



4 June 2024

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Reference: OIA-2023/24-0850
OIA-2023/24-0851

Dear [Redacted]

Two Official Information Act requests relating to the Emergency Management Bill and provisions for animals

Thank you for your two Official Information Act 1982 (the Act) requests received on 10 May 2024. This letter addresses both these requests. In the first request, you sought:

"In the following proactively released document on the agency's website:

*"Briefing: Emergency Management Bill: overview and next steps" dated 28/11/2023
<https://www.civildefence.govt.nz/assets/Uploads/documents/proactive-release/Release-version-Documents-relating-to-the-Governments-decision-to-not-proceed-with-the-Emergency-Management-Bill.pdf>*

The document states (p. 11) that:

"The majority of submissions (192 of 300) are about protecting animals in emergencies. Most of these submissions are supporting either of two campaigns".

The number of submissions is different from that as publicly available from:

*[https://urldefense.com/v3/__https://www.parliament.nz/en/pb/sc/scl/governance-and-administration/tab/submissionsandadvice?criteria.Keyword=*22Emergency*Management*Bill*22&criteria.Timeframe=&criteria.DateFrom=&criteria.DateTo=&parliamentStartDate=&parliamentEndDate=&criteria.DocumentStatus=__;JSsrJQ!!Asq5-8xVch3Reg!oBcYxX9xrf2dVFbnjs5wQieCrYpU3buDsCUEGN8VbchVG59LY6xphXqK2xJnaSPqqyPF3s1WkatjQ-_s5P0piwf8FSK2UHT9wmEDPjhV1WXeQ\\$](https://urldefense.com/v3/__https://www.parliament.nz/en/pb/sc/scl/governance-and-administration/tab/submissionsandadvice?criteria.Keyword=*22Emergency*Management*Bill*22&criteria.Timeframe=&criteria.DateFrom=&criteria.DateTo=&parliamentStartDate=&parliamentEndDate=&criteria.DocumentStatus=__;JSsrJQ!!Asq5-8xVch3Reg!oBcYxX9xrf2dVFbnjs5wQieCrYpU3buDsCUEGN8VbchVG59LY6xphXqK2xJnaSPqqyPF3s1WkatjQ-_s5P0piwf8FSK2UHT9wmEDPjhV1WXeQ$)*

It is not clear how NEMA have reported a different number of submissions that what is provided for on the Parliament website.

On this basis, I request that all 300 submissions are supplied. It is preferable that these are supplied as individual PDFs (in a ZIP or cloud folder)."

In the second request, you requested:

"In the proactively released document on the discharging of the emergency management bill as published on the agency's website:

<https://www.civildefence.govt.nz/assets/Uploads/documents/proactive-release/Release-version-Documents-relating-to-the-Governments-decision-to-not-proceed-with-the-Emergency-Management-Bill.pdf>

It states:

*8. Based on submissions the following aspects of the Bill are contentious:
8.4 lack of provisions relating to animal welfare during emergencies;*

Based on the above, can you supply documents held that informed this position and any other information that substantiates the claim animal welfare improvements were contentious.

A cursory review of all public submissions found the majority related to animal welfare, and there were no occurrences of submissions suggesting changes were contentious. If anything, the submissions made pertaining to animal welfare were unanimous.

It is not clear how 65% of all public submissions wanted to see animal welfare focused on, yet out of all the proactively released reports, animals get a mere two short sentences out of 39 page report. It would appear the reports and advice is not reflective of that what citizens have asked for within what should be transparent democratic processes.“

The discrepancy you have identified between the figure of 300 submissions, mentioned at page 11 in the briefing *Emergency Management Bill: overview and next steps* (the Briefing), and the total number of submissions publicly available on the Parliamentary website is the result of the Briefing being prepared before all submissions were provided to the National Emergency Management Agency (NEMA). The Briefing states at paragraph 32 “at 24 November the Committee has forwarded 300 submissions to NEMA and said it will provide the remaining handful of submissions with [sic] the next week or so”.

The National Emergency Management Agency (NEMA) do not have an exact record of the 300 submissions referred to at page 11 of the Briefing. To compile this from records would require a manual review of when each submission was received which would amount to substantial collation. In the circumstances, your request is refused under section 18(f) of the Act – the information cannot be made available without substantial collation. I have considered whether refinement, extension or charging would assist us to respond; however, I have determined in this instance the administrative burden would remain.

All submissions on the Emergency Management Bill are publicly available and appear here on the Parliamentary website at <https://bills.parliament.nz/v/6/0d1391e5-198f-44b9-8670-08db66e3a6bf?Tab=history>

In the second request you refer to the Cabinet paper *Discharging the Emergency Management Bill* (Cabinet Paper). This Cabinet Paper lists aspects of the Emergency Management Bill (the Bill) that are contentious, including the lack of provisions in the Bill relating to animal welfare emergencies. The Cabinet Paper does not set out that animal welfare improvements are of themselves contentious.

The evidence supporting the statement that the lack of provisions relating to animal welfare during emergencies is contentious are the 194 submissions that call for changes to be made to the Bill in relation to animal welfare during emergencies.

The submissions made on this Bill, being the evidence mentioned above, are publicly available at the Parliamentary website referred to above.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Anthony Richards
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