

## Request for information redacted from Ministerial briefings and Cabinet papers on telecommunications and ultra-fast broadband

<b>Legislation</b>	Official Information Act 1982, s 9(2)(f)(iv)
<b>Agency</b>	Minister for Communications and Information Technology
<b>Ombudsman</b>	Dame Beverley Wakem
<b>Case number(s)</b>	369357
<b>Date</b>	December 2014

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*While some decisions had been made, others were still required, and disclosure would prejudice the orderly and effective conduct of ongoing advisory and decision making processes*

A request for information about telecommunications and ultra-fast broadband was refused under a number of grounds, and the requester complained to the Chief Ombudsman.

The information at issue included partially redacted ministerial briefings and Cabinet papers. Although these papers had been considered, and a decision made to bring forward a review of the regulatory framework, the Chief Ombudsman accepted it was still necessary to withhold parts of them under section 9(2)(f)(iv). The decision to bring forward a review of the regulatory framework was not the culmination of a discrete policy process that had been completed. The review of the regulatory framework had yet to be completed, and the Commerce Commission was also yet to report back on related matters. These ongoing processes may have given rise to a need to revisit the advice that had been tendered previously. It was therefore necessary to withhold the parts of the papers in respect of which additional work was underway, and further advice would be tendered. Disclosure of the earlier advice would prejudice the ability of Ministers and Cabinet to consider the related advice that would be tendered in future.

*This case note is published under the authority of the [Ombudsmen Rules 1989](#). It sets out an Ombudsman's view on the facts of a particular case. It should not be taken as establishing any legal precedent that would bind an Ombudsman in future.*