

11 September 2024

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OIA 29616

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Thank you for your email of 15 August 2024 in which you request the following under the Official Information Act 1982 (OIA):

1. Any current formal agreements (Terms of Reference) between the Ministry of Foreign Affairs and Trade and 1) Te Taumata, 2) Ngā Toki Whakarururanga, and FOMA;
2. Copies of whatever engagement agreements between Ministry of Foreign Affairs and Trade and individual members of Te Hurumanu; and
3. Copies of any Research, Analysis and Advice provided by each of 1) Te Taumata, 2) Ngā Toki Whakarururanga, FOMA and Te Hurumanu to the Ministry of Foreign Affairs and Trade over the last 2 calendar years 2022-23, and 2023-24.

You also provided the additional context below:

It appears that MFAT is wasting significant sums (\$NZ100,000's and even \$NZmillions) of taxpayers monies at a time when people across the economy are doing it hard and the taxpayers are getting Zero Return on Investment (nothing meaningful) on these taxpayers monies. If correct these groups should be disbanded immediately in line with the Governments austerity program impacting 1,000's of New Zealanders across the Board.

I intend getting to the bottom of this waste of Taxpayers monies for I suspect Zero Return on Investment. And then blow the whistle on this waste publicly.

We have numbered your request for administrative convenience.

Question One

The current formal agreements between the Ministry of Foreign Affairs and Trade (the Ministry) and the 3 organisations you requested are publicly available:

1. The Memorandum of Understanding between Te Taumata and the Ministry can be found on the Ministry website: <https://www.mfat.govt.nz/assets/Uploads/MFAT-Te-Taumata-MOU.pdf>.
2. The Mediation Agreement between the Ministry and Ngā Toki Whakarururanga can be found on the Ngā Toki Whakarururanga website: <https://ngatoki.nz/document-library/mediation-agreement/>

3. The Memorandum of Understanding between the Federation of Māori Authorities (FOMA) and the Ministry can be found on the Ministry website:
<https://www.mfat.govt.nz/assets/About-us-Corporate/Maori-engagement/MFAT-FOMA-Memorandum-of-Understanding.pdf>

These arrangements provide the framework for our work with Ngā Toki Whakarururanga, Te Taumata and FOMA. No further documents outlining terms of reference or similar exist.

Question Two

The Ministry's engagement with Te Hurumanu is guided by the Terms of Reference which is publicly available on the Ministry website. Accordingly, questions 1 and 2 of your request are refused under section 18(d) of the OIA, as the information is publicly available:

<https://www.mfat.govt.nz/assets/About-us-Corporate/Maori-engagement/MFAT-Te-Hurumanu-Terms-of-Reference.pdf>

Question Three

We have interpreted the timeframe for the third part of your request to be from 15 August 2022 to 15 August 2024, the two-year period immediately prior to your OIA request.

For the period 15 August 2022 to 15 August 2024, a significant amount of research, analysis and advice has been provided to the Ministry by Te Taumata, Ngā Toki Whakarururanga, FOMA and Te Hurumanu. Therefore, we are refusing this part of your request under section 18(f) of the OIA, as the volume of advice received is too large and spans too many formats and platforms and as such, cannot be made available without substantial collation and research.

For the period requested, 104 meetings were held with members of either Te Taumata, Ngā Toki Whakarururanga, FOMA or Te Hurumanu. These meetings range in duration and provide rich feedback and advice on a variety of trade policy issues, including active issues and negotiations as they are undertaken by the Ministry.

In the case of Te Hurumanu, this group works in partnership with Ministry officials. Consequently, advice from members of Te Hurumanu is intertwined in all documents and work of this group.

Ngā Toki Whakarururanga and their members submit some of their analyses and examinations directly to the Foreign Affairs, Defence and Trade Parliamentary Select Committee, with the support of Ministry funding. This advice is published on the Ngā Toki Whakarururanga website and can be found at <https://ngatoki.nz/resources/free-trade-agreements/>. Likewise, Ngā Toki Whakarururanga also provide Tiriti Analyses, available on their website: <https://ngatoki.nz/tiriti-analysis/>.

Te Taumata and their members also provide advice with the support of Ministry funding. This advice is published on the Te Taumata website: <https://www.tetaumata.com/resources/>.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website: www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/

If you have any questions about this decision, you can contact us by email at: DM-ESD@mfat.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision by contacting www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line that tapers to the right.

Sarah Corbett
for Secretary of Foreign Affairs and Trade