



NEW ZEALAND
FOREIGN AFFAIRS & TRADE



New Zealand Ministry of
Foreign Affairs and Trade
Manatu Aorere

9 July 2015

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Dear Nigel Jones

Thank you for your email of 13 June 2015 in which you request the following under the Official Information Act 1982 (OIA):

- 1) *Logs and/or Documentation regarding the full or partial distribution of the Trans-Pacific Partnership Agreement (TPPA) to other Government departments and/or Members of Parliament & their officials/employees. (For clarification: as the actual document seems to be tightly controlled, I am of the belief that records would be kept of the dissemination of the document within MFAT and other Ministries, it is these records that I am requesting).*
- 2) *A list of submissions and requests regarding the TPPA from MPs, their officials/employees or other Ministries with the following information:*
 - * *Date*
 - * *Person making the enquiry*
 - * *Subject of enquiry*

1) Access to the TPP text

Individuals within the divisions and agencies listed in Attachment 1 have access to parts of the text. The list of individuals within these agencies who have access has been withheld under the following sections of the OIA:

9(2)(a) to protect individuals' privacy

9(2)(g)(ii) to protect officers and employees from improper pressure or harassment.

The Ministry of Foreign Affairs and Trade is the only agency with access to the full negotiating text. Names of individuals within MFAT who have access to the text have been withheld under sections 9(2)(a) and 9(2)(g)(ii).

Hon Tim Groser, in his capacity as Minister of Trade, is the only Member of Parliament who has access to the full negotiating text.

2) Requests regarding TPP from MPs and their offices

The Minister of Trade regularly receives letters regarding TPP, including from Members of Parliament. The Ministry of Foreign Affairs and Trade has assisted with drafting responses

to these letters, including responses to the letters listed below from MPs. At times the Minister of Trade may respond directly to a request from an MP or an MP's office and the Ministry is not involved.

- 11 September 2013 Hon Tariana Turia: tobacco control
- 28 November 2013 Phil Goff on behalf of Labour MPs: investor state dispute settlement
- 29 November 2013 Phil Goff on behalf of the New Zealand Society of Authors: intellectual property and copyright
- 13 December 2013 Hon Tariana Turia: public health, PHARMAC and intellectual property
- 24 March 2014 Colin King on behalf of a constituent: transparency of the negotiating process
- 14 May 2015 Hon Peter Dunne: investor state dispute settlement

A number of MPs have also transferred letters from their constituents regarding TPP negotiations to the Minister of Trade for response.

MPs regularly ask Ministers questions about TPP at question time in the House. The Ministry usually helps prepare draft responses for the Minister. Oral and written questions from MPs are publicly available on Parliament's website. Under section 18(d) of the OIA, this part of your request is refused as the information is publicly available.

MPs from the Labour Party, the Green Party, New Zealand First and the Māori Party have requested briefings on TPP on a number of occasions in 2012, 2013, 2014 and 2015.

The Foreign Affairs, Defence and Trade Select Committee (FADTC) has requested briefings on TPP, among other things. FADTC evidence is publicly available on Parliament's website. Under section 18(d) of the OIA, this part of your request is refused as this information is publicly available.

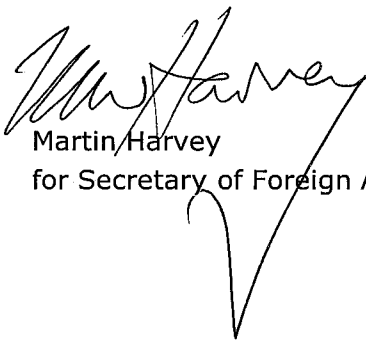
Requests regarding TPP from other ministries

As the TPP negotiations are an interagency process, the Ministry of Foreign Affairs and Trade regularly engages with officials from other ministries on the Trans-Pacific Partnership.

Representatives from a number of ministries are also directly involved in the negotiating process. We do not have a full list of specific requests from other Ministries. This part of your request is refused under section 19(f) of the OIA as the information requested cannot be made available without substantial collation or research.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Martin Harvey', with a large, stylized flourish extending downwards from the end of the signature.

Martin Harvey
for Secretary of Foreign Affairs and Trade

Attachment 1: List of agencies and divisions in which specific individuals have access to the TPP text

Agency	Division
Ministry of Foreign Affairs and Trade	Trade Negotiations Division Trade Law Unit
Ministry of Business, Innovation and Employment	Commerce, Consumers and Communications Branch Government Procurement Branch Trade and International Environment Branch
New Zealand Customs Service	Trade Access Team
Ministry of Health	Sector and Services Policy
Ministry for Primary Industries	Trade Policy Branch, International Policy Directorate International Policy, International Standards Organisation
Ministry for the Environment	International Climate and Environment Team, Environmental Stewardship Division

Note that the names of individuals within these agencies who have access to parts of the TPP text have been withheld under sections 9(2)(a) and 9(2)(g)(ii) of the Official Information Act