



1 April 2021

Ref: DOIA 2021-0062

Shane Gibson

fyi-request-13233-2f448173@requests.fyi.org.nz

Dear Shane Gibson

Thank you for your email of 3 July 2020 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

- *Please provide copies of all Memorandum Of Understanding (MOU's) signed in the last five years related to the sharing of data to organisations outside your organisation.*

On 16 November 2020, your request was clarified to exclude any MoUs MBIE may hold with non-government sector organisations.

The table below lists the documents that fall within scope of your request.

Doc	Title/Subject	MoU Partner Org
1	Sharing data for the purposes of border management	Department of Home Affairs, Australia
2	Automated exchange of information	Department of Home Affairs, Australia
3	Advance notice of removals/deportations and the reciprocal exchange of personal, criminal history and corrections information for the management of removals/deportations	Department of Home Affairs, Australia
4	Provision of advice and information relating to certain high-altitude licence applications	Civil Aviation Authority
5	MoU Between the MBIE (Immigration New Zealand) and the New Zealand Customs Service	New Zealand Customs Service
6	MoU Between Energy Efficiency and Conservation Authority and MBIE	Energy Efficiency and Conservation Authority
7	Immigration New Zealand and Education New Zealand MoU 2018	Education New Zealand
8	Relating to the provision of access to MBIE's Investment Management System	Inland Revenue
9	For the provision (and review) of company and limited partnership removals and exchange of information about registered companies and limited partnerships	Inland Revenue
10	Relating to the supply of information for the administration of parental leave payments	Inland Revenue

Doc	Title/Subject	MoU Partner Org
11	Bulk supply of information that is publicly available on the Companies Register	Inland Revenue
12	To share data provided by a third party supplier	Ministry of Housing and Urban Development
13	Identification of eligibility status for the purposes of publicly funded health and disability services	Ministry of Health
14	Providing access to 'Organisation Parts' information through the New Zealand Business Number register	Ministry of Health
15	MoU relating to the sharing of information for fishing vessels, their crew, and other associated parties	Ministry for Primary Industries & Maritime New Zealand
16	Information Sharing: NGO Accreditation Information- August 2017	Ministry of Social Development
17	Information Sharing: NGO Accreditation Information- April 2016	Ministry of Social Development
18	Use of Information from the MBIE Rental Bond Dataset	Ministry of Social Development
19	Immigration New Zealand and the New Zealand Qualifications Authority – MoU - 2015	New Zealand Qualifications Authority
20	MoU Between MBIE and the New Zealand Police	New Zealand Police
21	Sharing of biometric information to assure identity*	New Zealand Police
22	In respect of the provision of information about Student Fee Protection administered by Public Trust under Student Fee Protection Rules 2013	Public Trust
23	Disclosure of relevant information for immigration, border protection, law enforcement and public safety purposes**	Members of Pacific Immigration Development Community
24	Umbrella MoU for Surveys and other data services	Statistics NZ
25	Schedule A – The Supply of MBIE data to the Integrated Data Infrastructure	Statistics NZ
26	Immigration New Zealand and the Tertiary Education Commission – MoU - 2017	The Tertiary Education Commission
27	Regarding the Exchange of Information	The United Kingdom Secretary of State for the Home Department acting through the Home Office
28	INZ, MBIE and WorkSafe New Zealand	WorkSafe New Zealand

* Please note – points 8-13 of this schedule do not represent current practice. This schedule is soon to be updated to reflect current practice.

** Please note – this MoU has been signed by 18 Members of the Pacific Immigration Development Community, with work being undertaken to support the last three members meet domestic processes and requirements for signature.

Some information has been withheld under the following sections of the Act:

- section 9(2)(a), which allows for information to be withheld to protect the privacy of natural persons, including that of deceased natural persons;
- section 9(2)(g)(ii), which allows for information to be withheld to maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment;
- section 9(2)(j), which allows information to be withheld to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); and
- section 9(2)(k), which allows information to be withheld to prevent the disclosure or use of official information for improper gain or improper advantage.

I am satisfied that the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

Some information has also been withheld under:

- section 6(a) of the Act, which allows for information to be withheld in cases where providing it would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand; and
- section 6(c) of the Act, which allows information to be withheld in cases where providing it would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

The following MoUs have been withheld in full under Section 18(d) of the Act, as the information requested is publicly available:

- MoU between the Department of Citizenship and Immigration of Canada and the Canada Border Services Agency and the New Zealand Ministry of Business, Innovation and Employment (Immigration New Zealand) Concerning the Exchange of Information on a Case-by-case Basis
- Agreement between the Government of the United States of America and the Government of New Zealand for the Sharing of Visa and Immigration Information
- Approved Agency Agreement to access the New Zealand Police Vetting Service.

These MoUs can be found at the following links:

- www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/policies-operational-instructions-agreements/agreements/memorandum-arrangement-canada-border-services-agency-new-zealand-ministry-business-innovation/annex.html
- www.state.gov/wp-content/uploads/2019/02/17-1002.1-New-Zealand-Consular-Affrs-Visa-and-Immigrat.pdf
- www.police.govt.nz/about-us/publication/approved-agency-agreement-aaa.

A MoU between MBIE and the New Zealand Customs Service regarding information related to passengers potentially of interest has been withheld in full under section 6(c) of the Act.

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 or freephone 0800 802 602.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'MPA', is positioned above the printed name.

Melanie Porter

GM, Engagement, Communications and Ministerial Services
Ministry of Business, Innovation and Employment