

6 October 2022

9(2)(a)

Tēnā koe 9(2)(a)

I refer to your Official Information Act (OIA) request of 7 September 2022, for the following information:

... any communication between MCH and the heads of TVNZ, NZO on Air and RNZ (or those representing those organisations at the top level) regarding ANZPM, its proposed legislation and future funding.

On 19 and 22 September, you clarified the request to:

...emails (starting September), discussing concerns raised around NZ On Air's funding decisions in relation to ANZPM. The emails include discussions between the Ministry's Leadership team and NZ On Air.

For the sake of completeness, we have further interpreted the scope of your request to include emails up to 28 September, as this was when the Acting Chief Executive, Heather Baggott, of Manatū Taonga sent a closing email response on the matters raised in communications.

Emails in scope of the clarified request are attached, with some information withheld for the following reasons:

- section 9(2)(a) – to protect the privacy of natural persons
- section 9(2)(b)(ii) – to protect the commercial position of the person who supplied the information, or who is the subject of the information
- section 9(2)(ba)(i) - to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
- section 9(2)(f)(iv) – to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials
- section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions.

Please note that the meeting with NZ On Air mentioned in Heather Baggott's email of 28 September to Cameron Harland (subject: MCH ANZPE and NZ On Air) was postponed to 3 October due to Select Committee commitments.

Funding decisions concerning ANZPM and NZ on Air

As background, some context around funding decisions is outlined below.

The Government's investment in public media and content through the creation of the new public media entity, ANZPM, will result in more contestable funding overall across all commissioning platforms (NZ On Air, ANZPM, Whakaata Māori and Te Māngai Pāho) – and more contestable funding available for local content producers.

While the change in funding arrangements means that NZ On Air will be managing a smaller overall budget, there is no less money available for the wider media and content production sectors. Of the \$84.8m of the redirected NZ On Air funding going to the merged entity, \$42.6m is RNZ platform operational funding already passed through NZ On Air and \$42.2m is contestable funding.

In addition, Budget 2022 decisions mean that the Government will invest \$109m per annum net new Crown funding for ANZPM to provide operational funding certainty to the new entity and to address the challenges of continued public media delivery.

As you will be aware, the Bill establishing the new public media entity is currently being considered by Select Committee. The intent in establishing ANZPM is to support collaboration across the media sector, including in relation to content production.

Work on the establishment of ANZPM has involved significant engagement with the sector and with NZ On Air, TVNZ and RNZ to understand the effects on the sector of the change in funding arrangements, and to help provide as much certainty as possible during the legislative, establishment and transition stages.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at: www.ombudsman.parliament.nz or freephone 0800 802 602.

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