



**NEW ZEALAND**  
FOREIGN AFFAIRS & TRADE



The Official Information Act  
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17 December 2018

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Personal details removed for proactive release

I refer to your email of 23 November 2018 in which you request the following under the Official Information Act 1982 (OIA):

*"I request the following information for the 2017/18 financial year:*

- 1. The total amount spent by Council on koha.*
- 2. The names of all parties which received koha from Council.*
- 3. The total amount spent by Council on any other donations.*
- 4. The names of all parties which received a donation from Council.*

*Please note that if requests (2) and (4) will require the 20 working day limit to be extended, please only extend the time limit for these two requests. If this is the case, please disclose the information requested in (1) and (3) before extending the time limit to deal with requests (2) and (4)."*

On 27 November 2018 you clarified your request to be for:

*"...I request the following information for the 2017/18 financial year:*

- 1. The total amount spent by the Ministry/ Government Department on koha.*
- 2. The names of all parties which received koha from the Ministry/ Government Department.*
- 3. The total amount spent by the Ministry/ Government Department on any other donations.*
- 4. The names of all parties which received a donation from the Ministry/ Government Department...."*

### **Parts 1 and 2**

For parts 1 and 2 of your clarified request, the Ministry's financial systems do not capture payments made as koha through a separate cost code or other easily identifiable form. I am advised there was likely to have been a small number of koha transactions for the 2017/18 financial year. However, to provide the information you are seeking would require us to

individually review a very large number of individual transactions for the 2017/18 financial year in order to identify which ones were koha transactions. Accordingly, parts 1 and 2 of your clarified request are refused under section 18(f) of the OIA as the information requested cannot be made available without substantial collation or research and this would unreasonably interfere with the Ministry's operations. As required by section 18A of the OIA, we have considered:

- Fixing a charge under section 15 of the OIA. Charging would not address the fundamental difficulty of the extensive combined scope of your request.
- Extending the time limit of your request. I am advised that neither this step, nor consulting further with you as to the scope of your request, would enable the request to be granted without unreasonably interfering with the Ministry's operations.

For completeness, I note the Code of Conduct for Ministry employees sets out our policy on koha and donations. The policy notes that a Manager's approval should be obtained, and the amount and an explanation of the circumstances should be documented, when a koha or donation is made. A copy of the policy in full is attached to this letter in Annex 1.

### **Parts 3 and 4**

For parts 3 and 4 of your clarified request, the Ministry's Sensitive Expenditure Policy is also included in the Code of Conduct for Ministry employees and requires that such expenditure have a justifiable business purpose. Accordingly, donations would not ordinarily meet that test.

The Ministry's policies do, however, permit the giving of presentation items. Presentation items are a standard feature at formal diplomatic occasions and include such items as New Zealand crafts and books. The Ministry does not record gifts given to external organisations or individuals.

For the 2017/18 financial year, I am advised the Ministry spent \$168,561 on 'presentation items'. This allocation was shared across all 58 of our posts and our national office and involves hundreds of small payments. As presentation items are mostly purchased in bulk from New Zealand, details of the parties which receive a presentation item are not recorded in the Ministry's financial system.

Please note that this letter (with your personal details redacted) may be published on the Ministry's website.

You have the right under section 28(3) of the OIA to seek a review of this response by the Ombudsman.

Yours sincerely

Wendy Adams  
for Secretary of Foreign Affairs and Trade

**Annex 1. Ministry of Foreign Affairs and Trade Code of Conduct - excerpt relating to Koha/Donations**

## Koha/Donations

4.33 A “koha” is a gift, a token or a contribution given in money or kind, as appropriate, in interactions with Māori individuals or organisations. For example, it is customary practice when visiting a marae to provide a koha (usually a sum of money) during a pōwhiri (formal welcome) to ensure the tangata whenua (hosts) are not disadvantaged or inconvenienced in any way by hosting the visit. This is seen as a token of appreciation to the hosts for their hospitality and energy involved in providing the pōwhiri and making arrangements for the manuhiri (visitors).

4.34 There may also be occasions where the local cultural environment at posts makes it appropriate to give a koha in return for traditional hospitality received. In such situations where official expenditure is involved, a Manager’s approval should be obtained, and the amount and an explanation of the circumstances should be documented in each case.

4.35 A koha should not be confused with a payment for goods and services provided to the Ministry. Such goods and services might include catering costs or venue and equipment hire that would normally be arranged and paid for directly by the Ministry.

4.36 It is normally traditionally and culturally inappropriate to ask what koha is expected by the hosts. Each situation is different, so there can be no hard and fast rules. To ascertain an approximate figure, employees, including those at posts, should consult in advance with the Māori Policy Unit (MPU) on what would be most appropriate in the particular circumstances.