



19 February 2018

Ref: DOIA 1819-1065

P.M. Brennan

fyi-request-9437-b49375fe@requests.fyi.org.nz

Dear P.M. Brennan

Thank you for your email of 22 January 2019 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

I seek any and all information held as to any prosecutions or investigations made with regards to section 133A of the Radiocommunications Act (1989) wherein such prosecutions or investigations relate to the civil air-band (namely 118 to 137 MHz). I intend that this request cover all available information relating to such; however, for clarity I explicitly include:

- * Investigation notes, reports, and findings/outcomes.*
- * Summary list of prosecutions undertaken and their outcome (if available).*
- * Court submissions made by MBIE relating to any prosecutions attempted.*
- * Court issued judgements.*

The Radio Spectrum Management Team, which is responsible for investigations of breaches of the Radiocommunications Act (1989), investigate between 800-1000 cases every year. The information is not centrally recorded as being related to the civil air-band and collating this information would involve the review of all investigations. As such, I am refusing this part of your request under section 18(f) of the Act, that the information requested cannot be made available without substantial collation or research.

I can confirm that there have been no prosecutions relating to the civil air-band in the past ten years. Therefore your request for information regarding prosecutions is refused under section 18(g) of the Act, as the information is not held.

You have the right to seek an investigation and review by the Ombudsman of our decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely

Fadia Mudafar
National Manager
Radio Spectrum Management