

9 August 2021

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OIA 27551

Personal details removed for proactive  
release

I refer to your email of 3 July 2021 in which you request the following under the Official Information Act 1982 (OIA):

1. *Copies of any communications you have sent to suppliers or contractors asking whether they meet the definition of a Māori business;*
2. *Copies of any communications you have sent to suppliers or contractors advising them of the requirements of the Progressive Procurement Policy;*
3. *The number/value of contracts your agency has terminated because a supplier or contractor didn't meet the definition of a Māori business since the Progressive Procurement Policy came into force;*
4. *The number/value of contracts your agency has signed with Māori businesses since the Progressive Procurement Policy came into force.*

We have numbered your request for ease of reference. Information relevant to parts 1 and 2 of your request is attached. You will note that a small amount of information is withheld under section 9(2)(a) of the OIA, in order to protect the privacy of natural persons.

I will respond to your remaining questions in turn.

3. *The number/value of contracts your agency has terminated because a supplier or contractor didn't meet the definition of a Māori business since the Progressive Procurement Policy came into force.*

I can confirm that no contracts have been terminated due to a supplier or contractor not meeting the definition of a Māori business.

4. *The number/value of contracts your agency has signed with Māori businesses since the Progressive Procurement Policy came into force.*

The Ministry has signed one contract, valued at NZ\$11,596.08 excluding GST, with a Māori business since the introduction of the Progressive Procurement Policy.

Please note that we may publish this letter (with your personal details redacted) and enclosed documents on the Ministry's website.

If you have any questions about this decision, you can contact us by email at: [DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz). You have the right to seek an investigation and review by the Ombudsman of this decision by contacting [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Julie-Anne Lee', with a horizontal line underneath.

Julie-Anne Lee  
for Secretary of Foreign Affairs and Trade

## Questions and Answers

Access Private

Question Title: Property Leasing to Maori business

Question Text: If a crown agency were to lease a property off a Maori owned entity, would this count towards the 5% criteria?

Answer Text: This is a government wide initiative that was kicked off by TPK and MBIE. They are best positioned to answer your questions. However here are some links that might assist you.

<https://www.tpk.govt.nz/en/a-matou-kaupapa/maori-economic-resilience/progressive-procurement>  
<https://www.procurement.govt.nz/broader-outcomes/increasing-access-for-new-zealand-businesses/>  
<https://www.ird.govt.nz/roles/maori-authorities>

This notice is designed for suppliers that have identified themselves as Maori owned to register themselves as such with MFAT.

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Access Private

Question Title: Definition of Maori Business

Question Text: We are a business that takes Maori and Pacifica trade trainees in a partnership with Te Kohao Health, Vertical Horizons and MSD. We also utilize Vertical Horizons for all our staff training needs. We are delivering on a commitment to make a difference in opportunity, and providing sustainable work. We have a Maori on the Senior Leadership Team (Myself), that has significant influence on a privately held European owner business, that are also committed to the cause Do we meet the criteria of being defined as a Maori Business?, as inclusion in Procurement planning like this is vital to our survival, to maintain the work we are doing  
Nga Mihi  
s9(2)(a)

Original Question Text: We are a business that takes Maori and Pacifica trade trainees in a partnership with Te Kohao Health, Vertical Horizons and MSD. We also utilize Vertical Horizons for all our staff training needs. We are delivering on a commitment to make a difference in opportunity, and providing sustainable work. We have a Maori on the Senior Leadership Team (Myself), that has significant influence on a privately held European owner business, that are also committed to the cause Do we meet the criteria of being defined as a Maori Business?, as inclusion in Procurement planning like this is vital to our survival, to maintain the work we are doing  
Nga Mihi  
s9(2)(a)

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<https://www.tpk.govt.nz/en/a-matou-kaupapa/maori-economic-resilience/progressive-procurement>  
<https://www.procurement.govt.nz/broader-outcomes/increasing-access-for-new-zealand-businesses/>  
<https://www.ird.govt.nz/roles/maori-authorities>

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Access Public

Question Title: How to register my company

Title:

Original Question Title: How to add names etc

Question Title:

Title:

Question Text: Our business is Māori owned and we are unsure what we need to do in order to register our company with MFAT. can you help clarify?

Regards

Original Question Text: Our Business is maori ownership and unsure what we need to do or how to do it as messages not clear. can you help clarify?

Text:

Regards

Answer Text: Please see the following websites for further information.

Text: <https://www.tpk.govt.nz/en/a-matou-kaupapa/maori-economic-resilience/progressive-procurement>  
<https://www.procurement.govt.nz/broader-outcomes/increasing-access-for-new-zealand-businesses/>  
<https://www.ird.govt.nz/roles/maori-authorities>

If you wish to register yourself as a Maori owned business with MFAT please answer the following questions and send to [commercial@mfat.govt.nz](mailto:commercial@mfat.govt.nz)

Company Name:

NZBN Number:

Contact person:

Services offered:

Māori Business classification through IRD: Yes/No

Māori Business by 50% ownership: Yes/No

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Access Private

Question Title: What is a Maori?

Title:

Question Text: This GETS notice refers to business that have more than 50% Maori ownership. I am an owner in a business with multiple shareholders. Can you help the community understand exactly what constitutes a "Maori" please?

I also have another business that is owned by a couple of trusts. Some of the Trustees and beneficiaries might claim to be "Maori". Maybe even over 50% might claim to be "Maori." Can you explain clearly how this is determined. Is enrollment on the Maori Electoral roll proof of being Maori?

Original Question Text: This GETS notice refers to business that have more than 50% Maori ownership. I am an owner in a business with multiple shareholders. Can you help the community understand exactly what constitutes a "Maori" please?

Text:

I also have another business that is owned by a couple of trusts. Some of the Trustees and beneficiaries

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might claim to be "Maori". Maybe even over 50% might claim to be "Maori." Can you explain clearly how this is determined. Is enrollment on the Maori Electoral roll proof of being Maori?

**Answer Text:** This is a government wide initiative that was kicked off by TPK and MBIE. They are best positioned to answer your questions. However here are some links that might assist you.

<https://www.tpk.govt.nz/en/a-matou-kaupapa/maori-economic-resilience/progressive-procurement>  
<https://www.procurement.govt.nz/broader-outcomes/increasing-access-for-new-zealand-businesses/>  
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**Access** Private

**Question Title:** What is the definition of a 50% owned Māori business?

**Title:**

**Question Text:** Are you able to clarify the requirements around being a 50% owned Māori business? So for example our business has two owners - one is Pasifika, and the second is half Pasifika / half Māori. Would this qualify us as 50% Māori owned under the requirements?

**Answer Text:** The definition and criteria are were not created by or managed by MFAT. This is a government wide initiative that was kicked off by TPK and MBIE. They are best positioned to answer your questions. However here are some links that might assist you.

<https://www.tpk.govt.nz/en/a-matou-kaupapa/maori-economic-resilience/progressive-procurement>  
<https://www.procurement.govt.nz/broader-outcomes/increasing-access-for-new-zealand-businesses/>  
<https://www.ird.govt.nz/roles/maori-authorities>

## RfX Details

RfX Title: new government procurement policy with a focus on Māori businesses

Reference number:

RfX ID: 24260724

RfX type: Notice of Information (Advance Notice)

Open date: 10:30 AM 4 May 2021 (Pacific/Auckland UTC+12:00)

Close date: 5:00 PM 1 Jun 2021 (Pacific/Auckland UTC+12:00)

Late date: 5:00 PM 1 Jun 2021 (Pacific/Auckland UTC+12:00)

RfX Status: Contract Completed

Department: None

Price Band: \$0 - \$10K

Tender Coverage: Sole Agency

Alternate Physical Tender Box Delivery Address: None.

Alternate Physical Tender Box Fax Number: None.

Agency Address: None.

Categories:  The United Nations Standard Products and Services Code (UNSPSC)

Regions:  Auckland  
 Bay of Plenty  
 Canterbury  
 Chatham Islands  
 Gisborne  
 Hawke's Bay  
 Manawatu-Wanganui  
 Marlborough  
 Nelson  
 Northland  
 Otago  
 Southland  
 Taranaki  
 Tasman  
 Waikato  
 Wellington  
 West Coast

Pre-qualification required for: None.

Overview On 3 December 2020, following Cabinet agreement, the Government announced a new progressive procurement policy with a focus on Māori businesses. This policy requires all government agencies that are subject to the Government Procurement Rules (the Rules) to set and report against a target that at least 5% of the total number of their annual procurement contracts are awarded to Māori businesses.

For the purposes of this procurement policy, a Māori business is defined as either a Māori authority as classified by the Inland Revenue Department (IRD) or one that has at least 50% Māori ownership.

This policy is intended to increase the diversity of suppliers engaged by government agencies and to provide more opportunities for Māori businesses to tender for government contracts.

The Ministry is seeking information from Māori and Pasifika Businesses who supply to MFAT currently and those that wish to in the future, to self-identify with necessary detail to inform our baseline. We are collecting this information via GETS and also via [commercial@mfat.govt.nz](mailto:commercial@mfat.govt.nz). The Ministry intends on storing this information for our records to inform our baseline and report against the cabinet target.

You can find out if you are eligible to be classified as a Maori Business by IRD by looking at Section YA 1 of the Income Tax Act 2007 (Financial institution special purpose vehicles ([ird.govt.nz](http://ird.govt.nz))) defines a Māori Authority as 'a person who has made an election under section HF11 (Choosing to become Maori authority)'. Section HF 2 states who is eligible to be a Māori authority.

Please contact us if you have any questions.

Company Name:

NZBN Number:

Contact person:

Services offered:

Māori Business classification through IRD: Yes/No

Māori Business by 50% ownership: Yes/No

For more information please visit the following sites:

<https://www.tpk.govt.nz/en/a-matou-kaupapa/maori-economic-resilience/progressive-procurement>

<https://www.procurement.govt.nz/broader-outcomes/increasing-access-for-new-zealand-businesses/>

<https://www.ird.govt.nz/roles/maori-authorities>