



Ref: OIA 2024-015

[REDACTED]
[REDACTED]

Kia ora [REDACTED]

Thank you for your request of 10 April 2024. The Climate Change Commission (the Commission) has considered your request in accordance with the Official Information Act 1982 (the Act). I have addressed each part of your request below.

“What policies are in place to prevent a conflict of interest from occurring in the Climate Commission. When were these policies last updated?”

[...]

“If a conflict of interest was identified what is the process for addressing that conflict?”

As advised in previous responses to you, the Commission has an interests policy that sets out its approach to the disclosure of Commissioner’s interests, and live register of interests. The register also explains the management of those interests if and when they arise in matters before the Commission. Both the policy and the register can be found on our website: [Our interests policy and register](#)

I rely on [section 18\(d\)](#) of the Act to support my decision to not supply this information in this response, as the information is publicly available.

“What discussion has there been regarding a conflict of interest regarding Francois Tumahai and Lisa Tumahai and coal mining in their rohe?”

[...] what discussions have occurred regarding coal mining lobbying and the Climate Commission’s integrity?”

The Commission is made up of a group of independent experts with diverse skills and experience in areas critical to the Commission’s work. This includes adaptation, agriculture, economics, climate science, mātauranga and the Māori-Crown relationship. Because of their skills, experience, and knowledge it is not unusual for Commissioners to have interests that relate to the Commission’s work.

As outlined in the interests policy above, when Commissioners declare their interest, the Chair and Board may discuss how to manage the interest. As advised in previous responses to you, when Lisa Tumahai’s interest was declared in April 2021, the Chair and Board considered the interest. It was discussed by the Board and unanimously agreed that Lisa’s conflict of interest is outweighed by the value that her perspective brings and the importance of iwi representation on the Board.

As advised in our 28 October 2021 correspondence, the concerns raised by you relating to Ms Tumahai and interests relating to mining were discussed at a Board meeting on 20 October 2021, and the Board agreed

that the existing mitigation was appropriate and sufficient. The minutes from that meeting are publicly available [here](#).

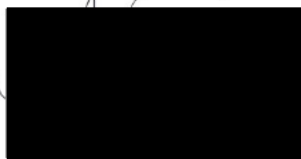
We are unable to determine whether any other discussions may have taken place across the Commission regarding this interest, nor are we able to determine whether discussions may have taken place *“regarding coal mining lobbying and the Climate Commission’s integrity”*. In order to gather information on such discussions, we would need to search through the correspondence, notes, records, and memories of all past and present employees of the Commission since it was established in December 2019.

I believe determining whether the requested information is held, as well as searching for, retrieving, extracting and compiling it in order to consider it under the Act, constitutes substantial collation and research. I rely on [section 18\(f\)](#) of the Act to support my decision to not supply this information.

You have the right to seek an investigation and review of this response by the Office of the Ombudsman, in accordance with section 28(3) of the Act. Contact details for the Ombudsman can be found on their website at: www.ombudsman.parliament.nz

Please note that the Commission proactively releases its responses to requests made under the Act. This is to help ensure others can also have access to this information. As such, this letter will shortly be published on our website with your name and contact details redacted to protect your privacy.

Ngā mihi



Astrid Nunns,
General Manager, Strategic Operations