



27 January 2025

Ref: DOIA-REQ-0007320-D Gray

D Gray

Email: fyi-request-29477-ed329e8c@requests.fyi.org.nz

Tēnā koe D Gray

Thank you for your email on 6 December 2024 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

*Section A: Open Access Publications*

*Since the release of the policy:*

- 1. How many peer-reviewed publications arising from fully or partially MBIE-funded research have been made available with Open Access?*
- 2. What is the increase in Open Access publications compared to the three years preceding the policy's introduction?*
- 3. How many MBIE-funded research publications were made available through fully Open Access journals (i.e., Gold OA) since the policy was released?*
- 4. How many MBIE-funded research publications were made available through Hybrid Open Access journals since the policy was released?*
- 5. How many publications were made available as Green Open Access since the policy was released?*

*Section B: Open Access and Crown Research Institutes (CRIs)*

- 1. Please provide a list of CRIs with fully operational Institutional Repositories.*
- 2. For each CRI*

*How many publications have been deposited in the repository since the policy's introduction? (i.e., Postprints, Author's Accepted Manuscript/AAM, Publisher's Version/Version of Record/VoR)?*

*How much has been spent on Article Processing Charges (APCs) for Gold Open Access or Hybrid Open Access in the last calendar year??*

- 3. If a Crown Research Institute does not have an operational Institutional Repository, please provide the reasons for this.*

*Section C: Monitoring Compliance*

- 1. How is MBIE monitoring and auditing compliance with the Kaupapahere Rangahau Tuwhera - Open Research Policy among CRIs and universities?*
- 2. What resources (FTE) are allocated by you to compliance monitoring and auditing?*
- 3. What is the degree of compliance by CRIs and universities with the policy? Please provide numbers for:*

- Fully compliant institutions
- Partially compliant institutions
- Non-compliant institutions.

4. What actions has/does MBIE take in cases of partial or non-compliance?

5. And what penalties have been/can MBIE impose for partial or non-compliance by an institution or a Principal Investigator/Program Leader? And has this happened and for which institution(s)?

Answering the questions in Sections A and B should not be difficult if you are actively monitoring and auditing compliance with the policy. If monitoring and auditing is NOT occurring, please provide an explanation as to why this is the case as this would seem to be a significant oversight and questions the value of having the policy.

The only parts of your request MBIE can respond to are the first two parts of Section C:

*How is MBIE monitoring and auditing compliance with the Kaupapahere Rangahau Tuwhera - Open Research Policy among CRIs and universities?*

- Organisations receiving funding are required to ensure all peer-reviewed journal articles and peer-reviewed conference proceedings relating in any way to the project are made available with Open Access, in accordance with the Kaupapahere Rangahau Tuwhera - Open Research Policy. Contract holders agree to these terms when signing a [science funding contract](#) (contract template provided as an example of these terms).
- MBIE does not have a compliance monitoring or audit programme for the Kaupapahere Rangahau Tuwhera - Open Research Policy.

*What resources (FTE) are allocated by you to compliance monitoring and auditing?*

- Resourcing (FTE) is not specifically allocated for compliance monitoring or audit programme for the Kaupapahere Rangahau Tuwhera - Open Research Policy

This policy strongly recommended, rather than mandate, that research data arising from funded projects be made openly available whenever they are not precluded by indigenous data sovereignty considerations, copyright restrictions, confidentiality requirements, or contractual clauses. Further detail of this policy can be found here; [Kaupapahere Rangahau Tuwhera - Open Research policy | Ministry of Business, Innovation & Employment](#).

MBIE is refusing *Section A: Open Access Publications* and the remainder of *Section C: Monitoring Compliance* of your request under section 18(e) of the Act, as the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

We would like to advise you that the remainder of your request has been transferred to AgResearch Limited, while **Section A** of your request has been transferred to Scion (New Zealand Forest Research Institute) and **Section B** of your request has been transferred to the following;  
 Institute of Environmental Science and Research Limited (ESR)  
 Institute of Geological and Nuclear Sciences Limited (GNS)  
 Manaaki Whenua - Landcare Research (Landcare Research)  
 National Institute of Water and Atmospheric Research Limited (NIWA)  
 Each agency will respond in relation to their compliance monitoring or audit programme for the Kaupapahere Rangahau Tuwhera - Open Research Policy.

This is because the information you have requested is not held by the MBIE. Section 14(b)(i) of the Act

requires me to transfer any request where the information is not held, but is believed to be held by another department, organisation or Minister of the Crown.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact [OIA@mbie.govt.nz](mailto:OIA@mbie.govt.nz).

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā



**Heather Penny**  
Manager, Specialised Investments  
Labour, Science and Enterprise