



21 January 2025

Ref: DOIA-REQ-0007106

Jonathan Brewer

Email: fyi-request-29426-36854f56@requests.fyi.org.nz

Tēnā koe Jonathan

Thank you for your request of 3 December 2024 to the Ministry of Business, Innovation and Employment (MBIE), under the Official Information Act 1982 (the Act), for the following information:

Please supply the complete text of all complaints made to MBIE on the topic of Radio Spectrum Management (the general concept and the organisation) between the dates of 1 January 2022 and 1 December 2024. Please supply all responses to these complaints.

Please supply the complete text of all OIA requests made to MBIE on the topic of Radio Spectrum Management (the general concept and the organisation) between the dates of 1 January 2022 and 1 December 2024. Please supply all responses to these complaints.

MBIE has identified 30 complaints received from 1 January 2022 to 1 December 2024. The way this information is stored, however, means we are unable to confirm we have identified all complaints. Please note that this number does also not include all complaints about the Register of Radio Frequencies (RRF). A summary of the complaints received can be found in appendix one to this request.

MBIE has identified 49 Official Information Act requests (OIA requests) received from 1 January 2022 to 1 December 2024 relating to Radio Spectrum Management. Our previous and current system do not record which team or subject matter an OIA request relates to, so this data has been collated on the basis of the manager who signed the response, and cross-matched against manual searches through records held by individuals and a text search for "radio spectrum" in the request text. A summary of these requests can be found in appendix two.

Both summaries include complaints and OIA requests which you have made.

Your request for all responses made by MBIE to complaints and OIA requests would require substantive collation and research to identify and provide to you. Complaints and their responses are not held in a central database, and therefore these would require a manual search through email correspondence to identify. A search run by the records management team for correspondence in inboxes likely to contain radio spectrum management complaints identified 2918 potential emails containing the keyword "complaint".

OIA requests, while recorded centrally, consist of a large quantity of information which would require substantive collation and research to provide. A sample of five requests was considered (DOIA 2122-2119, DOIA 2223-2664, DOIA 2223-2327, DOIA 2324-1983 and DOIA-REQ-0006181), and it was identified these files contained 561 pages of information, which if extrapolated would constitute approximately 5,500 pages of information.

Given the large amounts of information which would need to be sorted through and released, MBIE is refusing your request under section 18(f) of the Act, as the information requested cannot be made available without substantial collation or research.

In line with our obligations under section 18B of the Act, we have considered whether consulting with you, extending or fixing a charge would remove the reason for this refusal, however we believe that this would not be the case. Should you wish to file a request for a subset of the received correspondence or responses to complaints and OIA requests identified in the appendices, you are welcome to do so. Any information you will request will be subject to our normal OIA process, including redactions of private and commercial information where necessary.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Claire Smollett
National Manager Radio Spectrum Management Compliance
Market Integrity

Appendix One – Complaints made to the Ministry of Business, Innovation & Employment regarding Radio Spectrum Management

Complaint Date	Subject of Complaint
22/11/2024	Updating RRF Details Complicated
17/6/24	No Response to Email
11/6/24	Unable to Contact RSM
15/5/24	No Response to Licence Cancellation Request
4/12/23	No Response to Issue
30/11/23	RRF Functionality Issues
1/11/23	Duplicate Charges in License Invoice
30/10/23	Invoice Creation Issues
6/10/23	Delays to Resolving Duplicate Invoice Charges
7/8/23	RRF Web Form Issues
24/7/23	RRF Direct Debit Set-Up Issues
21/7/23	RRF API and Complaint Ticketing Issues
17/7/23	Duplicate Invoice Issues
13/7/23	Late Response to Queries
13/7/23	Delay in Ship License Callsign Correction
3/7/23	RRF Client Amendment Issues
8/6/22	LCFM License Ownership Issues
30/1/23	Use of Lyttleton FM frequency
28/8/24, 1/10/24	3.3GHz Resource Charges for Cancelled Licenses
6/4/24	Overlap of Protection Areas Causing Potential Impingement or Interference
5/9/24	Allocations of Spectrum to be Freed by Management Right 514 (MR514) Licence Revocations
28/8/24	Wrongful Process in Assessing 3.3GHz Licence Applications
10/5/24	Planned Opening of CRM 258 and CRM 514
10/6/24	Engineering and Certification of Licences by Approved Radio Engineer 159
16/7/23	Errors in PIB39 calculations
15/7/24	RRF License Search Issues
26/9/23	Issues with Currently Certified MR514 Licenses
20/7/23	PIB39 Publication and Versioning, Rejection of Licence Applications, Progress of Additional Licence Applications
13/7/23	Reasons for Licence Application Declinatures
21/7/23	Defining Locations to Meet RRF Requirements in Licence Applications

Appendix Two – Official Information Act requests made to the Ministry of Business, Innovation & Employment regarding Radio Spectrum Management

Request ID	Date Received	Requested Information
2122-1941	7/04/2022	Radio New Zealand briefings and advice regarding FM and AM transmission since 2018, and radio spectrum frequency changes since 2017
2122-2119	9/05/2022	Information provided to cabinet, and information on consultations, in relation to the Technical Working Group on 3.3-3.8GHz presentation on 15 December 2021
2122-2275	31/05/2022	Information, analysis and communications regarding a November 2021 briefing on future access rights
2223-0599	22/09/2022	Information regarding licence audits, including those in Camborne, Porirua, since 2000
2223-1773	13/02/2023	A copy of the Radio Allocation Act and a list of radio repeater locations registered over the last five years, as well as a full site map.
2223-2664	16/05/2023	Information relating to the auctioning of MR514 radio spectrum allocations via TradeMe in May 2023
2324-0349	17/08/2023	Information regarding a cell tower erected in Paeroa
2324-0970	31/10/2023	Joint Report on funding for Māori interests in radio spectrum (T2023/1550)
2324-1011	6/11/2023	Joint Report on funding for Māori interests in radio spectrum (T2023/1550)
2122-1383	11/01/2022	Information regarding radio interference with key fobs in a Hamilton mall
2122-1445	19/01/2022	Information regarding 5G cell tower output capacity
2122-1712	2/03/2022	Information regarding MBIE policies on 5G output restrictions and reference material updates
2122-2120	6/05/2022	Use of EMF in New Zealand
2223-0284	11/08/2022	Information regarding licensing of, and output limits on, cell towers in Porirua
2223-0421	30/08/2022	Communications with 2degrees in 2016
2223-0523	14/09/2022	Application of s133A of the Radiocommunications Act 1989 to aircraft and ship transmissions, and to satellite receivers.
2223-0864, 2223-0865	26/10/2022	Communications with Spark in 2016
2223-0859	26/10/2022	Information regarding decision between allocation or auction of 5G spectrum
2223-1325	16/12/2022	Information regarding implementation of 5G by NPDC, frequencies and radiation levels emitted in Invercargill, use of cameras in street lights, and a drone network in Southland
2223-2151	22/03/2023	Number of active amateur radio operators in New Zealand
2223-2327	12/04/2023	Correspondence and consultations relating to the decision to auction 3.3-3.34GHz spectrum, and any financial estimates of revenue from allocation of the 3.5GHz spectrum and auction of the 3.3-3.34GHz spectrum
2223-2567	16/04/2023	Updates, surveys and requests for information on 3.3-3.4 GHz assignment process, including discussions with WISPA and equipment manufacturers
2223-2650	21/04/2023	All 5G and 4G frequencies in use, use and health impacts of mmWave frequencies and EMFs created by satellite coverage
2223-2940	16/06/2023	Cellphone tower locations, names and postal details of owners, and related compliance orders and regulations for the last 5 years.

2223-3020	27/06/2023	Phased array antenna usage and protection measures in relation to 5G towers in Invercargill
2223-3048	30/06/2023	Details regarding communication of PIB 39 update in May 2023
2324-0026	4/07/2023	Briefings from Treasury and MBIE regarding 3.5GHz allocations to Spark, 2degrees, Vodafone/One NZ and the Rural Connectivity Group, and any related cost/benefit analyses
2324-0067	10/07/2023	Evidence supporting RSM decision to preserve spectrum for future users. Correspondence with and advice received from ACMA regarding 169MHz spectrum applications.
2324-0098	16/07/2023	Information regarding PIB 39 version 8.3 publication post-May 2023
2324-0220	27/07/2023	Follow-up request to DOIA 2324-0098
2324-0247	5/08/2023	Long term exposure limits for 4G and 5G frequencies, legal basis for these limits and monitoring arrangements
2324-1226	4/12/2023	Telecommunication infrastructure equipment provider ownership, and total number of masts in 2010 and 2023
2324-1236	5/12/2023	Communications regarding MR514 interference planning and licence applications, and interference planning calculations
2324-1249	6/12/2023	Owners and users of cell phone towers in New Zealand
2324-1318	14/12/2023	Advice to Ministers on recognition of Māori interests in telecommunication spectrum between 2022 and 2023
2324-1856	28/02/2024	Television broadcasting licences for TVNZ, Mediaworks, World TV Limited, and Kordia Limited
2324-1923	7/03/2024	Correspondence, contracts and meetings with Spark, One NZ and 2degrees regarding allocation of 3.5Ghz band for 5G services, advice provided to Ministers on this spectrum allocation, and government departments and Ministers involved in these decisions.
2324-1983	13/03/2024	Radio licences or certificates requested by Wellington City Council since 1990, and licences or frequencies used for CCTV
2324-2340	23/04/2024	Dates created and effective for "Plan for Post-Auction Closure Process" document
2324-2536	15/05/2024	Specific approved radio engineer emails and attachments in relation to MR 514 spectrum licensing between July 2023 and May 2024
2324-2682	4/06/2024	5G towers around Tauranga and liability for damage to health
2324-2834	18/06/2024	Information supplied as part of specific licence audits
2324-2849	20/06/2024	Responses to complaint made regarding administration of Crown Management Rights
2425-0132	11/07/2024	Costs associated with 5G towers and reasons for erection in rural areas
2425-0406	8/08/2024	Authorisation of EMF in New Zealand
2425-0574	26/08/2024	Users of WBAN (wireless body area networks) in New Zealand
REQ-0006181	7/11/2024	Approvals, consents, correspondence, briefings and objections relating to supplementary coverage by SpaceX and One NZ, and other satellite mobile coverage. Legislation and other rules/regulations covering supplementary coverage from space.
REQ-0006228	10/11/2024	Investigations, reports and complaints regarding interference with Apple Carplay, Android Auto, the 5GHz band and 5G cellular data in Auckland