

10 March 2014

Mr Alex Harris

Email address fyi-request-1451-826d0bda@requests.fyi.org.nz

Dear Mr Harris,

1. Thank you for your Official Information Act 1982 (OIA) request of 11 February 2014 concerning the cancelling of New Zealand passports for national Security. Your request was originally sent to the Ministry of Business Innovation and Employment but was transferred to the Department of Internal Affairs (**Department**) as your request related to New Zealand passport information.
2. In summary you have asked for the occasions since 2012 that the Minister has invoked:
 - a. section 4A of the Passports Act 1992 (**Act**) and refused to issue a passport on grounds of national security. If so whether this was challenged;
 - b. section 8A of the Act;
 - c. section 27B of the Act and refused to issue a refugee travel document on the grounds of national security, if so was the refusal challenged ; and
 - d. section 27E of the Act and cancelled a refugee travel document on grounds of national security and whether any refusal was subsequently challenged?
3. There have been no occasions where the Minister has invoked section 4A of the Act.
4. In terms of section 8A of the Act, since 2012 the Minister has cancelled six passports in accordance with section 8A. Two were in 2012 and four in 2013. (a total of seven New Zealand passports have ever been cancelled under section 8A since the legislation was introduced)
5. In instances where a passport is cancelled pursuant to section 8A, the holder can appeal to the High Court for an order revoking the Minister's decision. This must be filed within 28 days of the date of the Minister's decision. To date no person who has had their passport recalled and cancelled under section 8A has appealed to the High Court in this way.
6. In respect of the specific grounds for a cancellation, I am refusing your request in reliance on sections 6(a), (b) and (d) of the OIA.

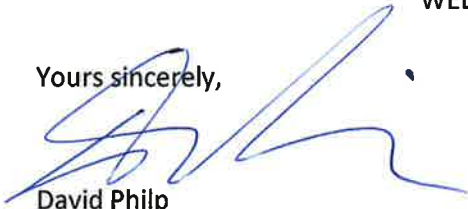


7. The Minister has not invoked either section 27B or 27E since 2012.

You have the right, by way of complaint under section 28(3) of the OIA to an Ombudsman, to seek an investigation and review of the decision to withhold information. The Ombudsman's address for contact purposes is:

The Ombudsman
Office of the Ombudsmen
PO Box 10-152
WELLINGTON

Yours sincerely,



David Philp

General Manager, Identity and Passport Services