

Reference: 20220298

30 August 2022



Dear 

Thank you for your Official Information Act request, received on 2 August 2022. You requested the following:

All communications related to the replacement of the Chair of the Productivity Commission.

Also provide me with all documents, including but not limited to texts and emails, related to candidate interviews.

I also request all communications related to the appointment of Ganesh Nana as chair of the Prod Comm.

My request includes, but is not limited to: communications between the Minister of Finance and or his office and Treasury officials; communication between Treasury officials; and, communication between Treasury officials and Prod Comm officials.

Please cover the period Jan 1, 2020 to Dec 30, 2020.

Information being released

Please find enclosed the following documents:

Item	Date	Document Description	Decision
1.	31 August 2020	Excerpts from Briefing: Meeting with Murray Sherwin, Chair of the New Zealand Productivity Commission, 31 August 2020	Release in part
2.	30 November 2020	Excerpts from New Zealand Productivity Commission:	Release in part

		Documentation to Confirm Appointment	
3.	19 November 2020	Excerpts from Productivity Commission: Inquiry and Funding Decisions, November 2020	Release in part
4.	26 November 2020	Excerpts from Upcoming Issues Briefing for the Minister – 26 November 2020	Release in part

I have decided to release the relevant parts of the documents listed above, subject to information being withheld under one or more of the following sections of the Official Information Act, as applicable:

- under section 9(2)(a) – to protect the privacy of natural persons, including that of deceased natural persons,
- under section 9(2)(g)(ii) – to maintain the effective conduct of public affairs through protecting Ministers, members of government organisations, officers and employees from improper pressure or harassment,
- under section 9(2)(k) – to prevent the disclosure of information for improper gain or improper advantage.

Direct dial phone numbers of officials have been redacted under section 9(2)(k) to reduce the possibility of staff being exposed to phishing and other scams. This is because information released under the OIA may end up in the public domain, for example, on websites including Treasury's website.

Please also provide me with any long lists and short lists of candidates that Treasury drafted and or supplied to the Minister of Finance.

Information to be withheld

There are additional documents covered by your request that I have decided to withhold in full under the following sections of the Official Information Act, as applicable:

- under section 9(2)(a) – to protect the privacy of natural persons, including that of deceased natural persons.

Treasury does not release details on unsuccessful candidates, including those on shortlists and longlists, as these are sensitive matters.

In making my decision, I have considered the public interest considerations in section 9(1) of the Official Information Act.

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

A handwritten signature in dark ink, appearing to be 'SK', followed by two long horizontal strokes.

Stella Kotrotsos
Acting Manager Governance and Appointments

OIA 20220298

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2. [New Zealand Productivity Commission - Documentation to Confirm Appointment](#)
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4. [Upcoming Issues Briefing for the Minister - 26 November 2020](#)

Briefing: Meeting with Murray Sherwin, Chair of the New Zealand Productivity Commission, 31 August 2020

Changes among Commissioners

Bill Rosenberg has recently been appointed to the Commission as a fourth Commissioner, alongside Murray Sherwin, Andrew Sweet and Gail Pacheco. Murray's term concludes the 30^h of January 2021 which will reduce the number of Commissioners back to three. s9(2)(a)



Treasury Report: New Zealand Productivity Commission: Documentation to Confirm Appointment

Date:	30 November 2020	Report No:	T2020/3614
		File Number:	CM-0-2-4-2020

Action sought

	Action sought	Deadline
Minister of Finance (Hon Grant Robertson)	Agree to sign attached documentation for submission to Cabinet Office	10.00am, Thursday 3 December 2020 (Cabinet Office deadline)

Contact for telephone discussion (if required)

Name	Position	Telephone	1st Contact
Gael Webster	Manager, Governance and Appointments	s9(2)(k)	s9(2)(g)(ii) ✓

Minister's Office actions (if required)

If signed, **lodge** the attached documentation with Cabinet Office by 10.00am on Thursday 3 December 2020 for the CBC meeting on Wednesday 9 December 2020. **Return** the signed report to Treasury.

Note any feedback on the quality of the report

Enclosure: Yes (attached)

Treasury Report: New Zealand Productivity Commission: Documentation to Confirm Appointment

We understand you wish to recommend to the Governor-General the appointment of Dr Ganesh Nana as Chair and Commissioner of the New Zealand Productivity Commission for a first term of five years from 31 January 2021, replacing current Chair Murray Sherwin.

This report provides you with the documentation to confirm this appointment which should be lodged with Cabinet Office by 10.00am on Thursday 3 December 2020 for the CBC meeting on 9 December.

It is important that the appointment is considered through the Cabinet process before the end of the year to ensure that decisions are confirmed before the current Chair term expires on 30 January 2021.

Following confirmation through Cabinet we will provide appointment letters to send to the Governor-General.

The attached draft Cabinet paper outlines your aspirations for the Productivity Commission and notes how the appointment of Dr Nana will promote their achievement.

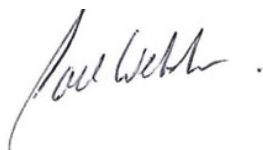
We particularly welcome your confirmation that this section accurately expresses your aspirations, or else your feedback on how it can be amended to better capture your intent. This content will help guide our engagements with the Commission once your office has indicated that we can communicate your decisions and proposals to them.

You may wish to issue a new Letter of Expectations to the Commission, and/or to invite the Commission to produce a new Statement of Intent or Statement of Performance Expectations. You can decide this once you and the new Chair have had time to receive and consider advice on the various options.

Recommended Action

We recommend that you **agree** to sign the attached documentation confirming the appointment of Dr Ganesh Nana to Chair of the Productivity Commission for a first term of five years, for consideration at the CBC Committee meeting on 9 December 2020.

Agree/disagree.



Gael Webster
Manager, Governance and Appointments

Hon Grant Robertson
Minister of Finance




TE TAI ŌHANGA
THE TREASURY

Treasury Report: Productivity Commission: Inquiry and Funding Decisions, November 2020

Date:	Thursday 19 November	Report No:	T2020/3266
		File Number:	SH-11-1-3-1-2-2

Annex One

75. As the Minister of Finance, your main **strategic direction and governance** levers with respect to the Productivity Commission include appointing Commissioners, defining your Letter of Expectations, and providing feedback on Statements of Intent (SOI) and Statements of Performance Expectations (SPE). Here is a brief status update on each of these:
- a You last issued a Letter of Expectations to the Commission in August 2019. The key expectations you expressed were:
 - that the Commission should vary its format of inquiries, including by providing a number of shorter papers or producing defined pieces of evidence; and,
 - that in addition to the standard research function, the Commission should produce *Productivity by the Numbers* on a regular basis.
 - b You provided feedback on a draft SOI 2020-24 and SPE 2020-21 earlier this year. These were finalised in July 2020 and presented to the House. You will have the opportunity to provide feedback on a new draft SPE for 2021-22 in about April 2021.
 - c s9(2)(a) 
76. The Commission has indicated it is happy to meet with you at any time to discuss how it can support you through the exercise of its independent statutory functions.

Treasury Report: Upcoming Issues Briefing for the Minister - 26 November 2020

Date:	26 November 2020	Report No:	T2020/3602
		File Number:	CO-6-2-4

<i>Finance, Treasury</i>	<i>Productivity Commission</i> s9(2)(a)	s9(2)(a)	<i>CBC: 9 December</i>	<i>Governance and Appointments,</i> <i>Gael Webster, s9(2)(k)</i>
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