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**MANATŪ KAUPAPA
WAONGA**
NEW ZEALAND
MINISTRY OF DEFENCE

4 March 2022

Scott
<mailto:fyi-request-18489-afa4e080@requests.fyi.org.nz>

Dear Scott

RESPONSE TO YOUR INFORMATION REQUEST

Thank you for your email of 8 February 2022, in which you requested, pursuant to the Official Information Act 1982 (the Act), information relating to the Enhanced Maritime Awareness Capability (EMAC) project. In particular:

For this project, I would like to request copies of:

- 1) *The Indicative Business Case*
- 2) *The Detailed Business Case*
- 3) *The Implementation Business Case*

The EMAC project is at an early stage and some of the information you have requested does not exist. No funding decisions have been made and only early stage engagement with industry has been held, so Detailed and Implementation Business Cases have not been prepared. Given that the project is at this early point in the procurement process, it is necessary to withhold existing information in full, as release would:

- reveal information that would harm future negotiations with potential suppliers, pursuant to section 9(2)(j) of the Act
- prejudice Cabinet's future decisions on the project, pursuant to section 9(2)(f)(iv) of the Act.

Where information has been withheld under section 9(2), it is not considered that the public interest in this information outweighs the need to protect it.

In addition, business case documents contain information that, if released, would likely prejudice the security and defence of New Zealand. This information is withheld under section 6(a).

At the point that the Ministry seeks tenders from industry, further information on a project is released, but it is still necessary to protect many details for the reasons above. Once Cabinet

makes a decision on a procurement, some information may no longer need to be protected, although sensitivities relating to national security may continue to need to be protected.

Under section 28(3) of the Act you have the right to request the Ombudsman to investigate and review this response.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Michael Swain', followed by a horizontal line.

Michael Swain
Deputy Secretary Defence Policy and Planning