



Headquarters
New Zealand Defence Force
Defence House
Private Bag 39997
Wellington Mail Centre
Lower Hutt 5045
New Zealand

OIA-2024-5162

OIA-2024-5164

8th
November 2024

[REDACTED]
[REDACTED]@stuff.co.nz

Dear [REDACTED]

I refer to your emails of 10 October 2024 and 11 October 2024 requesting, under the Official Information Act 1982 (OIA), the following information:

a copy of any briefings, reports, situation reports, advisories, correspondence, and other documentation regarding gas incidents in HMNZS Te Mana that occurred on November 23, 2022.

a copy of any briefings, reports, situation reports, advisories, correspondence, and other documentation related to fuel and maintenance issues on HMNZS Aotearoa, prior to a Court of Inquiry being assembled on September 4, 2023.

A Court of Inquiry has been convened to investigate the circumstances surrounding the incident on HMNZS Te Mana; and, as you note, a Court of Inquiry has been convened to investigate the incident on HMNZS Aotearoa. Both of these Court of Inquires are still active.

For your information, the New Zealand Defence Force (NZDF) considers the release of reports of the Court of Inquiry upon request. Until the Courts of Inquiry into these matters are completed, copies of the respective reports are withheld in full in accordance with section 6(c) of the OIA to avoid prejudice to the maintenance of the law.

As defined by section 2(1)(h)(iii) of the OIA, official information does not include evidence given or submissions made to a Court of Inquiry. Information that is not official information is not considered to be held by the NZDF, and is therefore declined in accordance with section 18(g) of the OIA. Official information under consideration by the Courts of Inquiry is withheld in accordance with section 9(2)(ba)(ii) of the OIA, in order to protect the public interest in the effective conduct of the Court of Inquiry.

Consultations regarding other information are taking place and a proper response to your requests cannot reasonably be made within the original time limit. Therefore, an extension of the time to make a decision to Friday 20 December is required.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

GA MOTLEY

Brigadier

Chief of Staff HQNZDF



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New Zealand Defence Force
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New Zealand

OIA-2024-5162
OIA-2024-5164

18 December 2024

[REDACTED]
[REDACTED]@stuff.co.nz

Dear [REDACTED]

I refer to your emails of 10 October 2024 and 11 October 2024 requesting, under the Official Information Act 1982 (OIA), the following information:

a copy of any briefings/ reports/ situation reports/ advisories/ correspondence/ and other documentation regarding gas incidents in HMNZS Te Mana that occurred on November 23/ 2022.

a copy of any briefings/ reports/ situation reports/ advisories/ correspondence/ and other documentation related to fuel and maintenance issues on HMNZS Aotearoa/ prior to a Court of Inquiry being assembled on September 4/ 2023.

With respect to the incident on HMNZS Te Mana, information is withheld in full in accordance with section 6(c) of the OIA as this is a matter before the court.

Official information generated before the Court of Inquiry into the incident on HMNZS Aotearoa is withheld in accordance with section 9(2)(ba)(ii) of the OIA for the reason explained above.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

GA Motley
Brigadier
Chief of Staff HQNZDF