

9 September 2024

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Tēnā koe A Stephenson

Request for information

Thank you for your Official Information Act 1982 (OIA) request on 18 August 2024, in which you requested information on Police's agency-to-agency agreements and demand service contracts. You asked:

1. *Can you please tell me how many agency-to-agency agreements have entered into force as per Policing Act 2008 s95E(1) and where you make them publicly available.*
2. *Where can we find a copy of the demand service contracts you have entered into – Policing Act 2008 s79B(1)(2).*
3. *please specify 'specified demand services' s102A(1)(a) and where we can find the related fees and charges.*

Police currently has five agency-to-agency agreements in force pursuant to sections 95B(3)(a) and 95D of the Policing Act 2008 (the Act). Section 95E(1) of the Act requires making a copy of an agency-to-agency agreement publicly available as soon as practicable after it enters into force. Per section 95E(4) of the Act, this section does not apply to:

- i. an agency-to-agency agreement, or to any directions, that may be withheld under the Official Information Act 1982 or whose existence need not be confirmed or denied under that Act;
- ii. any provision of an agency-to-agency agreement, or of any directions, that may be withheld under the Official Information Act 1982.

The two primary sources for the public to access Police's agency-to-agency agreements is via the [Publications and statistics](#) webpage or the Ministry of Foreign Affairs and Trade's [New Zealand Treaties Online](#) webpage. A member of the public may also ask to inspect an agency-to-agency agreement, free of charge, at Police National Headquarters during normal business hours (Monday to Friday).

Here is a list of the five agency-to-agency agreements Police currently has in force:

1. **EU-NZ EUROPOL Agreement for exchange of personal data to combat serious crime and terrorism and EUROPOL (Working and Administrative Arrangement)**. The *EUROPOL (Working and Administrative Arrangement)* agreement sits under the *EU-NZ EUROPOL agreement*. The *EU-NZ EUROPOL agreement* came into force on 20/02/2023 and the scheduled review date is 31/07/2026. The *EUROPOL (Working and Administrative Arrangement)* agreement came into force on 27/11/2023 and the scheduled review date is 28/11/2028.

This agreement is publicly available on our website: www.police.govt.nz/about-us/structure/police-teams-and-units/europol.

2. **United States Drug Enforcement Administration (US DEA)**. This agreement came into force on 16/07/2024 and the scheduled review date is 16/07/2029. This agreement makes clear the US DEA will not make the document publicly available in accordance with the United States Freedom of Information Act, 5 U.S.C. 552. The agreement is therefore withheld by Police under sections 6(a) and (b) of the OIA on the

basis that its release could prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand; or prejudice the entrusting of information to the Government of New Zealand on a basis of confidence.

The following three agreements are not currently published on our website. Police is working with business owners to determine whether they can be made publicly available imminently or to confirm the legal basis on which they are required to be withheld.

3. **International Anti-Corruption Coordination Centre.** This agreement came into force on 18/07/2022 and the scheduled review date is 18/07/2027.
4. **Transnational Serious & Organised Crime Taskforce (TSOC).** This agreement came into force on 13/02/2019 and the scheduled review date is 13/02/2020.
5. **Vietnam – Countering Transnational Crimes.** This agreement came into force on 16/09/2019 and the scheduled review date is 16/09/2024.

A demand service is a policing service requested by an individual or organisation that is of direct benefit to that individual or organisation (even though there may also be some indirect benefit to the public). It does not include responding to 111 calls, conducting criminal investigations, or prosecuting criminal offences.

The term “demand service” has been used in the Policing (Cost Recovery) Regulations because it describes policing services that are driven by the demand or request of individuals or organisations, rather than by Police.

The Policing (Cost Recovery) Regulations 2017¹ determined that Police vetting checks are a “demand service”, meaning it is fair and reasonable for Police to charge for the service. The Police Vetting Service Cost Recovery Guide² is publicly available along with other Cost Recovery³ information you may find helpful.

Police’s Vetting Service provides conviction history reports and other relevant non-conviction information on potential employees, volunteers, and vocational trainees. This service is provided for Approved Agencies of which Police have 14,723 active approved agency agreements in place. A full list of Approved Vetting Agencies⁴ is available on the Police Website.

In closing, I trust the information provided satisfactorily addresses your areas of interest. In any event, you have the right under the OIA to ask the Ombudsman to review the handling of your request if you are not satisfied with Police’s response. Information about how to do so is available from: www.ombudsman.parliament.nz.

For completeness, please also note that, as part of its commitment to openness and transparency, Police proactively releases some information and documents that may be of interest to the public. An anonymised version of this response may be publicly released on the New Zealand Police website.

Respectfully



Mike Webb
Chief Assurance Officer

¹ [Policing \(Cost Recovery\) Regulations 2017](#)

² [nzpvs-cost-recovery-guide.pdf \(police.govt.nz\)](#)

³ [Cost Recovery | New Zealand Police](#)

⁴ [List of Approved Vetting Agencies | New Zealand Police](#)