



22 May 2024

Ref: OTH 24-028

Mr Shane Gibson

By email: fyi-request-22736-c2d581e4@requests.fyi.org.nz

Tēnā koe Mr Gibson

Request for information under the Official Information Act

Thank you for your email received on 9 May 2023, to New Zealand Customs Service (Customs), received via the FYI website, requesting the following information under the Official Information Act 1982 (the Act):

"I would like an extract of the annual amount spent with all suppliers for the 2021/2022 financial year.

I would like this data in an open format, csv or json formats would be suitable.

I would like the following details provided:

- *Supplier Name*
- *Suppliers NZBN number (if available)*
- *Total Amount Spent*

Please provide the GST Exclusive amount spent."

On 18 January 2024, Customs was invited by the Chief Ombudsman, Peter Boshier to review Customs response to your request [OIA 23-187 refers] sent on 5 July 2023. Please find below Customs' updated response to your request. For ease of reference Customs has divided the decision on the release of your request into three parts. These decisions are outlined below.

In response to your request outlined above, please find attached a document titled '*Appendix one - amount spent with all suppliers for the 2021/2022 financial year*' which contains the annual amount spent by Customs with suppliers for the 2021/2022 financial year, including supplier names we are able to release, New Zealand Business Number (NZBN) (where available), and the total amount spent (GST exclusive).

The information contained in this document was obtained from a Customs database. While the information is considered correct at the date it was extracted (20 March 2024), it is preliminary and may be reviewed or amended as part of year-end financial reporting procedures.

Please note that the information in the attached document excludes employee expense claims and payments for Customs MasterCard transactions, as these are not considered direct 'suppliers'.

Request for names of Customs' suppliers

In response to your request for the names of Customs' suppliers, I can advise that Customs has identified the names of 991 suppliers within scope of your request. Customs has released the names of the remaining 942 suppliers for the financial year 2021/2022 as requested in the response document attached.

Customs carries out various law enforcement functions to support our Border Protection strategy. To do this effectively, we rely on specialised providers, both in New Zealand and overseas, for training, technology, and services. Customs considers that the release of some supplier names could harm our relationships with these providers and compromise our ability to successfully undertake operational and investigative work as part of our border protection role.

Therefore, Customs has withheld 49 supplier names (as well as the related NZBNs and expenditure) under the following sections of the Act:

- section 6(a) - where making available the information would be likely to prejudice New Zealand's defence, security, or international relations; and
- section 6(c) - where making available the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

Request for New Zealand Business Number of suppliers

In response to your request for NZBNs for suppliers, Customs has provided 372 out of 991 NZBNs, where those NZBN's are available and recorded in our systems.

As outlined above, NZBNs will not be provided for the 49 suppliers whose names have been withheld under section 6(a) and 6(c) of the Act. This is due to the sensitive nature of the information pertaining to these suppliers.

For the remaining 570 NZBNs that are not available and recorded in Customs' systems, Customs' declines to provide them under section 18(f) of the Act – that the information requested cannot be made available without substantial collation or research. As these numbers are not stored in Customs' systems, it would require substantial collation to manually check and transfer each number from the New Zealand Business Number website.

For the remaining NZBN information of those suppliers released in Customs' response, we direct you to access the information on the New Zealand Business Number website at the following link: <https://www.nzbn.govt.nz/mynzbn/search/> .

Request for value spent with suppliers for the financial year 2021/2022

Customs considers the value spent with each supplier for the financial year 2021/22 may be considered confidential information based on the relevant contract in place with each supplier. To ensure confidentiality and to accurately verify the terms of each applicable supplier confidentiality requirements, Customs would need to review each individual contract. This process is crucial to prevent any potential contract breaches and to maintain efficient Customs operations.

Customs has carefully assessed the resources required to identify and review the relevant confidentiality clauses, as well as to conduct the necessary contractual consultations with specific suppliers to facilitate the release of the amount spent with each supplier. Unfortunately, the resources required for this task are too high, and would, if undertaken,

impair the efficient administration of Customs, in particular our Corporate Services team. We consider that this portion of your request is subject to section 16(2)(a) of the Act - that Customs should make the information available in the way preferred by the requestor unless doing so would impair Customs' efficient administration. We are therefore unable to provide the value spent information in the format you have requested it.

Instead, in accordance with section 16(1)(e) of the Act, we have provided an aggregate summary of the information, specifically the expense range for each relevant supplier in the relevant time period. This summary information, in our assessment, upholds transparency and accountability by providing valuable insight into Customs' spending, while not breaching any of Customs' confidentiality obligations to any particular supplier.

Finally, I refer you to the 2021/22 Annual Review of the New Zealand Customs Service which provides published values spent for specific types of suppliers, namely contractors. This information is publicly available on the Parliament website at the link below. These numbers are published as part of Customs normal annual financial reporting and have been confirmed as non-confidential public information: https://www.parliament.nz/resource/en-NZ/53SCFD_EVI_127545_FD1710/1488551b2940754cfc1bba707f4e90cdced73872.

Please let us know if you have any further questions

If you have any queries in relation to this response, please contact the Correspondence, Reviews and Ministerial Servicing team at: OIA@customs.govt.nz.

You have the right, by way of complaint to the Office of the Ombudsman under section 28(3) of the Act, to seek an investigation and review of this response. Information about how to make a complaint is available online at: www.ombudsman.parliament.nz, or you can phone 0800 802 602.

Please note that Customs proactively releases responses to Official Information Act requests on our website. As such, we may publish this response on our website after we have sent it to you. Your name and contact details will be removed.

Nā māua noa, nā



Greg Hanlen
Chief Financial Officer