

13 February 2023

DOIA23/013

s9(2)(a)

Tēnā koe s9(2)(a)

I refer to your request received on 13 January and clarified on 16 January 2023, which has been considered under the Official Information Act 1982 (OIA), for the following information:

*We request copies of all advice and information provided by Manatū Taonga (Ministry of Culture and Heritage) from 2017 to the current date to either Minister Curran, Minister Faafoi or Minister Jackson regarding the possibility, viability and/or potential to fund public media and/or local media content via a levy or levies on internet service providers, online advertising sales (eg by Google and Facebook), pay TV, video-on-demand and streaming services, digital device sales and/or other digital services.*

Please find below a response to your requests, broken down by advice received by each Minister mentioned in the request:

1. Hon Willie Jackson

**Information being released**

We searched our database and were unable to find any advice provided to Hon Jackson regarding the viability of a levy that is not already public.

**Information publicly available**

The following information is also covered by your request and is publicly available on the following websites:

| Item | Document Description  | Link  |
|------|---|---|
| 1    | Cabinet Paper (Supporting commercial bargaining for online news)  | <a href="https://mch.govt.nz/sites/default/files/projects/cab-rel-online-news-151222.pdf">https://mch.govt.nz/sites/default/files/projects/cab-rel-online-news-151222.pdf</a>   |
| 2    | *Departmental Report to the Economic Development, Science and Innovation Committee (Aotearoa New Zealand Public Media Bill) | <a href="https://www.parliament.nz/resource/en-NZ/53SCED_ADV_125298_ED11219/7aca01b555a9ad8b84879691ca11fb0fd9e2dd34">https://www.parliament.nz/resource/en-NZ/53SCED_ADV_125298_ED11219/7aca01b555a9ad8b84879691ca11fb0fd9e2dd34</a> |

\*The Departmental Report was provided to the office of Hon Jackson.

## 2. Hon Kris Faafoi

### Information being released

Please find enclosed the following documents:

| Item | Date                             | Document Description  |
|------|----------------------------------|---|
| 1    | For fortnight beginning 4/03/19  | Extract from broadcasting status report (BR2019/112)  |
| 2    | For fortnight beginning 15/04/19 | Extract from broadcasting status report (BR2019/187)  |
| 3    | For fortnight beginning 23/03/20 | Extract from broadcasting status report (BR2020/142)  |
| 4    | 12/11/20                         | *Talking points for meeting with Michael Boggs (AM2020/457)   |
| 5    | 17/11/20                         | *Extracts from a letter sent by ANZA Chief Executive to Hon David Clark which was copied to the Office of Hon Faafoi. |
| 6    | For fortnight beginning 19/07/21 | Extract from broadcasting status report (BR2021/402)  |
| 7    | For fortnight beginning 27/08/21 | Extract from broadcasting status report (BR2021/488)  |
| 8    | 29/10/21                         | *Digital platforms and news media: Supporting commercial arrangements and the OECD tax solution (BR2021/593)          |
| 9    | 25/03/22                         | Supporting the sustainability of news media in a digital environment (BR2022/108), in scope excerpt provided below.   |

\*Released previously under the OIA.

### Item 9 (extract from BR2022/108):

73 A broader approach to the discussion document could be pursued, where stakeholders are consulted on a range of options (for example, a levy on digital platforms and copyright reform). However, our previous advice to you and BR2022/108 Supporting the sustainability of news media in a digital environment 16 conversations with other agencies suggests that a digital bargaining framework is the option most likely to support the desired policy outcomes.

The purpose of the briefing (BR2022/108) was to seek approval to release a targeted discussion document to:

- gather wider views and evidence on the nature of the relationship between global digital platforms and New Zealand news media businesses; and
- explore how a digital bargaining framework could support the news media sector, or whether other options should be considered.

## 3. Hon Claire Curran

We searched our database and were unable to find any advice provided to Hon Curran regarding the viability of a levy.


I have decided to release the above material, subject to information being withheld under the following sections of the OIA:

- Section 9(2)(a) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- Section 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

If you wish to discuss this decision with us, please feel free to contact [OIA@mch.govt.nz](mailto:OIA@mch.govt.nz).

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

Nāku noa, nā  
s9(2)(a)



Emily Fabling  
**Pou Mataaho o Te Aka - Deputy Chief Executive, Policy and Sector Performance**