

16 October 2024

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OIA 29690

Tēnā koe

Thank you for your email of 18 September 2024 in which you request the following under the Official Information Act 1982 (OIA):

1. *"Has MFAT received any export permit applications from New Zealand company MAS Zengrange between 1 January 2021 and 18 September 2024 where the intended recipient of goods is in the United States or Israel?"*

*If so for each application please provide details of:*

- a. *the date the application was made;*
- b. *the goods for which the application was made;*
- c. *the intended recipient of the goods;*
- d. *the destination country for the goods;*
- e. *the outcome of the application.*

2. *Has the Secretary of Foreign Affairs and Trade granted any export permits to New Zealand company MAS Zengrange between 1 January 2021 and 18 September 2024 for which the intended recipient of goods is in the United States or Israel?"*

*If so for each export permit please provide details of:*

- a. *the date the export permit was granted;*
- b. *the controlled goods covered by the permit;*
- c. *the intended recipient of the controlled goods;*
- d. *the destination country for the controlled goods;*
- e. *the type of export permit granted (e.g. a multiple permit);*
- f. *the considerations taken into account when assessing whether to grant the permit;*
- g. *whether an End Use Certificate (EUC) is associated with the export permit.*

*If an EUC is associated with the export permit, please provide a copy of the EUC.*

3. *If New Zealand company MAS Zengrange has been granted a general consent export permit between 1 January 2021 and 18 September 2024 for goods for export to the United States or Israel, please provide the information provided by MAS Zengrange to MFAT pursuant to the six-monthly reporting requirements.*

4. *If New Zealand Company MAS Zengrange has been granted a general consent export permit between 1 January 2021 and 18 September 2024 for goods for export to the United States or Israel, and the reporting requirement was waived, please provide:*
  - a. *Confirmation that the reporting requirement was waived; and*
  - b. *Any records provided to MFAT on the types and amounts of goods exported, and the end-users who have received items under the general consent.*
5. *Has there been consideration of goods to be or being exported by NZ company MAS Zengrange to the United States or Israel between 1 January 2021 and 18 September 2024 where the goods were deemed not to fall within the scope of the Strategic Goods list? If so please provide details about the basis on which this decision/these decisions were made, the intended recipient, the intended destination country/ies, the nature of the goods concerned and the dates on which the decision/s were made.*
6. *Has there been consideration of goods to be or being exported by NZ company MAS Zengrange to the United States or Israel between 1 January 2021 and 18 September 2024 where the goods were deemed not to fall within the scope of the Catch All controls? If so please provide details about the basis on which this decision/these decisions were made, the intended recipient, the nature of the goods concerned, the intended destination country/ies, and the dates on which the decision/s were made.*
7. *Has there been consideration of goods to be or being exported by NZ company MAS Zengrange to the United States or Israel between 1 January 2021 and 18 September 2024 where an exemption was applied (relating to either the strategic goods list or the catch all controls), resulting in an export permit not being required? If so please provide details about the basis on which this decision/these decisions were made, the intended recipient, the nature of the goods concerned, the intended destination country/ies and the dates on which the decision/s were made.*
8. *Has there been consideration of goods to be or being exported by NZ Company MAS Zengrange to the United States or Israel between 1 January 2021 and 18 September 2024 where a decision was made that the company was not required to supply an end use certificate. If so please provide details about the basis on which this decision/these decisions were made, the intended recipient, the nature of the goods concerned, the intended destination country/ies and the dates on which the decision/s were made.*
9. *Please provide a copy of all correspondence between MFAT's Export Controls team (or predecessor team at MFAT handling export controls) and NZ company MAS Zengrange between 1 January 2021 and 18 September 2024 with regard to exports or potential exports to the United States or Israel.*
10. *Have there been any exemptions to the Secretary's/MFAT's guidelines applied to NZ Company MAS Zengrange in relation to goods that fall under the Strategic Goods List or the Catch Alls? If so please provide details as to:*
  - a. *the date an exemption was made;*
  - b. *what was considered in terms of granting an exemption;*
  - c. *the nature of the goods being exported;*
  - d. *the human rights considerations taken into account in determining whether to grant an exemption.*

e. *details of the recipient company or entity.*

11. *Please provide a copy of all advice given by MFAT to government ministers about MAS Zengrange's export of goods."*

Responses to each part of your request are set out below.

### **Part 1**

The Ministry of Foreign Affairs and Trade (the Ministry) received one export permit application from MAS Zengrange between 1 January 2021 and 18 September 2024 where the intended recipient of the goods was the United States:

Date of application:	03 March 2023 (granted 06 March 2023)
Goods:	Remote Initiation Accessories Fire Control Fire Control Accessories
Recipient:	Multiple
Destination:	Multiple (includes the United States, does not include Israel)
Outcome:	Approved
Permit type:	General Consent

The Ministry did not receive any export permit applications from MAS Zengrange between 1 January 2021 and 18 September 2024 where the intended recipient of the goods was in Israel. This part of your request is therefore refused under section 18(e) of the OIA, as the information does not exist.

### **Part 2**

The Ministry granted a general consent export permit to MAS Zengrange on 06 March 2023 where the recipient was the United States (see above table). The decision to grant was based on the assessment criteria on the Ministry website here: <https://www.mfat.govt.nz/en/trade/export-controls/how-is-my-application-assessed>.

An End User Certificate was not a requirement for this permit. For further explanation, please see the response to question 8 below.

The Ministry did not grant any export permits to MAS Zengrange between 1 January 2021 and 18 September 2024 where the intended recipient of the goods was in Israel. This part of your request is therefore refused under section 18(e) of the OIA, as the information does not exist.

### **Part 3**

For the General Consent export permit granted on 6 March 2023, and at the time of writing, MAS Zengrange has provided no reporting of any items exported to the United States.

The Ministry did not grant any General Consent export permits to MAS Zengrange for Israel between 1 January 2021 and 18 September 2024. This part of your request is therefore refused under section 18(e) of the OIA, as the information does not exist.

### **Part 4**

The reporting requirement for the General Consent export permit granted to the United States on 6 March 2023 was not waived.

Reporting details of the amounts of goods exported and end users are withheld under Section 9(2)(b)(ii) of the OIA, to protect the commercial position of the person who supplied the information.

For details of the types of goods covered by the General Consent, please refer to question 1.

Per the answer to question 3, at the time of writing, MAS Zengrange has provided no reporting of any items exported to the United States under this General Consent.

### **Part 5**

The Ministry has no record of deeming MAS Zengrange products not to fall within the scope of the Strategic Goods list between 1 January 2021 and 18 September 2024. This part of your request therefore is refused under section 18(e) of the OIA, as the information does not exist.

### **Part 6**

The Ministry has no record of deeming MAS Zengrange products not to fall within the scope of Catch All Controls between 1 January 2021 and 18 September 2024. This part of your request is therefore refused under section 18(e) of the OIA, as the information does not exist.

### **Part 7**

The Ministry has no record of exemptions to the Strategic Goods List or Catch All Controls being applied in respect of MAS Zengrange products resulting in an export permit not being required between 1 January 2021 and 18 September 2024. This part of your request is therefore refused under section 18(e) of the OIA, as the information does not exist.

### **Part 8**

MAS Zengrange was not required to provide an End Use Certificate under their General Consent to export to the United States. MAS Zengrange reporting requirements informs the Ministry of the end users in approved countries. Per the answer to question 3, and at the time of writing, MAS Zengrange has provided no reporting of any items exported to the United States under this General Consent.

### **Part 9**

In scope of part 9 of your request is one email from the Ministry's Export Controls team to Mas Zengrange sending the General Consent permit approved on 6 March 2023 and referenced in the response to part 1 of your request. This email is withheld in full under the following sections of the OIA:

- 9(2)(b)(ii): to protect the commercial position of the person who supplied the information; and
- 9(2)(k): to prevent the disclosure of or use of official information for improper gain or improper advantage.

Details appearing on the permit are provided in the table in the response to part 1 of your request.

The Ministry has no record of correspondence between the Ministry's Export Controls team (or predecessor team at MFAT handling export controls) and MAS Zengrange regarding exports to Israel between 1 January 2021 and 18 September 2024, therefore this part of your request is refused under section 18(e) of the OIA, as the information does not exist.

## Part 10

The Ministry has no record of any exemptions to the Secretary's/the Ministry's guidelines applied to MAS Zengrange in relation to goods that fall under the Strategic Goods List or the Catch All Controls. This part of your request is therefore refused under section 18(e) of the OIA, as the information does not exist.

## Part 11

In April 2022, the Ministry provided advice to the Minister of Foreign Affairs on the export of MAS Zengrange goods. The destination was neither the United States nor Israel. This advice is withheld in full under the following sections of the OIA:

- 6(a): to avoid prejudicing the security or defence of New Zealand or the international relations of the New Zealand Government; and
- 9(2)(b)(ii): to avoid prejudice to the commercial position of another party.

Where the information has been withheld under section 9 of the OIA, we have identified no public interest in releasing the information that would override the reasons for withholding it.

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

Nāku noa, nā



Sarah Corbett  
for Secretary of Foreign Affairs and Trade