



Chris Johnston

[fyi-request-25313-2f2cb35b@requests.fyi.org.nz](mailto:fyi-request-25313-2f2cb35b@requests.fyi.org.nz)

Tēnā koe Chris,

Thank you for your email of 30 December 2023 to the Ministry for the Environment (the Ministry) requesting the following under the Official Information Act 1982 (the Act):

*Can you please repeat the OIA linked below from the date the search was executed for the [last OIA](#) to the current time.*

*Some of the original OIA text is repeated for clarity below:*

*“Please provide any records (e.g. documents, emails, notes or minutes) mentioning scientists Ned Nikolov and/or Kari Zeller and/or Dr Roy Spencer as mentioned in the link below. For context - so that you can correctly identify the individuals - some links relevant to their work are mentioned in the links below. 1) 2017 Peer Reviewed and Published Paper Describing How Earth's Long Term Average Temperature can be estimated from NASA data on other planets without referencing the composition of Earth's atmosphere. That is, the finding is that CO2 does not have an impact on the long term average temperature of [Earth](#). 2) [Blog reply](#) by Ned Nikolov in response to a critique by Dr Roy Spencer*

*Also note the entire correspondence of the previous OIA (and the conventions established) as part of this request .... and the form of reply already provided (as precedent). This includes communications with the Minister's office on any no surprises basis about this OIA.*

*Also note this published paper by [Nikolov and Zeller](#).*

*Does MFE have a copy stored as a Public Record in its systems?*

*Please also report on any actions taken as a result of passing the previous feedback to the team (see link below), and any correspondence with the Climate Change Commission on the topic of Ned Nikolov's [findings](#).*

*With respect to the above and the previous OIA, please provide evidence that the Ministry of the Environment has fulfilled its responsibility to the NZ public for due diligence and duty of care to get the Nikolov/Zeller research reviewed and critiqued by suitable experts. What action was taken (or not) and why. Please provide evidence for any actions claimed to have been taken, the people involved (where you are able), their role, findings, the date and MoE subsequent actions.*

*Lastly, please provide the latest 3 documents that discuss the extent to which the MFE may be liable for financial compensation (or its officers liable to discipline or prosecution), if its advice and lack of reasonable due diligence on all the scientific data on Global Warming/Climate Change available has led to the economic harm of NZ citizens or industries, and/or loss of national treasure. For example, this could be a SSC policy document saying every public servant*

*and govt agency is exempt, or a MoE/Treasury/Auditor General document that discusses and quantifies an identified risk or issue.*

Can you please repeat the OIA linked below from the date the search was executed for the last OIA to the current time.

The Ministry does not hold any records mentioning Ned Nikolov, Kari Zeller, or Dr Roy Spencer dated between your last information request of 29 September 2019 and this current request. I must therefore refuse this part of your request under section 18(g)(i) of the Act, as the information requested is not held by the Ministry and I have no grounds for believing that the information is held by another department.

Does MFE have a copy stored as a Public Record in its systems?

A search of the Ministry's holdings indicates we have not stored "A New Planetary Temperature Model and Its Implications for the Greenhouse Theory" by Ned Nikolov and Karl Zeller, though we do hold references and public links to it.

Please also report on any actions taken as a result of passing the previous feedback to the team (see link below), and any correspondence with the Climate Change Commission on the topic of Ned Nikolov's findings

Scientific evidence of climate change is unequivocal and the New Zealand Government is approaching climate change using a scientific lens. The Government accepts the knowledge of the global scientific consensus on human-induced climate change summarised by Intergovernmental Panel on Climate Change (IPCC) Assessment Reports.

The Ministry does not hold any correspondence with the Climate Change Commission on the topic of Ned Nikolov's findings. I must therefore refuse this part of your request under section 18(g)(i) of the Act, as the information requested is not held by the Ministry and I have no grounds for believing that the information is held by another department.

With respect to the above and the previous OIA, please provide evidence that the Ministry of the Environment has fulfilled its responsibility to the NZ public for due diligence and duty of care to get the Nikolov/Zeller research reviewed and critiqued by suitable experts. What action was taken (or not) and why. Please provide evidence for any actions claimed to have been taken, the people involved (where you are able), their role, findings, the date and MoE subsequent actions.

The science of climate change is clearly explained in a number of peer-reviewed, publicly available papers, following the traditional and trusted scientific method. Hundreds of scientists and researchers from around the globe participate in the IPCC working groups, reviewing thousands of these papers. This is summarised in the IPCC Sixth Assessment Report, which provides a comprehensive summary of the state of scientific, technical, and socio-economic knowledge on climate change, its impacts and future risks, and options for adaptation and mitigation. The Sixth Assessment Report is available at: [Sixth Assessment Report — IPCC](#).

Lastly, please provide the latest 3 documents that discuss the extent to which the MFE may be liable for financial compensation (or its officers liable to discipline or prosecution), if its advice and lack of reasonable due diligence on all the scientific data on Global Warming/Climate Change available has led to the economic harm of NZ citizens or industries, and/or loss of national treasure. For example,

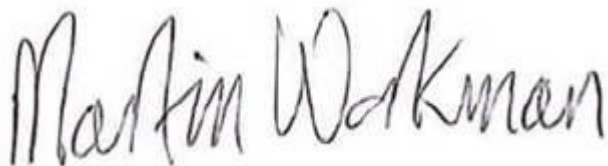
this could be a SSC policy document saying every public servant and govt agency is exempt, or a MoE/Treasury/Auditor General document that discusses and quantifies an identified risk or issue.

The Ministry does not hold any documents that discuss the extent to which the Ministry may be liable for financial compensation (or its officers liable to discipline or prosecution), if its advice or a lack of reasonable due diligence on all the scientific data on Global Warming/Climate Change available has led to the economic harm of New Zealand citizens or industries, and/or loss of national treasure. I am therefore refusing this part of your request under section 18(g)(i) of the Act, as the information requested is not held by the Ministry and I have no grounds for believing that the information is held by another department.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note that, due to the public interest in our work, the Ministry publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: [ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz).

Ngā mihi,

A handwritten signature in black ink that reads "Martin Workman". The signature is written in a cursive, slightly slanted style.

**Martin Workman**  
Chief of Staff  
Ministry for the Environment | Manatū Mō Te Taiao