



OIA21-0343

20 May 2021

Grace Haden
fyi-request-14975-d8f3563d@requests.fyi.org.nz

Dear Grace

Thank you for your email of 22 March 2021 requesting information relating to approved organisations and the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA). Your request has been considered under the Official Information Act 1982 (OIA).

On 21 April you were informed that the Ministry for Primary Industries (MPI) would not be able to respond to your request within the timeframe set out in the OIA because consultations necessary to make a decision on your request were such that a proper response could not reasonably be made within the normal 20 working day time limit. You were advised MPI would reply to your request no later than 20 May 2021.

I shall quote and respond to each part of your request below.

I note that the MPI have produced a document <https://www.mpi.govt.nz/dmsdocument/44038-Guidance-for-MPIApproved-Organisations-MAOs-Conflicts-of-Interest>

It is not clear if this document pertains only to Plant exports or incorporates all approved organisations administered by the MPI.

By way of OIA please advise if it relates to approved organisations under the animal welfare act. If not why not.

The document to which you refer, *Guidance for MPI Approved Organisations (MAOs) – Conflicts of Interest*, relates only to the MPI Plant Exports Certification Standard: Organisation Requirements. This standard is only applicable to Plant Exports and therefore cannot be related to any other MPI-approved organisations under other standards, legislation, or regulations.

Please provide by way of OIA all documents with regards to the latest assessment of RNZSPCA against the criteria for approved organisations and consideration as to whether their new direction is in conflict with the criteria set out in section 122.

MPI does not have a published guideline for approved organisations under the Animal Welfare Act (the Act), as there is only one approved organisation. The RNZSPCA, as an approved organisation, is audited regularly against requirements for approved organisations under the Act and it must act in accordance with Performance and Technical Standards and with the memorandum of understanding with MPI.

Please also provide the audits for RNZSPCA conducted in the past 10 years.

Please find audit reports for RNZSPCA from 2012 to present attached as Appendix One. Please note, no audit was conducted in 2018. Some information is withheld from these documents under the following sections of the OIA:

- Section 9(2)(a)—to protect the privacy of a natural person;
- Section 9(2)(ba)(i)—to protect information where making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; and
- Section 18(d)—as the information requested is publicly available.

From the 2019 SPCA Audit Report, the following appendices are available at the following links:

- *Appendix G – Memorandum of Understanding 2019:*
<https://fyi.org.nz/request/12557/response/48507/attach/6/MPI%20SPCA%20MoU%20May%202019%20Signed.pdf>
- *Appendix H – Performance and Technical Standards for Inspectors 2019:*
<https://fyi.org.nz/request/11618/response/43077/attach/5/MPI%20SPCA%20PTS%20May%202019%20Signed.pdf>
- *Appendix J – Memorandum of Understanding 2010:*
<https://fyi.org.nz/request/12557/response/48507/attach/4/MAF%20RNZSPCA%20MOU%202010%20signed.pdf>

Appendix I – 2019 MPI and RNZSPCA Memorandum of Understanding from the 2020 SPCA Audit Report is a duplicate of *Appendix G – Memorandum of Understanding 2019* from the 2019 SPCA Audit Report. Please refer to the link above for this document.

Please include the register of conflicts of interest of key staff this is particularly relevant to staff who have affiliations to animal activist organisations.

On 13 April 2021, you were contacted to clarify the scope of the term 'key staff' as used in the above part of your request. You advised 'key staff' refers to 'animal welfare inspectors, vets, and those making decision in the prosecution process such as the lawyers who take on the prosecutions, e.g. those who are members of animal welfare lawyers groups, to include those who are currently in or in the past have had associations with activist groups.'

MPI has no staff within the scope of your request with registered conflicts of interest with animal activist groups.

MPI is satisfied that in the circumstances of this case, the withholding of information under section 9 of the OIA is not outweighed by other considerations which render it desirable in the public interest to make the information available.

I trust the information provided is of assistance. Should you have any concerns with this response, I would encourage you to raise these with the Ministry for Primary Industries at Official.InformationAct@mpi.govt.nz. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143 or at info@ombudsman.parliament.nz.

Yours sincerely



Gary Orr
Director Compliance Services