

# NZ leads the way

# STORY

New Zealand leads the way in Cabinet paper release

In late 2018, New Zealand's Cabinet formalised a commitment to proactively release its materials. Cabinet Ministers are responsible for releasing Cabinet papers and decisions within 30 business days of a Cabinet decision.

## Participation in democracy and policy, and transparency and accountability

The move to routinely release Cabinet papers reflects a key action in New Zealand's (NZ) commitment to the International Open Government Partnership.

The NZ Action Plan delivers on three goals: participation in democracy, public participation to develop policy and services, and transparency and accountability.

Since 1 January 2019, NZ's Cabinet Ministers have proactively released dozens of Cabinet documents.

Papers released include deliberations and decisions on cannabis regulation reform, responses to the Royal Commission of Inquiry into Historical Abuse in State Care, better coordination of Treaty of Waitangi issues, and travel documents.

Proactive release includes publishing a variety of official information, including Ministerial Diaries, without any request from the public. It also involves publishing information that has been requested under the Official Information Act (OIA).

## Performance under Official Information Act improving

The State Services Commission also reports that statistics show an improvement in the timeliness of responses to requests under the OIA, as well as an increase in the number of agencies publishing OIA responses on their websites.

*'Although we continue to rank at the top of most international measures of trust in government, we can always do better and New Zealanders expect nothing less.'*

10 SEPTEMBER 2018

### Government to proactively release Cabinet papers – and Open Government Action Plan to be issued

HON CHRIS HIPKINS

State Services

Cabinet papers will be proactively released, Minister of State Services Chris Hipkins announced today.

The move is part of the Government's wider plan to improve openness and reflects its commitment to the International Open Government Partnership.

The Cabinet papers will be released no later than 30 business days after a Cabinet decision. This process will be in place for Cabinet papers lodged from 1 January 2019, Chris Hipkins – who is also responsible for Open Government – said.

"This change is about being an open and accountable government."

"It will also make it easier for the public to understand government decisions and bolster the accountability of decision makers and advisors."

"Cabinet papers will be released within 30 business days of the Cabinet decision unless there is good reason not to publish. If we can publish it, we will."

The policy introduces a non-statutory process for providing information, separate to but in the spirit of the Official Information Act 1982.

"Although we continue to rank at the top of most international measures of trust in government, we can always do better and New Zealanders expect nothing less."

"This change is consistent with the spirit of the OIA which states that information should be made available unless a good reason exists for withholding it."

"Proactive release of official information promotes good government and transparency and fosters public trust and confidence in government and the public agencies."

Individual ministers will have responsibility for releasing Cabinet papers, which will be subject to an assessment to decide if there are good reasons to withhold any of the information. For privacy reasons Appointments and Honours papers will be excluded.

Proactive release includes publishing a wide variety of official information, without any request from the public and publishing the same or edited information that has previously been released to an individual requester under the OIA.

#### Action Plan

New Zealand's draft Open Government Partnership National Action Plan 2018-20 is being released for comment by the State Services Commission on Thursday.

The draft plan responds to three themes: participation in democracy, public participation to develop policy and services, and transparency and accountability.

Link to Cabinet papers related to proactive release and the action plan.



IN CONFIDENCE  
Cabinet  
Minute of Decision

CAB-18-MN-0418

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#### Strengthening Proactive Release Requirements

Portfolio State Services

- On 3 September 2018, following reference from the Cabinet Business Committee, Cabinet:
- 1 agreed that Cabinet papers, associated minutes and any attachments or appendices to the Cabinet material must be released proactively and published online, with the approval of the relevant portfolio Minister, within 30 business days of final decisions being made by Cabinet, unless there is good reason not to publish all or part of the material, or to delay the release beyond 30 business days;
  - 2 agreed that the policy excludes Cabinet Appointments and Honours Committee material;
  - 3 agreed that the "business day" is a day of the week other than:  
3.1 Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, and Waitangi Day;
  - 3.2 if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and
  - 3.3 a day in the period commencing 25 December in any year and ending 20 January in the following year;
  - 4 agreed that the counting of the 30 business days commences from the date of the Cabinet meeting at which final decisions are made;
  - 5 noted that the relevant portfolio Minister can also decide to release related key advice papers at the same time;
  - 6 agreed that the definition of key advice papers is only those papers that are:  
6.1 addressed to the Minister taking the item to Cabinet, and  
6.2 seeking agreement from the Minister to recommendations that have subsequently been decided by Cabinet;
  - 7 noted that the policy does not propose that:  
7.1 information should be released that would not be released if requested under the Official Information Act 1982; or

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