



Refs: OIA-2023/24-0543
OIA-2023/24-0544

Dear [REDACTED]

Official Information Act request for AUKUS Pillar 2 list of assessments and lists of AUKUS meetings and documents

Thank you for your two Official Information Act 1982 (the Act) requests of 16 February 2024 to the Department of the Prime Minister and Cabinet (DPMC) relating to the AUKUS partnership. We clarified both requests with you on 20 February 2024. Your clarified requests were for:

Request [1]

- "1) What assessments, if any, does the Department of the Prime Minister and Cabinet hold regarding the implications of New Zealand involvement in AUKUS Pillar Two for relations with China?*
- 2) What assessments, if any, does the Department of the Prime Minister and Cabinet hold regarding the implications of New Zealand involvement in AUKUS Pillar Two for relations with Pacific Island Countries?*
- 3) Further, and for each of these assessments, please list the time and date of the assessments.*
- 4) Further, and for each of these assessments, please list the unit within DPMC and the persons involved in making the assessments.*
- 5) Further, and for each of these assessments, please list any other agencies involved in making the assessments."*

The timeframe for this request is until 16 February 2024, which is the date of your original request.

Request [2]

- "Under the Official Information Act, please provide answers to the following questions:*
- What meetings, if any, have officials from the Department of the Prime Minister and Cabinet had regarding the AUKUS trilateral security pact since 1 September 2021 by date and location?*
 - What written advice, briefings, reports, and notes, if any, does the Department of the Prime Minister and Cabinet hold regarding the AUKUS trilateral security pact since 1 September 2021 by title and date?"*

The timeframe for this request is 1 September 2021 until 16 February 2024, which is the date of your original request.

We wrote to you on 19 March 2024 and extended the timeframe for responding to your requests under section 15A of the Act by 16 working days. This is because a search through a large quantity of information and consultation was needed before a decision could be made on the request. Following this extension, I am now in a position to respond. Thank you for your patience as we processed your request.

We thought it would be helpful to give you some context of DPMC's role as it relates to national security and foreign affairs advice. DPMC's National Security Group (NSG) leads, coordinates, and supports a national security community that delivers a secure and resilient

New Zealand. We support the Minister for National Security and Intelligence to deliver on their priorities for national security by providing intelligence assessment and strategic advice on national security and intelligence issues. NSG's advice does not typically cover matters of foreign policy.

DPMC's Policy Advisory Group (PAG) provides the Prime Minister with comprehensive independent policy advice and a 'helicopter view' of how the public service is progressing the Government's priorities.

MFAT supports the Minister of Foreign Affairs on foreign policy issues, the Government's foreign affairs objectives and to represent New Zealand in bilateral, regional, and multilateral meetings. MFAT supports the Prime Minister's leadership in international diplomacy with strategic advice and guidance on international engagements, including with foreign leaders, as well as on particularly complex foreign policy issues.

Assessments

Your first request was for a list of any assessments held by DPMC relating to the implications of New Zealand involvement in AUKUS Pillar Two for relations with China and a list of any for relations with Pacific Countries.

We have interpreted this part of your request to DPMC to be for a list of any relevant assessments produced by the National Assessments Bureau (NAB). There are no NAB assessments relevant to this part of your request which is, accordingly, refused under section 18(e) of the Act on the basis that no such assessments exist.

Meetings with DPMC officials

You asked what meetings, if any, have DPMC officials had regarding AUKUS since 1 September 2021 by date and location.

To respond to this part of your request, searches were made of DPMC records and relevant officials were asked about meetings they have attended. Given your request covers meetings since 2021, some relevant DPMC officials no longer work at DPMC. AUKUS may have been raised or come up at a number of meetings attended by DPMC officials since September 2021, where no specific records have been retained. DPMC officials in the NSG and PAG are likely to have attended many meetings over this time both within DPMC and with officials from other relevant agencies where AUKUS may have been raised.

In addition, the PAG Foreign Affairs Advisor frequently attends meetings held by the Prime Minister when visiting overseas or with overseas visitors to New Zealand. Cabinet Office officials provide secretariat services for Cabinet and Cabinet Committee meetings. It is possible that AUKUS could have been discussed at any time.

From our records, we have identified the following meetings attended by DPMC officials which were specifically related to AUKUS.

Meetings attended by two Principal Advisors in the NSG:

- AUKUS Pillar Two – interagency officials meeting Defence House, Wellington, Wednesday 7 February 2024.
- AUKUS Pillar 2 briefing from Australia – Defence House, Wellington, Thursday 22 February 2024.

Meetings attended by the Deputy Chief Executive (DCE) National Security Group, and Manager, Security and Intelligence Policy:

- Tier 2 AUKUS Meeting – interagency – Defence House, Wellington, Friday 16 September 2021

- Tier 2 AUKUS Meeting – interagency – Defence House, Wellington, Friday 23 September 2021

Briefing of the Governor-General, attended by DPMC Chief Executive, DCE National Security Group, and Chief Advisors to the Chief Executive – Wellington, Tuesday 10 October 2023. This briefing was for the Governor-General's information only.

List of Documents held by DPMC

You requested a list by title and date of all written advice, briefings, reports, and notes held by DPMC regarding AUKUS from 1 September 2021. We have understood this request to be for formal advice from DPMC. Most of the information held by DPMC relates to the drafting of advice prepared by other agencies. I understand that you have also made requests to the Ministry of Foreign Affairs and Trade (MFAT) and to the Ministry of Defence (MoD) relating to AUKUS and refer you to their responses. You may also want to check the websites of both MFAT and MOD for any information about AUKUS that has been made publicly available.

Identified as relevant to this request is the following document prepared by DPMC:

- April 2023: Aide Mémoire – AUKUS Information Paper

Also identified as relevant to your request is information in some briefings to the Prime Minister from both the DPMC Chief Executive and PAG. The dates and titles of these briefings are withheld in their entirety under the following sections of the Act:

- section 6(a), to protect the security or defence of New Zealand or the international relations of New Zealand.
- section 9(2)(f)(ii), to maintain collective and individual ministerial responsibility
- section 9(2)(f)(iv), to maintain the confidentiality of advice tendered by or to Ministers and officials
- section 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinion
- section 9(2)(h), to maintain legal professional privilege.

Briefing notes from PAG are provided to the Prime Minister in confidence to support him in his role as leader of the Government and Chair of Cabinet.

Where section 9 of the Act applies, in making my decision, I have considered the public interest considerations in section 9(1) of the Act. No public interest has been identified that would be sufficient to override the reasons for withholding that information.

You are entitled to ask the Ombudsman to review this response under section 28(3) of the Act.

This response will be published on DPMC's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Bridget White
Executive Director, National Security