

24 May 2021

[REDACTED]

Dear [REDACTED]

REQUEST UNDER THE OFFICIAL INFORMATION ACT 1982

Thank you for your Official Information Act 1982 (“OIA”) request, which we received on 1 May 2021. You have requested:

- 1) that we turn our minds to other forms of communication raised in your first OIA request of 11 March 2021 (conversations, telephone calls, texts, notes etc.), investigate whether or not such communication occurred, and confirm that there was no such communication.
- 2) we release names of the non-government actors with whom we corresponded. With the exception of Mr Minto, who has consented to his name and details being released, these names were withheld in our response to your 11 March 2021 request.
- 3) a copy of letters together with any other communication between the non-government actors and the Guardians prior to 1 January 2020.

Our response

Our Investment Committee paper and minutes that you have already seen clearly set out the factors were taken into account in our decision which reflect the robust process in our Responsible Investment Framework and Statement of Investment Policies, Standards and Procedures. Furthermore, at our 18 December 2020 Investment Committee meeting we held a refresher on the relevant criteria under our Responsible Investment Framework and the relevant factors/considerations under it. At this session it was noted that decisions are based upon criteria which is relevant under the framework (and not extraneous information or perspectives).

In response to your specific requests:

- 1) We can confirm that we have provided you with all the information we identified in respect of your enquiry.
- 2) We have considered your claim that the right to privacy set down as a reason to withhold information under section 9(2)(a) of the OIA should not apply in this situation and consulted again with the individuals concerned. The Israel-Palestine conflict is a highly emotive and contentious topic in New Zealand. As a consequence, these individuals are concerned that the disclosure of their identity could put them at risk of attracting unwanted and adverse attention and disclosure could therefore also cause unwarranted distress. After careful consideration based on information available to us, we have decided that there is not sufficient public interest in the release of these individual's names and personal contact details to outweigh the need to protect their legitimate privacy interests. We note that our correspondence with them has been released in full in all other respects and that we have made available on our website a large number of documents relating to our decision to exclude the five banks, including the proactive disclosure of the Investment Committee paper

noted above. The correspondence enables you to assess the nature of what was conveyed to us, and the materials show that it was not a factor in our decision-making process. These documents are available at: <https://www.nzsuperfund.nz/publications/disclosures/oia/>

- 3) This correspondence is attached at **Appendix 1**. Names, contact details and identifying/personal information has, in some instances, been withheld pursuant to Section 9(2)(a) of the OIA.

General

You have the right to seek a review by the Ombudsmen's Office of our response to your request.

Please note that we may choose to publish our response to your request on our website at www.nzsuperfund.nz.

Yours sincerely



Catherine Etheredge
Head of Communications
Guardians of New Zealand Superannuation