

Defence House
34 Bowen Street
Wellington, New Zealand

P +64 (04) 496 0999
E info@defence.govt.nz

PO Box 12703
Molesworth Street
Wellington 6144, New Zealand

www.defence.govt.nz



**MANATŪ KAUPAPA
WAONGA**
NEW ZEALAND
MINISTRY OF DEFENCE

3 October 2022

Mohammed Khan
fyi-request-20485-480a7754@requests.fyi.org.nz

Dear Mohammed

TRANSFER OF YOUR INFORMATION REQUEST

I refer to your email of 30 September regarding the Ministry of Defence's reply to your Official Information request about the performance of Ukrainian military in training courses:

As you can verify for yourself by reading the Official Information Act, or consulting the informative website maintained by the Ombudsman, "Official information also includes information which is known to an agency but has not yet been written down." <https://www.ombudsman.parliament.nz/what-ombudsman-can-help/requests-official-information/your-ability-request-official-information#toc-2>

The fact that you repeatedly assert that the NZDF have constructively attempted to prevent information being publicly disclosed by not writing it down does not mean you don't hold it per the OIA. Have all personnel involved in the training left the Defence Forces? Do they all have Alzheimers and have forgotten everything about the training? Do you claim there is some secret codicil to the OIA that means you don't have to follow it?

Assuming that neither of those scenarios is true, you continue to be obliged to provide me with "the opinion of the senior personnel responsible for the artillery training conducted with the assistance of NZDF personnel as to the performance and readiness of the Ukrainian military personnel they have trained to date, with reference to the standard that would be expected for NZDF artillerymen." I expect to receive that Monday afternoon at the latest.

You have asked for information relating to activities by New Zealand Defence Force (NZDF) personnel, which was addressed in NZDF's response to you dated 6 September.

The Ministry is a civilian agency that is responsible for the development of defence policy, international defence engagements, and the delivery of major capability projects. We are a separate agency from the NZDF. As your matter relates to the NZDF, that agency is best-

You have the right under section 28(3) of the Act to ask the Ombudsman to review this transfer.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Adrian MacGregor', with a large, sweeping flourish at the end.

Adrian MacGregor
Managing Principal, Ministerial and Executive Services

cc: NZDF Ministerial Services
ministerialservices@nzdf.mil.nz