving a change to the company's name;
 - 4.10 receiving notices of intention from the company under sections 96 and 100 of the Crown Entities Act or under section 13 of the Crown Institutes Act 1992 (which relate to the company acquiring subsidiaries or other interests), where applicable; and

- 4.11 other day-to-day matters, such as receiving briefings from the company, consultation on significant transactions, and replying to Ministerial correspondence about the company.
- 5 On those matters I expect you to work with the other shareholding Minister of the company.
- 6 I will retain other responsibilities, functions and powers in relation to those companies, including: appointing directors; setting directors' remuneration; directing amendments to an SOI, SCI or SPE; approving major transactions; agreeing amendments to a company's constitution; requiring a company to pay a dividend or net surplus to the Crown; approving a company issuing new shares; and, where applicable, giving a financial approval under section 160(1)(b) of the Crown Entities Act. I welcome your assistance on any of those matters.
- 7 If there is any doubt as to whether something is a day-to-day matter that has been delegated to you, then please discuss it with me.

Public Trust

- 8 I delegate to you the Minister of Finance's day-to-day responsibilities, functions and powers in relation to Public Trust, including under the Public Trust Act 2001 and the Crown Entities Act 2004 (which should be exercised along with the Minister of Justice, as required by the relevant legislation).
- 9 The day-to-day shareholder responsibilities, functions and powers in relation to Public Trust are the following matters:
- 9.1 sending a letter of expectations to Public Trust;
- 9.2 providing comments to Public Trust on its draft statement of intent (SOI) and statement of performance expectations (SPE);
- 9.3 requesting Public Trust to amend its SOI or SPE, or to produce a new SOI;
- 9.4 agreeing to other functions or other business that Public Trust can undertake under section 8 of the Public Trust Act;
- 9.5 agreeing to the Minister of Justice and Public Trust entering agreements under section 44 of the Public Finance Act;
- 9.6 giving directions to Public Trust under the Crown Entities Act;
- 9.7 requesting information from Public Trust;
- 9.8 permitting interested board members to vote on a matter;
- 9.9 receiving notices of intention from Public Trust under sections 96 and 100 of the Crown Entities Act (which relate to Public Trust acquiring subsidiaries or other interests); and
- 9.10 other day-to-day matters, such as receiving briefings from Public Trust and replying to Ministerial correspondence about Public Trust

- 10 I will retain other responsibilities functions and powers in relation to Public Trust, including: appointing board members; accepting Public Trust's SOI and SPE; directing amendments to Public Trust's SOI or SPE; providing Crown funding or advancing money to Public Trust under sections 42 or 52 of the Public Trust Act; requiring Public Trust to pay a profit or surplus funds to the Crown; consenting to Public Trust borrowing or renewing a loan; making determinations about amounts of reserves under section 167 of the Public Trust Act; and giving a financial approval to Public Trust under section 160(1)(b) of the Crown Entities Act. I welcome your assistance on any of those matters.
- 11 I also welcome your assistance on policy work regarding Public Trust and the Public Trust Act 2001.
- 12 If there is any doubt as to whether something is a day-to-day matter that has been delegated to you, then please discuss it with me.

Policy

- 13 Although you will have responsibility for policy regarding Greater Christchurch Regeneration and community trusts, any significant policy decisions should be discussed with me.

Public statements

- 14 I expect you to take responsibility for all communications regarding your areas of responsibility, including Ministerial correspondence, press statements and public announcements.
- 15 Ministerial correspondence concerning significant policy issues should be prepared by the Treasury for my signature, where appropriate. Any significant public announcements should be discussed with me prior to release and, in some cases, may be made either by me or the Prime Minister.

Relations with the Treasury and other departments

- 16 You may contact the Treasury (or, in relation to a company or Public Trust, another relevant department) on all matters for which you have delegated responsibility.
- 17 I expect to be kept fully informed of all significant issues and the Secretary to the Treasury (or, in relation to a company or Public Trust, the relevant chief executive of another relevant department) is, of course, free to raise any matter concerning your delegated functions with me.
- 18 You may arrange to have your own regular briefing sessions or ad hoc meetings with departmental officials to discuss matters relating to your areas of responsibility. A designated member of my office may attend any such meeting.

Communications between us

- 19 You should ensure that I am fully briefed on the actions that you think are necessary to undertake in relation to your delegated responsibilities. All significant papers, letters and directions to the Treasury or another relevant department should be copied to me for my information. In particular, you need to ensure I receive the earliest warning of any issues that have the potential to become controversial. In turn, I will keep you informed of my actions in relation to your areas of responsibility.

- 20 I will also consult with you on policy issues, and on matters related to the implementation of policy initiatives within the Finance portfolio more generally.

Cabinet and Cabinet committee papers

- 21 The rules on the submission of papers to Cabinet and Cabinet committees are set out in Chapter 5 of the Cabinet Manual. In particular, in terms of paragraph 5.42, you may submit papers to Cabinet and Cabinet committees within your designated areas of responsibility, provided that the submission clearly indicates that I have been consulted and have agreed that the paper may be lodged.
- 22 You will have access (for example, via CabNet) to all submissions and minutes, of those Cabinet committees of which you are a member. You will also have access to those submissions relating to your delegated responsibilities that are dealt with at any other Cabinet committee.

Information held by you as Associate Minister

- 23 Under the Official Information Act 1982, all papers held by you in relation to your Associate Minister of Finance responsibilities are deemed to be held on behalf of the Minister of Finance. Similarly, you will be treated as my agent, where necessary, for the purposes of the Privacy Act 1993.
- 24 You will be responsible for all Official Information Act requests in the areas of your delegated responsibility.

Parliamentary responsibilities

- 25 Parliamentary questions relating to your delegated areas of responsibility will be addressed to you. In my absence, you may also be required to answer oral Parliamentary questions on my behalf.

Next steps

- 26 A summary of the above delegations will be published on the Department of the Prime Minister and Cabinet's website, and included in a Schedule of Responsibilities Delegated to Associate Ministers and Parliamentary Under-Secretaries. The Schedule will be presented to the House of Representatives to clarify Ministerial accountability (so that, for example, Parliamentary questions can be directed to the appropriate Ministers for answer).
- 27 I look forward to working with you in the Finance portfolio. Please do not hesitate to discuss these delegations with me at any time.

Yours sincerely

Hon Grant Robertson
Minister of Finance

cc Secretary of the Cabinet
Secretary to the Treasury
Chief Executive of Land Information New Zealand
Secretary for Justice
Secretary for Education
Director-General of Health
Director-General of the Department of Conservation
Chief Executive of Department of Internal Affairs