

23 September 2025

195 Lambton Quay  
Private Bag 18-901  
Wellington 6160  
New Zealand

T +64 4 439 8000  
F +64 4 472 9596

Requesters name removed  
for publication

OIA 30240

Tēnā koe Requesters name removed  
for publication

Thank you for your email of 1 July 2025 in which you requested the following under the Official Information Act 1982 (OIA):

*"I would be grateful for all official information on the MFAT investigation in 2021 into Air New Zealand's exports of GE LM2500 marine engines, in particular those destined for Saudi Arabia, including MFAT's interactions with other bodies and the investigation's outcomes (in other words, what recommendations were taken up as a result of the investigation's findings).  
Please exclude information that is administrative or trivial in nature."*

Your request has been interpreted as being for:

- 1- Formal documentation (e.g., reports, findings, summaries) related to MFAT's 2021 investigation into Air New Zealand's exports of GE LM2500 marine engines, especially those destined for Saudi Arabia.*
- 2- MFAT's communications or consultations with external bodies (e.g., other government agencies, international partners) in relation to decisions made/actions taken in this investigation.*
- 3- Outcomes report resulting from the investigation into Air New Zealand's exports of GE LM2500 marine engines.*

On 30 July 2025, the timeframes for responding to your request were extended by an additional 30 working days because responding to your request necessitated the review of a large quantity of information, and due to the consultations necessary to decide on your request (section 15A(1)(a) and (b) of the OIA refers).

On 10 September 2025, the Ministry of Foreign Affairs and Trade (the Ministry) advised you that a decision had been made on your OIA request and that the information relevant to your request was in the final stages of preparation.

Please find this information attached. Some of the information is withheld under the following sections of the OIA:

- 6(a): to avoid prejudicing the security or defence of New Zealand or the international relations of the New Zealand Government;

- 6(b)(i): to protect the passing of information from another government on a confidential basis;
- 9(2)(a): to protect individuals' privacy;
- 9(2)(ba)(i): to protect the supply of confidential information by a third party;
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments;
- 9(2)(g)(ii): to protect officers and employees from improper pressure or harassment; and
- 9(2)(h): to maintain legal professional privilege.

Where the information was withheld under section 9 of the OIA, no public interest in releasing the information has been identified that would override the reasons for withholding it.

Following the Ministry's internal investigation and a commodity determination process, the export controls decision was published on the Ministry's website: [www.mfat.govt.nz/en/media-and-resources/export-controls-decision](http://www.mfat.govt.nz/en/media-and-resources/export-controls-decision).

In April 2021, in response to heightened public interest and media coverage concerning New Zealand businesses exporting to countries subject to scrutiny over human rights and humanitarian law concerns, the Deputy Chief Executive, Policy at the Ministry commissioned an independent review of the Ministry's Export Controls framework. The review was conducted by David Smol and resulted in the report titled *A Review of the Ministry of Foreign Affairs and Trade's Export Controls Regime*. The report provided an assessment of the New Zealand export controls framework and offered recommendations for strengthening it, and is available on the Ministry's website: [www.mfat.govt.nz/assets/Trade-General/Brokering-weapons-AND-Trading-weapons-and-controlled-chemicals/Export-Controls-Report-22-July-2021.pdf](http://www.mfat.govt.nz/assets/Trade-General/Brokering-weapons-AND-Trading-weapons-and-controlled-chemicals/Export-Controls-Report-22-July-2021.pdf).

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website: [www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/](http://www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/). 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



Sarah Corbett  
for Secretary of Foreign Affairs and Trade

---

**From:** NOBLE, Peter (ISED)  
**Sent:** Tuesday, 9 February 2021 5:37 pm  
**To:** HORNE, Stuart (MEA); ANDREWS, Matthew (CLU); WILLIAMS, Andrew (LGL); HILLYER, Cecile (ISED); DONNELLY, Katy (ISED); HALLUM, Victoria (LGL)  
**Subject:** FW: Update from Air NZ

**Security Classification:** UNCLASSIFIED

This just in from AirNZ so will revise my response.

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Tuesday, 9 February 2021 5:21 PM  
**To:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Subject:** Update from Air NZ

Hi Peter,

Thanks for the call with Stuart earlier. It caused a rewrite to the email I was about to send you – a good thing as it meant that many of my questions were answered.

We are seeking a legal opinion on the application of the export control obligations which as discussed, appears to come down to the exact design and nature of the LM2500 engine. We will endeavor to provide answers to your questions regarding these engines (for instance the shock resistant nature) and any other background we can find to assist you. We also note next steps with regards to MFAT informing Customs of the outcome and a way forward for work completed, work in progress, and new work en route to Gas Turbines in Auckland.

Finally, I note your point around the possible need for a permit to return the Saudi engine we have at the moment to MTU in Germany, particularly your comment around seeking a permit anyway while we work through whether one is required or not.

Happy to continue the discussion at any time.

Kind regards,  
Andrew

Andrew Kirton, [Head of Corporate Affairs](#) s9(2)(a)

E. [Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Tuesday, 9 February 2021 8:38 am  
**To:** HORNE, Stuart (MEA)  
**Cc:** NOBLE, Peter (ISED)  
**Subject:** Re: Air NZ Response to TVNZ Saudi Navy

Hi Stuart yes from CEO down this is our top priority this morning/ today.

---

Andrew Kirton  
Head of Corporate Affairs

---

**From:** HORNE, Stuart (MEA) <Stuart.Horne@mfat.govt.nz>  
**Sent:** Tuesday, February 9, 2021 8:07:15 AM  
**To:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Cc:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Subject:** RE: Air NZ Response to TVNZ Saudi Navy

[UNCLASSIFIED]

Hi Andrew – as you can imagine – there is a lot of interest in getting answers to our questions below as soon as possible. I see from the media updates from Air New Zealand that there is some additional detail available around the timing and place of the work – so hopefully you will be in a position to provide a more detailed update today.

Regards

Stuart

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Thursday, 4 February 2021 4:15 PM  
**To:** HORNE, Stuart (MEA) <Stuart.Horne@mfat.govt.nz>  
**Cc:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Subject:** Re: Air NZ Response to TVNZ Saudi Navy

Thanks Stuart

I'll consult internally and get answers to you ASAP.

AK

---

Andrew Kirton  
Head of Corporate Affairs

---

**From:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>  
**Sent:** Thursday, February 4, 2021 3:21:34 PM

**To:** Andrew Kirton <[Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)>  
**Cc:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
**Subject:** RE: Air NZ Response to TVNZ Saudi Navy

[UNCLASSIFIED]

Thanks for sending this through Andrew – we would be keen to understand a few more details on this to check whether this was a contract that would usually have needed to be approved through our Export Controls regime.

So a few quick questions

- 1 Was the repair and overhaul work undertaken in New Zealand or offshore?
- 2 What is the type of gas turbines repaired – was it a military version?
- 3 When was the repair and overhaul work undertaken?

I have copied in peter noble who heads up our Export Controls regime here at MFAT.

Regards

Stu

## Stuart Horne

### Divisional Manager

Middle East and Africa Division  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

s9(2)(a) s9(2)(a) E [stuart.horne@mfat.govt.nz](mailto:stuart.horne@mfat.govt.nz)

---

**From:** Andrew Kirton <[Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)>  
**Sent:** Thursday, 4 February 2021 2:46 PM  
**To:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>  
**Subject:** Air NZ Response to TVNZ re: Saudi Navy

Hi Stuart, thanks for your time just now.

The current plan is that we will respond to TVNZ by close of play today with the below.

Regards  
Andrew

The following can be attributed to an Air New Zealand spokesperson:

“Air New Zealand’s Gas Turbines business specialises in the repair and overhaul of gas turbines used for marine and industrial purposes, such as power stations, large ships, fast ferries and sizeable manufacturing or processing plants.

As one of a handful of facilities in the world licensed to repair a certain type of engine used on large vessels, the Gas Turbines business has been contracted to work on naval ship engines from New Zealand, the United States and Australia.

The business also occasionally contracts to carry out ad hoc overflow work from third party repair facilities. It is through a third party contract that work has recently been carried out on two engines and one power turbine module from vessels belonging to the Royal Saudi Navy. The Gas Turbines business has not contracted directly with the Royal Saudi Navy and will not be carrying out any further work of this nature.

The Gas Turbines business is reviewing its contracting processes to ensure it has improved oversight of future work assigned through third party arrangements."

---

Andrew Kirton  
Head of Corporate Affairs

Good planets are hard to find - please think of the environment before you print this email.

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."  
Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."  
Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Tuesday, 9 February 2021 12:11 pm  
**To:** HORNE, Stuart (MEA)  
**Cc:** NOBLE, Peter (ISED)  
**Subject:** FW: Quick review please

**Importance:** High

Hi Stuart,

Please find answers below in yellow.. Please do let us know if you have any other questions regarding export controls, we are also working to confirm the same. I will keep you updated on this as a matter of priority.

Regards,  
Andrew

Andrew Kirton    Head of Corporate Affairs    M. s9(2)(a)    E. [Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)

---

**From:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>  
**Sent:** Thursday, February 4, 2021 3:21:34 PM  
**To:** Andrew Kirton <[Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)>  
**Cc:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
**Subject:** RE: Air NZ Response to TVNZ Saudi Navy

[UNCLASSIFIED]

Thanks for sending this through Andrew – we would be keen to understand a few more details on this to check whether this was a contract that would usually have needed to be approved through our Export Controls regime.

So a few quick questions

1            Was the repair and overhaul work undertaken in New Zealand or offshore?

In New Zealand. Air NZ's Gas Turbines is based in Auckland.

2            What is the type of gas turbines repaired – was it a military version?

General Electric Marine LM2500 propulsion Engine. I am advised that GE do not produce a military version.

3            When was the repair and overhaul work undertaken?

The contract was signed with German entity MTU in May 2019 and we contracted through them. We had no direct relationship with the Saudi Navy. The engines were imported into NZ and arrived at Air NZ Gas

Turbines in September 2019. The work on the two engines were completed in 2020, and the work on power turbine unit was due to be completed by March 2021.

I have copied in peter noble who heads up our Export Controls regime here at MFAT.

Regards

Stu

## Stuart Horne

### Divisional Manager

Middle East and Africa Division

New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

s9(2)(a)

E [stuart.horne@mfat.govt.nz](mailto:stuart.horne@mfat.govt.nz)

Repeated Information Removed

Released under the Official Information Act 1982

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Wednesday, 10 February 2021 3:26 pm  
**To:** NOBLE, Peter (ISED)  
**Cc:** HORNE, Stuart (MEA)  
**Subject:** Re: Process for determining the nature of the LM2500 gas turbine engine

Thanks Peter, understood.

---

**From:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Date:** Wednesday, 10 February 2021 at 12:54 PM  
**To:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Cc:** HORNE, Stuart (MEA) <Stuart.Horne@mfat.govt.nz>  
**Subject:** RE: Process for determining the nature of the LM2500 gas turbine engine

[UNCLASSIFIED]

Andrew,

Replies below.

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Wednesday, 10 February 2021 12:13 PM  
**To:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Cc:** Andrew McAlonan <Andrew.McAlonan@airnz.co.nz>  
**Subject:** Process for determining the nature of the LM2500 gas turbine engine

Peter,

As discussed, we are working on preparing information to assist you with the process of determining the status of the LM2500 engine with respect to export controls. Given the importance of this determination, we wondered if we could seek a little clarity around the process you will be undertaking and how we might best assist in that.

Specifically;

- 1) What time frame do you have in mind to make this decision?

Just as soon as possible.

- 2) Are there any pre-set criteria you will use to establish your position, or is it simply a case of reviewing the LM2500 against the wording of ML9 in the Strategic Goods List?

<https://www.mfat.govt.nz/en/trade/trading-weapons-and-controlled-chemicals/how-your-application-is-assessed/#criteria> These are the criteria we use, however if an application doesn't meet a particular criteria, this doesn't necessarily mean it will be automatically denied. The goods, the country of destination, the end-user, the end-use, the overall situation and the various criteria are assessed as a whole to arrive at a decision.

- 3) Does Mfat work alone in this process or is Customs involved in this determination?

Customs is not involved. We do consult with Ministers for sensitive applications and may do in this case.

- 4) We intend to provide a letter or submission to Mfat containing our views and background information on the LM2500. We may also reach out to GE themselves for clarity and supplementary information. It would be helpful to have a deadline for when you will accept information from us to assist with your determination.

We don't have a set deadline. We are seeking advice from other sources as well and are dependent on when they reply, hopefully within the next 7 days. If we did get to a point of having that information I will contact you to see how far off you may be. We would be interested in information from the manufacture, particularly if they have any export controls determinations on the status of the engines from either the State Department or Department of Commerce.

Regards,  
Andrew

Andrew Kirton    [Head of Corporate Affairs](#)    [M. s9\(2\)\(a\)](#)    [E. Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."  
Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

Released under the Official Information Act 1982

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Wednesday, 10 February 2021 12:13 pm  
**To:** NOBLE, Peter (ISED)  
**Cc:** Andrew McAlonan  
**Subject:** Process for determining the nature of the LM2500 gas turbine engine

Peter,

As discussed, we are working on preparing information to assist you with the process of determining the status of the LM2500 engine with respect to export controls. Given the importance of this determination, we wondered if we could seek a little clarity around the process you will be undertaking and how we might best assist in that.

Specifically;

- 1) What time frame do you have in mind to make this decision?
- 2) Are there any pre-set criteria you will use to establish your position, or is it simply a case of reviewing the LM2500 against the wording of ML9 in the Strategic Goods List?
- 3) Does Mfat work alone in this process or is Customs involved in this determination?
- 4) We intend to provide a letter or submission to Mfat containing our views and background information on the LM2500. We may also reach out to GE themselves for clarity and supplementary information. It would be helpful to have a deadline for when you will accept information from us to assist with your determination.

Regards,  
Andrew

Andrew Kirton    [Head of Corporate Affairs](#)    [M. s9\(2\)\(a\)](#)    [E. Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)

Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

---

**From:** DONNELLY, Katy (ISED)  
**Sent:** Friday, 12 February 2021 6:10 pm  
**To:** KING, Ben (DCE); SEED, Chris (CEO); HORNE, Stuart (MEA); WILSON, Paula (NAD)  
**Cc:** NOBLE, Peter (ISED); LOAN, Ruth (CEO Office); HILLYER, Cecile (ISED)  
**Subject:** Note for file: DCE call with Air NZ CEO re Turkey and Taiwan

**Security Classification:** RESTRICTED

[RESTRICTED]

Hi all,

Please see below a quick file note on Ben's call just now with Greg Foran.

Ben started by noting that he was calling Greg back to talk about the reputational issues that Greg had asked about, and that the information was being provided without prejudice to any future permitting decisions. Greg confirmed that this was well understood.

Ben noted that there no issues with the engine work for Australia, Canada, the US and Norway.

s6(a)

Thanks,  
Katy

**Katy Donnelly**  
Unit Manager (Disarmament, Non-proliferation and Export Controls)

International Security and Disarmament Division  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere  
s9(2)(a) E [katy.donnelly@mfat.govt.nz](mailto:katy.donnelly@mfat.govt.nz)

[www.mfat.govt.nz](http://www.mfat.govt.nz) | [www.safetravel.govt.nz](http://www.safetravel.govt.nz)

Released under the Official Information Act 1982

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Friday, 12 February 2021 5:12 pm  
**To:** KING, Ben (DCE); HORNE, Stuart (MEA); NOBLE, Peter (ISED)  
**Subject:** FYI - Air NZ release regarding Gas Turbines  
**Attachments:** \_\_DRAFT - update on Gas Turbines review - master.docx

**Importance:** High

Hi Ben, Stuart, Peter,

Ben I understand Greg Foran gave you a call earlier.

See attached, this is what we plan to send out very soon. I have sent to PMO, MoF and MoT offices but not MoFa office as I will leave that to you. Apologies I do not have the Mfat contacts at hand for all the countries we list in the release.

Also Peter, we are still working on providing you with information regarding the LM2500.

Kind regards  
Andrew

Andrew Kirton    [Head of Corporate Affairs](#)    [M. s9\(2\)\(a\)](#)    [E. Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)

Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

# Media Release

Media release  
12 February 2021

## Air New Zealand update on Gas Turbines review

Air New Zealand's review around historic work undertaken by its Gas Turbines business is moving forward at pace.

Air New Zealand Chairman Dame Therese Walsh says as well as commissioning a review by independent external advisers PwC, the airline has appointed a QC to the review team.

"Both our internal review and the external independent review being undertaken by PwC to determine what happened and what needs to be changed are underway. We have now appointed QC Mike Heron to review the licensing requirements for exporting these specific types of engines with the Ministry of Foreign Affairs and Trade. We expect to hear the outcome of that review in the next week.

"The full audit will likely take at least two weeks because we will be going over all the files – in some cases manually kept or paper records – even more deeply to ensure we haven't missed anything. This timeframe will also ensure our external advisors PwC have time to review the findings before the final report is reviewed by the Board at the end of February. Our Board will then provide an update on the findings after it has met."

Air New Zealand's Chief Executive Officer Greg Foran says further progress has been made on identifying which country or territory militaries the Gas Turbines business has previously carried out engine repair work for, and that ensuring this is accurate has been critical.

"Over the past decade, engine repair work has been completed for navies in Australia, Canada, New Zealand, Norway, Taiwan, Turkey, the United States and the one-off recent piece of work for the Royal Saudi Navy. The type of work undertaken for these customers includes the overhaul and repair of gas turbines, the major components of these being gas generators or power turbines for navy ships.

"At this time Gas Turbines has engine repair work underway in its Auckland workshop for the Australian, Canadian, Taiwanese, Turkish and United States navies and this work is under review.

"We are continuing to move forward with the thorough assessment of our past records to ensure we have examined all of the data, but at this stage in the process these are the navies we are aware of having carried out engine overhaul or repair work for."

**Ends**

*Issued by Air New Zealand Communications.*

Email: [media@airnz.co.nz](mailto:media@airnz.co.nz) | Phone: +64 21 747 320 | Twitter: @AirNZMedia

## About Star Alliance:

The Star Alliance network was established in 1997 as the first truly global airline alliance to offer worldwide reach, recognition and seamless service to the international traveller. Its acceptance by the market has been recognised by numerous awards, including the Air Transport World Market Leadership Award and Best Airline Alliance by both Business Traveller Magazine and Skytrax. The member airlines are: Aegean Airlines, Air Canada, Air China, Air India, Air New Zealand, ANA, Asiana Airlines, Austrian, Brussels Airlines, Copa Airlines, Croatia Airlines, EGYPTAIR, Ethiopian Airlines, EVA Air, LOT Polish Airlines, Lufthansa, Scandinavian Airlines, Shenzhen Airlines, Singapore Airlines, South African Airways, SWISS, TAP Air Portugal, THAI, Turkish Airlines, and United. Overall, the Star Alliance network currently offers more than 19,000 daily flights to more than 1,250 airports in 195 countries. Further connecting flights are offered by Star Alliance Connecting Partner, Juneyao Airlines.

For more information about Air New Zealand visit [www.airnewzealand.com](http://www.airnewzealand.com) and for more information about Star Alliance visit [www.staralliance.com](http://www.staralliance.com) and/or follow Star Alliance on [Facebook](#), [Twitter](#), [Youtube](#), [LinkedIn](#) or [Instagram](#).

Star Alliance Press Office: Tel: +49 69 96375 183 or email: [mediarelations@staralliance.com](mailto:mediarelations@staralliance.com)

Released under the Official Information Act 1982

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Friday, 12 February 2021 5:51 pm  
**To:** KING, Ben (DCE); HORNE, Stuart (MEA); NOBLE, Peter (ISED)  
**Subject:** Re: FYI - Air NZ release regarding Gas Turbines

s6(a)

Regards,  
Andrew

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Date:** Friday, 12 February 2021 at 5:11 PM  
**To:** ben.king@mfat.govt.nz <ben.king@mfat.govt.nz>, HORNE, Stuart (MEA) <Stuart.Horne@mfat.govt.nz>, NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Subject:** FYI - Air NZ release regarding Gas Turbines

Hi Ben, Stuart, Peter,

Ben I understand Greg Foran gave you a call earlier.

See attached, this is what we plan to send out very soon. I have sent to PMO, MoF and MoT offices but not MoFa office as I will leave that to you. Apologies I do not have the Mfat contacts at hand for all the countries we list in the release.

Also Peter, we are still working on providing you with information regarding the LM2500.

Kind regards  
Andrew

Andrew Kirton    Head of Corporate Affairs    M. s9(2)(a)    E. [Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)

Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

---

**From:** NOBLE, Peter (ISED)  
**Sent:** Wednesday, 10 February 2021 12:15 pm  
**To:** Andrew Kirton  
**Cc:** HORNE, Stuart (MEA)  
**Subject:** RE: Update from Air NZ

**Security Classification:**  
UNCLASSIFIED

Hello Andrew,

Thanks for emailing a record of our discussion.

As you note the key issue is information that would pertain to whether the engine would constitute a “component therefore [of a vessel specially designed or modified for military use] specially designed for military use” as per ML9.a.1. of the List, such as shock resistance as mentioned on General Electric’s website.

Thanks you also for undertaking to ascertain if MTU required a permit to export the engines to New Zealand and if they were required by the US State Department to seek a Government over Private Entity assurance letter from the NZ government via Air New Zealand.

With respect to remaining Saudi engine in Air New Zealand’s possession, should you wish to re-export that to Germany before we have made a definitive determination on its control status, can I suggest that you apply for an export permit for the engine. MFAT would assess that against the relevant criteria. Should the permit be approved, this would be without prejudice as to determining whether the engine is controlled or not. You also sought advice for the export of similar naval engines to other customers before we have made a definitive determination of their control status. Again it would be prudent to apply for a permit and this would also be without prejudice to as to the final determination of their status.

In the event that you do export with a permit this should be provided to your Customs broker, who is to upload this onto the Trade Single Window system as part of the declaration to Customs in respect of the export. Additionally the export permit has a unique code, which should be entered into the permit code field on the entry in Customs’ system.

Regards  
Peter  
Senior Adviser – Counterproliferation and Export Controls  
International Security and Disarmament Division  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

s9(2)(a)

---

Repeated Information Removed

---

**From:** Andrew McAlonan <Andrew.McAlonan@airnz.co.nz>  
**Sent:** Monday, 22 February 2021 5:00 pm  
**To:** NOBLE, Peter (ISED)  
**Subject:** Air NZ - additional information  
**Attachments:** CJ-029-05.pdf; LM2500-CJ-33.pdf; DODMRR20134683 Permit - 13E - Attachment A.pdf

**Categories:** Blue Category

**Confidential and without prejudice**

Peter,

With reference to the ongoing without prejudice discussions between Air NZ and MFAT as to the status of the LM2500. I've been asked to provide you with some additional information.

Please see attached:

- Two letters, setting out the US position (as referred to in para. 23 of Mike Heron's 22 February letter).
- Attachment A to GE Aviation Marine's DOD/MRR/20134683 (as referred to in para. 25 of Mike Heron's 22 February letter).

s6(a)

Please let me know if you need any further information.

Thanks in advance,  
Andrew

Andrew McAlonan [Legal Counsel | Gen Counsel and Comp Secretary](#) P.s9(2)  
E. [Andrew.McAlonan@airnz.co.nz](mailto:Andrew.McAlonan@airnz.co.nz) (a)

Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

---

**From:** ANDREWS, Matthew (CLU)  
**Sent:** Wednesday, 24 February 2021 2:47 pm  
**To:** HILLYER, Cecile (ISED); KING, Ben (DCE); NOBLE, Peter (ISED)  
**Subject:** RE: Your email

**Security Classification:**  
UNCLASSIFIED

[UNCLASSIFIED]

Air NZ now advise that there's no urgency re the media release

-----Original Message-----

From: ANDREWS, Matthew (CLU)  
Sent: Wednesday, 24 February 2021 2:39 PM  
To: HILLYER, Cecile (ISED) <Cecile.Hillyer@mfat.govt.nz>; KING, Ben (DCE) <Ben.King@mfat.govt.nz>; NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
Subject: FW: Your email  
Importance: High

Hi

I'm being chased by Air NZ's lawyer. Do we have a view on the media release?

Regards

Matthew

-----Original Message-----

From: Charlotte Agnew-Harington <charlotte@mhqc.co.nz>  
Sent: Wednesday, 24 February 2021 2:33 PM  
To: ANDREWS, Matthew (CLU) <Matthew.Andrews@mfat.govt.nz>  
Cc: Michael Heron <Michael@mhqc.co.nz>  
Subject: RE: Your email

Hi Matthew,

I wonder if you might have any updates regarding the press release<sup>s6(a)</sup>

Kind regards,  
Charlotte

Charlotte Agnew-Harington | Employed Barrister

Britomart Chambers  
Level 7, 2 Commerce St  
Auckland 1010  
s9(2)(a)  
mhqc.co.nz

-----Original Message-----

From: ANDREWS, Matthew (CLU) <Matthew.Andrews@mfat.govt.nz>  
Sent: Wednesday, 24 February 2021 8:32 AM  
To: Charlotte Agnew-Harington <charlotte@mhqc.co.nz>  
Cc: Michael Heron <Michael@mhqc.co.nz>  
Subject: RE: Your email

[UNCLASSIFIED]

Thanks Charlotte

-----Original Message-----

From: Charlotte Agnew-Harington <charlotte@mhqc.co.nz>  
Sent: Wednesday, 24 February 2021 7:54 AM  
To: ANDREWS, Matthew (CLU) <Matthew.Andrews@mfat.govt.nz>  
Cc: Michael Heron <Michael@mhqc.co.nz>  
Subject: RE: Your email

Good morning Matthew,

Please find attached an updated draft of Air NZ's press release. I haven't heard further as to timing of the release, but this is where the draft is at, FYI.

Kind regards,  
Charlotte

Charlotte Agnew-Harington | Employed Barrister

Britomart Chambers  
Level 7, 2 Commerce St  
Auckland 1010  
s9(2)(a)  
mhqc.co.nz

Released under the Official Information Act 1982

---

**From:** NOBLE, Peter (ISED)  
**Sent:** Wednesday, 24 February 2021 5:15 pm  
**To:** KING, Ben (DCE); ANDREWS, Matthew (CLU); HILLYER, Cecile (ISED)  
**Subject:** FW: Air New Zealand: <sup>s6(a)</sup>

**Security Classification:**  
UNCLASSIFIED

[Air NZ acknowledgement.](#)

---

**From:** Andrew McAlonan <Andrew.McAlonan@airnz.co.nz>  
**Sent:** Wednesday, 24 February 2021 5:13 PM  
**To:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Cc:** Mark Layfield <Mark.Layfield@airnz.co.nz>  
**Subject:** RE: Air New Zealand: <sup>s6(a)</sup>

Thank you, Peter.

Much appreciated.

Kind regards,  
Andrew

---

**From:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Sent:** Wednesday, 24 February 2021 4:57 pm  
**To:** Mark Layfield <Mark.Layfield@airnz.co.nz>  
**Cc:** Andrew McAlonan <Andrew.McAlonan@airnz.co.nz>; EXPORTCONTROLS <Exportcontrols@mfat.govt.nz>  
**Subject:** Air New Zealand: <sup>s6(a)</sup>

[UNCLASSIFIED]

Dear Mark,

Attached our response.

Regards

Peter  
Senior Adviser – Counterproliferation and Export Controls  
International Security and Disarmament Division  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

s9(2)(a)

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."

Good planets are hard to find - please think of the environment before you print this email.

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

Released under the Official Information Act 1982

---

**From:** Andrew McAlonan <Andrew.McAlonan@airnz.co.nz>  
**Sent:** Friday, 26 February 2021 8:29 am  
**To:** NOBLE, Peter (ISED)  
**Subject:** RE: Air New Zealand: <sup>s6(a)</sup>

Peter,

<sup>s6(a)</sup>

It would also be helpful if we were able to engage in relation to re-export of the remaining Saudi power turbine, which will be ready for shipment by the end of next week. <sup>s6(a)</sup>

Thanks in advance,  
Andrew

Andrew McAlonan    Legal Counsel | Gen Counsel and Comp Secretary    P.s9(2)  
E. Andrew.McAlonan@airnz.co.nz    (a)

---

Repeated Information Removed

---

**From:** KING, Ben (DCE)  
**Sent:** Sunday, 28 February 2021 4:32 pm  
**To:** NOBLE, Peter (ISED)  
**Cc:** DONNELLY, Katy (ISED); LOAN, Ruth (CEO Office); HILLYER, Cecile (ISED)  
**Subject:** FW: Thanks-MEDIA RELEASE: Air New Zealand update on Gas Turbines review

**Security Classification:** RESTRICTED

[RESTRICTED]

Hi Peter

See below from Andrew of Air New Zealand. s9(2)(g)(i)

I'll forward separately to NAD.

---

**From:** Andrew Kirton <Andrew.Kirton@airnz.co.nz>  
**Sent:** Friday, 26 February 2021 7:36 PM  
**To:** KING, Ben (DCE) <Ben.King@mfat.govt.nz>  
**Subject:** FW: Thanks-Re: MEDIA RELEASE: Air New Zealand update on Gas Turbines review

Hi Ben,

For your visibility.

Regards  
Andrew

s9(2)(ba)(i) - 3 pages withheld

Released under the Official Information Act 1982

Released under the Official Information Act 1982



s6(a)	Contracted in May 2019	<p>Our contracting party in Germany will arrange for the completion of the work but requires the urgent return of the turbine (now in parts) for that work to be completed.</p> <p>s9(2)(ba)(i)</p> <p>In accordance with ANZGT's current legal advice the export of these engines does not require an export permit. We are however proceeding with caution as per the dialogue we had with MFAT.</p> <p><b>Solution:</b> The granting of an export permit on a one-off basis to facilitate the export of the PT714 (in a non-repaired state). We will be submitting an application to MFAT today for without prejudice export permits to ship these items out of the country promptly.</p>
-------	------------------------	--

Released under the Official Information Act 1982

---

**From:** Jennifer Page <Jennifer.Page@airnz.co.nz>  
**Sent:** Tuesday, 9 March 2021 10:23 am  
**To:** GOODALL, Jacqui (CLU); NOBLE, Peter (ISED)  
**Cc:** Andrew McAlonan; Trevor Hughes  
**Subject:** Updated requests from Air New Zealand  
**Attachments:** 8 March ANZGT letter to MFAT.pdf; Appendix Letter 8 March 2021.pdf

Hi Jacqui and Peter

We write further to our recent conversations and letters which our QC Mike Heron has had with Matthew before he left MFAT, and the correspondence and discussions between our Gas Turbines business and your Peter Noble.

We thought it would be useful to set out our current thinking on various export issues as well as to summarise in one place the various issues and applications which we need to have further dialogue with MFAT on in order to resolve as soon as possible.

Jacqui - I would welcome the opportunity for a call with this group in the next day or two so that we can progress on these matters please. Once you have had the opportunity to read this letter, can you come back to me with some timing options of that discussion? Wednesday late morning or early afternoon would be great if that were possible.

Kind regards  
Jenn

Jenn Page    General Counsel & Company Secretary    P. s9(2)(a)    E. [jennifer.page@airnz.co.nz](mailto:jennifer.page@airnz.co.nz)

Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

---

**From:** GOODALL, Jacqui (CLU)  
**Sent:** Thursday, 11 March 2021 5:24 pm  
**To:** CONSEDINE, Danielle (CLU)  
**Subject:** FW: Updated requests from Air New Zealand  
**Attachments:** 8 March ANZGT letter to MFAT.pdf; Appendix Letter 8 March 2021.pdf

**Categories:** Blue Category  
**Security Classification:** IN CONFIDENCE

[IN CONFIDENCE]

Ngā mihi,

**Jacqui Goodall** ([She/Her](#))

**Associate Counsel**  
Corporate Legal Unit (Division)  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

T s9(2)(a) E [jacqui.goodall@mfat.govt.nz](mailto:jacqui.goodall@mfat.govt.nz)

Repeated Information Removed

Released under the Official Information Act 1982

---

**From:** Jennifer Page <Jennifer.Page@airnz.co.nz>  
**Sent:** Monday, 15 March 2021 12:09 pm  
**To:** GOODALL, Jacqui (CLU); NOBLE, Peter (ISED)  
**Cc:** Andrew McAlonan; Trevor Hughes; HILLYER, Cecile (ISED); KING, Ben (DCE)  
**Subject:** RE: Updated requests from Air New Zealand

Peter – can you please advise?  
Thank you  
Jenn

---

**From:** GOODALL, Jacqui (CLU) <Jacqui.Goodall@mfat.govt.nz>  
**Sent:** Monday, 15 March 2021 11:31 AM  
**To:** Jennifer Page <Jennifer.Page@airnz.co.nz>; NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Cc:** Andrew McAlonan <Andrew.McAlonan@airnz.co.nz>; Trevor Hughes <Trevor.Hughes@airnz.co.nz>; HILLYER, Cecile (ISED) <Cecile.Hillyer@mfat.govt.nz>; KING, Ben (DCE) <Ben.King@mfat.govt.nz>  
**Subject:** RE: Updated requests from Air New Zealand

[UNCLASSIFIED]

I'll have to defer to Pete on that one Jennifer as he is driving this process.

Ngā mihi,

**Jacqui Goodall** ([She/Her](#))

**Associate Counsel**  
Corporate Legal Unit (Division)  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

Ts9(2)(a) [E jacqui.goodall@mfat.govt.nz](mailto:jacqui.goodall@mfat.govt.nz)

---

**From:** Jennifer Page <[Jennifer.Page@airnz.co.nz](mailto:Jennifer.Page@airnz.co.nz)>  
**Sent:** Monday, 15 March 2021 11:28 AM  
**To:** GOODALL, Jacqui (CLU) <[Jacqui.Goodall@mfat.govt.nz](mailto:Jacqui.Goodall@mfat.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
**Cc:** Andrew McAlonan <[Andrew.McAlonan@airnz.co.nz](mailto:Andrew.McAlonan@airnz.co.nz)>; Trevor Hughes <[Trevor.Hughes@airnz.co.nz](mailto:Trevor.Hughes@airnz.co.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>  
**Subject:** RE: Updated requests from Air New Zealand

Thank you Jacqui. Appreciate the update.

Can I test whether “shortly” will be this week? As you will appreciate some of these applications go back a month now and the business is in limbo meanwhile.

Kind regards  
Jenn

---

**From:** GOODALL, Jacqui (CLU) <[Jacqui.Goodall@mfat.govt.nz](mailto:Jacqui.Goodall@mfat.govt.nz)>  
**Sent:** Monday, 15 March 2021 11:21 AM  
**To:** Jennifer Page <[Jennifer.Page@airnz.co.nz](mailto:Jennifer.Page@airnz.co.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
**Cc:** Andrew McAlonan <[Andrew.McAlonan@airnz.co.nz](mailto:Andrew.McAlonan@airnz.co.nz)>; Trevor Hughes <[Trevor.Hughes@airnz.co.nz](mailto:Trevor.Hughes@airnz.co.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>  
**Subject:** RE: Updated requests from Air New Zealand

[UNCLASSIFIED]

Kia ora Jenn

To update:

- Formal response to Air NZ expected shortly.
- Peter Noble had a conversation with Trevor Hughes (head of Air NZ's Gas Turbine Unit) last week about progress.

Ngā mihi,

**Jacqui Goodall** ([She/Her](#))

**Associate Counsel**

Corporate Legal Unit (Division)

New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

Ts9(2)(a)

E [jacqui.goodall@mfat.govt.nz](mailto:jacqui.goodall@mfat.govt.nz)

---

**From:** Jennifer Page <[Jennifer.Page@airnz.co.nz](mailto:Jennifer.Page@airnz.co.nz)>  
**Sent:** Friday, 12 March 2021 2:40 PM  
**To:** GOODALL, Jacqui (CLU) <[Jacqui.Goodall@mfat.govt.nz](mailto:Jacqui.Goodall@mfat.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
**Cc:** Andrew McAlonan <[Andrew.McAlonan@airnz.co.nz](mailto:Andrew.McAlonan@airnz.co.nz)>; Trevor Hughes <[Trevor.Hughes@airnz.co.nz](mailto:Trevor.Hughes@airnz.co.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>  
**Subject:** Re: Updated requests from Air New Zealand

Thank you Jacqui for the update and we look forward to hearing from you shortly.

It would be greatly appreciated at the start of next week if you can give me a steer on expected timing so we can progress with our business planning and any migrations we need to put in place to manage this timing.

Can we please speak on Monday in that regard?

Kind regards

Jenn

---

**From:** GOODALL, Jacqui (CLU) <[Jacqui.Goodall@mfat.govt.nz](mailto:Jacqui.Goodall@mfat.govt.nz)>  
**Sent:** Tuesday, March 9, 2021 2:59:08 PM  
**To:** Jennifer Page <[Jennifer.Page@airnz.co.nz](mailto:Jennifer.Page@airnz.co.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
**Cc:** Andrew McAlonan <[Andrew.McAlonan@airnz.co.nz](mailto:Andrew.McAlonan@airnz.co.nz)>; Trevor Hughes <[Trevor.Hughes@airnz.co.nz](mailto:Trevor.Hughes@airnz.co.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>  
**Subject:** RE: Updated requests from Air New Zealand

[UNCLASSIFIED]

Kia ora Jennifer

Thank you for your letter.

We understand that Air NZ is eager for a response on this matter and can assure you that we are nearing the end of the determination process and will be able to revert to you with a final response in short order.

However we need to ensure that we do not pre-empt advice to Ministers and will need to complete that process/advice first.

We will be back in touch as soon as we are able to give you a conclusive response.

Ngā mihi,

**Jacqui Goodall** ([She/Her](#))

**Associate Counsel**

Corporate Legal Unit (Division)

New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

T s9(2)(a)

E [jacqui.goodall@mfat.govt.nz](mailto:jacqui.goodall@mfat.govt.nz)

---

repeated information removed

Released under the Official Information Act 1982



**NEW ZEALAND**  
FOREIGN AFFAIRS & TRADE  
Manatū Aorere



New Zealand Ministry of  
Foreign Affairs and Trade  
Manatū Aorere

16 March 2021

Mark Layfield  
Customer Account Executive  
Engineering and Maintenance  
AIR NEW ZEALAND GAS TURBINES

195 Lambton Quay  
Private Bag 18-901  
Wellington 6160  
New Zealand

T +64 4 439 8000  
F +64 4 472 9596

Dear Mark

Thank you for your applications made on 12 and 15 February, and 09 March 2021 for the export of GE LM2500 marine gas turbine engines currently in New Zealand awaiting return to Turkey, the United States, Taiwan and Saudi Arabia. Your application of 09 March also sought a general consent for various countries for anticipated future exports.

As you are aware, it has been necessary to establish the control status of the GE LM2500 marine gas turbine engine. We would like to thank Air New Zealand for its patience while that process was undertaken and for providing information to be considered as a part of the assessment.

The requirement was to determine if GE LM2500 marine gas turbine engines and their variants are a controlled item as per ML9.a.1. New Zealand Strategic Goods List 2019. In particular, whether the engines are a "component therefore [of a warship] specially designed for military use".

It is assessed that the engines are not a controlled item as per the New Zealand Strategic Goods List 2019. Specifically, these engines are not a "component therefore [of a warship] specially designed for military use", in that they do not possess any unique military capabilities or any inherent military technologies.

We have also considered whether the engines may be subject to our expanded catch-all controls for non-controlled goods where the export would be to a military end-user (armed, paramilitary, or police force or militia as defined in the Customs and Excise Act 2018 S 97(10)).

The current expanded catch-all controls which came into force on 09 October 2020 are given effect by the attached Gazette Notice. That Notice contains some transitional and permanent exemptions.

As the marine gas turbine engines and related components currently awaiting export from New Zealand are to be ultimately consigned to a military end-user, in each instance, we consider that the catch-all controls apply. However, where the contracts for these engines were concluded prior to 09 October 2020 the engines are exempt from the requirement to obtain an export permit.

Where any negotiations were begun prior to 09 October 2020, and contracts for any of these engines were concluded after 09 October 2020 and before 09 April 2021, the engines are exempt from the requirement to obtain an export permit provided that export takes place before 09 October 2021.

For instances where negotiations were/are begun after 09 October 2021, and contracts subsequently concluded, exports of these engines to military end-users will require a permit. However, if consigned for use in an exempt destination (Australia, Canada, Iceland, Japan, Norway, South Korea, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America or a member state of the European Union) a permit is not required.

s6(a)

Yours sincerely



Peter Noble  
for Secretary of Foreign Affairs and Trade

## Export Controls

### Pursuant to Section 97 of the Customs and Excise Act 2018

1. The exportation of the goods or electronic publications specified in paragraph (2) is prohibited, except where an exemption applies as set out in paragraph (3), or with the consent of, and subject to any conditions as are imposed by the Secretary of Foreign Affairs and Trade.
2. The goods and electronic publications referred to in paragraph (1) are goods or electronic publications that may be determined by the Secretary of Foreign Affairs and Trade to be goods or electronic publications that are or may be intended for use relating, directly, or indirectly, to any or all of the following:
  - a. the development, production, or deployment of nuclear explosive devices and their means of delivery;
  - b. the development, production, or deployment of biological weapons and their means of delivery;
  - c. the development, production, or deployment of chemical weapons and their means of delivery;
  - d. a military use or application;
  - e. the development, production, or deployment of military goods or other goods that have a civilian use but that are intended for military use or that may have military applications; or
  - f. terrorist acts.
3. Goods or electronic publications, in relation to paragraph (2)(d) and (e), are exempt from the export prohibition if the goods or electronic publications are:
  - a. Consigned for use in Australia, Canada, Iceland, Japan, Norway, South Korea, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America or a member state of the European Union;
  - b. animals, food and beverage, or medical, health and sanitary products;
  - c. parts or components or replacement items for a primary system supplied prior to, or under a pre-existing contract to, the promulgation of the Gazette Notice, and not intended for the testing, development, production or maintenance of weapons;
  - d. parts or components or replacement items for a primary system supplied after the promulgation of the Gazette Notice, and not exempt under (c), and not intended for the testing, development, production or maintenance of weapons,
  - e. exported as part of an official development assistance programme funded by the New Zealand Government;
  - f. exports for which contracts existed prior to the promulgation of the Gazette Notice;
  - g. exports for which renewal of contract negotiations or pre-existing contract negotiations have yet to be completed and those negotiations are concluded within six months of the promulgation of the Gazette Notice and the related exports are completed within one year of the promulgation of the Gazette Notice;
  - h. exports of research for which contract/agreement negotiations or renewal of contracts/agreements are under discussion and such negotiations are concluded within 12 months of the promulgation of the Gazette Notice and those exports are completed within five years of the promulgation of the Gazette Notice; and
  - i. fundamental or basic research.
4. A primary system supplied after the promulgation of the Gazette Notice, and not exempt under 3(g), may be subject to a condition imposed by the Secretary of Foreign Affairs and Trade in accordance with paragraph 1, that the subsequent supply of parts or components or replacement items are exempted under paragraph 3(d) for as long as the situation at the time of approval stands. Any significant change in circumstances may need to be considered and the exemption for those parts or components or replacement items withdrawn.
5. Military use or applications, in relation to paragraph (2)(d) and (e), is defined as: “goods or electronic publications incorporated into weapons, or used in the production, maintenance or testing of weapons, or to materially enable or support operations and activities of a military or internal security nature”.
6. Fundamental or basic research means “experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts, not primarily directed towards a specific practical aim or objective”.
7. A terrorist act is as defined under section 5 of the Terrorism Suppression Act 2002.

Dated this 7th day of September 2020.

CHRIS SEED, Secretary, Ministry of Foreign Affairs and Trade.

Released under the Official Information Act 1982

---

**From:** EXPORTCONTROLS  
**Sent:** Tuesday, 16 March 2021 3:06 pm  
**To:** Mark Layfield  
**Cc:** Mal Waite; Andrew McAlonan; Jennifer.Page@airnz.co.nz  
**Subject:** Marine Gas Turbine Determination  
**Attachments:** 16032021143830-0001.pdf; Catch-all-Gazette-Notice.pdf

**Security Classification:** UNCLASSIFIED

Dear Mark,

Please find attached a determination concerning the GE LM2500 marine gas turbine engine and guidance on the catch-all controls which apply to exports of this engine to 'military' end-users.

Regards  
Peter

Senior Adviser Export Controls & Counterproliferation  
International Security and Disarmament Division  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

M: s9(2)(a)

Out of scope

Released under the Official Information Act 1982

---

**From:** SEED, Chris (CEO)  
**Sent:** Tuesday, 16 March 2021 3:15 pm  
**To:** KING, Ben (DCE); HILLYER, Cecile (ISED); NOBLE, Peter (ISED)  
**Cc:** MEDIA  
**Subject:** FW: Statement on Ministry Website - Export of Marine Engines

**Security Classification:**  
UNCLASSIFIED

[UNCLASSIFIED]

As sent.

---

**From:** SEED, Chris (CEO)  
**Sent:** Tuesday, 16 March 2021 3:13 PM  
**To:** Greg Foran (Greg.Foran@airnz.co.nz) <Greg.Foran@airnz.co.nz>  
**Cc:** 'Andrew.Kirton@airnz.co.nz' <Andrew.Kirton@airnz.co.nz>; LAURENSEN, Amy (CEO Office) <Amy.Laurenson@mfat.govt.nz>  
**Subject:** Statement on Ministry Website - Export of Marine Engines

Kia ora Greg

Please find below the statement we will be posting on the Ministry website within the next few minutes.

Ngā mihi  
Chris

**Chris Seed**

Secretary of Foreign Affairs and Trade  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere  
M s9(2)(a)      E [chris.seed@mfat.govt.nz](mailto:chris.seed@mfat.govt.nz)

---

195 Lambton Quay, Private Bag 18901, Wellington 5045, New Zealand  
[www.mfat.govt.nz](http://www.mfat.govt.nz) | [www.safetravel.govt.nz](http://www.safetravel.govt.nz)



## EXPORT CONTROLS DECISION

The Ministry of Foreign Affairs and Trade today confirmed it had reached a determination about the controlled goods status of GE LM2500 marine gas turbine engines.

Air New Zealand has undertaken service on these engines for a variety of customers over past years, including the Royal Saudi Navy. Any item found to be controlled under the New Zealand Strategic Goods List requires a permit to be exported further to the Customs and Excise Act 2018.

The Ministry had not previously made a determination about the status of these engines. On the basis of technical information obtained, the Ministry has assessed the engines are not a controlled item. This is because they are not a component specially designed for military use, and they do not possess any unique military capabilities or any inherent military technologies. Given public interest, this determination was reviewed by the Crown Law Office prior to finalisation.

There is value in companies having early contact with the Ministry where there is any question as to whether a good to be exported is controlled. The introduction of catch-all controls in October 2020 now means that even if a good does not fall under the Strategic Goods List, it may still need a permit to be lawfully exported if it is going to a military end user.

More broadly, in line with ministerial commissioning, the Ministry will be carrying out a review of its export controls regime to ensure it is fit for purpose and demonstrated to be so. The Ministry will provide a draft Terms of Reference for the review to Foreign Minister Mahuta by the end of the week.

Released under the Official Information Act 1982

## Export Controls

### Pursuant to Section 97 of the Customs and Excise Act 2018

1. The exportation of the goods or electronic publications specified in paragraph (2) is prohibited, except where an exemption applies as set out in paragraph (3), or with the consent of, and subject to any conditions as are imposed by the Secretary of Foreign Affairs and Trade.
2. The goods and electronic publications referred to in paragraph (1) are goods or electronic publications that may be determined by the Secretary of Foreign Affairs and Trade to be goods or electronic publications that are or may be intended for use relating, directly, or indirectly, to any or all of the following:
  - a. the development, production, or deployment of nuclear explosive devices and their means of delivery;
  - b. the development, production, or deployment of biological weapons and their means of delivery;
  - c. the development, production, or deployment of chemical weapons and their means of delivery;
  - d. a military use or application;
  - e. the development, production, or deployment of military goods or other goods that have a civilian use but that are intended for military use or that may have military applications; or
  - f. terrorist acts.
3. Goods or electronic publications, in relation to paragraph (2)(d) and (e), are exempt from the export prohibition if the goods or electronic publications are:
  - a. Consigned for use in Australia, Canada, Iceland, Japan, Norway, South Korea, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America or a member state of the European Union;
  - b. animals, food and beverage, or medical, health and sanitary products;
  - c. parts or components or replacement items for a primary system supplied prior to, or under a pre-existing contract to, the promulgation of the Gazette Notice, and not intended for the testing, development, production or maintenance of weapons;
  - d. parts or components or replacement items for a primary system supplied after the promulgation of the Gazette Notice, and not exempt under (c), and not intended for the testing, development, production or maintenance of weapons,
  - e. exported as part of an official development assistance programme funded by the New Zealand Government;
  - f. exports for which contracts existed prior to the promulgation of the Gazette Notice;
  - g. exports for which renewal of contract negotiations or pre-existing contract negotiations have yet to be completed and those negotiations are concluded within six months of the promulgation of the Gazette Notice and the related exports are completed within one year of the promulgation of the Gazette Notice;
  - h. exports of research for which contract/agreement negotiations or renewal of contracts/agreements are under discussion and such negotiations are concluded within 12 months of the promulgation of the Gazette Notice and those exports are completed within five years of the promulgation of the Gazette Notice; and
  - i. fundamental or basic research.
4. A primary system supplied after the promulgation of the Gazette Notice, and not exempt under 3(g), may be subject to a condition imposed by the Secretary of Foreign Affairs and Trade in accordance with paragraph 1, that the subsequent supply of parts or components or replacement items are exempted under paragraph 3(d) for as long as the situation at the time of approval stands. Any significant change in circumstances may need to be considered and the exemption for those parts or components or replacement items withdrawn.
5. Military use or applications, in relation to paragraph (2)(d) and (e), is defined as: “goods or electronic publications incorporated into weapons, or used in the production, maintenance or testing of weapons, or to materially enable or support operations and activities of a military or internal security nature”.
6. Fundamental or basic research means “experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts, not primarily directed towards a specific practical aim or objective”.
7. A terrorist act is as defined under section 5 of the Terrorism Suppression Act 2002.

Dated this 7th day of September 2020.

CHRIS SEED, Secretary, Ministry of Foreign Affairs and Trade.

Released under the Official Information Act 1982

---

**From:** NOBLE, Peter (ISED)  
**Sent:** Tuesday, 16 March 2021 3:42 pm  
**To:** 'Andrew McAlonan'  
**Subject:** RE: Marine Gas Turbine Determination  
**Attachments:** Catch-all-Gazette-Notice (2).pdf

**Security Classification:**  
UNCLASSIFIED

Try this – I think our new MFAT website which went live at 3.00 may have something to do with it. Otherwise it is in the catch-alls section of our webpage <https://www.mfat.govt.nz/en/trade/trading-weapons-and-controlled-chemicals/which-goods-are-controlled/>

---

**From:** Andrew McAlonan <Andrew.McAlonan@airnz.co.nz>  
**Sent:** Tuesday, 16 March 2021 3:31 pm  
**To:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Subject:** RE: Marine Gas Turbine Determination

Hi Peter,

Thank you for the below. Very much appreciated.

We don't seem to be able to open the catch-all guidance pdf. Do you mind resending?

Thanks,  
Andrew

---

Repeated Information Removed

Released under the Official Information Act 1982

Released under the Official Information Act 1982

# Media Release

Media release  
23 February 2021

## Air New Zealand Gas Turbines review – further update

Air New Zealand continues to progress its internal review and the independent external review being carried out by PwC on its Gas Turbines business is also well underway.

Air New Zealand Chairman Dame Therese Walsh says the airline has now received advice from the QC appointed to review the licensing requirements for exporting the specific type of engines the business was repairing for the Royal Saudi Navy.

“The legal advice we have received from Mike Heron QC is that the export of the two engines to Germany for the Royal Saudi Navy did not require an export permit under the Customs Act, nor did it require a notification to the Secretary of Foreign Affairs and Trade. The advice is that new notification requirements introduced in late 2020 do not apply to contracts entered into before September 2020 (when the notification requirement was expanded for certain military related exports). The contract for this Royal Saudi Navy work was in May 2019. We are discussing this advice with MFAT.

“The independent review by external advisors PwC is well underway and they have had an interim meeting with the Board, but a final report is not expected for a few more weeks. The Board is satisfied with how the reviews are tracking and the interim measures that have been put in place. They have expressed their appreciation for the cooperation and assistance of the Gas Turbines employees involved in the reviews.”

Air New Zealand Chief Executive Officer Greg Foran says the internal review is progressing well and early findings have helped the business to identify where there are opportunities to improve processes.

“We have taken immediate steps to ensure all future work of a military or government nature is escalated to Executive level for review, including ethical considerations, and approval before a contract can proceed. We will also work with relevant governmental agencies to ensure our understanding of issues for differing jurisdictions is kept up to date.

“For Air New Zealand, business is more than just revenue, we’ve got to make sure the work we are doing fits within our values. It’s clear we’ve still got some work to do to make sure our processes support us to make the right decisions and we’re committed to getting on and doing it.”

**Ends**

*Issued by Air New Zealand Communications.*

Email: [media@airnz.co.nz](mailto:media@airnz.co.nz) | Phone: +64 21 747 320 | Twitter: @AirNZMedia

## About Star Alliance:

The Star Alliance network was established in 1997 as the first truly global airline alliance to offer worldwide reach, recognition and seamless service to the international traveller. Its acceptance by the market has been recognised by numerous awards, including the Air Transport World Market Leadership Award and Best Airline Alliance by both Business Traveller Magazine and Skytrax. The member airlines are: Aegean Airlines, Air Canada, Air China, Air India, Air New Zealand, ANA, Asiana Airlines, Austrian, Brussels Airlines, Copa Airlines, Croatia Airlines, EGYPTAIR, Ethiopian Airlines, EVA Air, LOT Polish Airlines, Lufthansa, Scandinavian Airlines, Shenzhen Airlines, Singapore Airlines, South African Airways, SWISS, TAP Air Portugal, THAI, Turkish Airlines, and United. Overall, the Star Alliance network currently offers more than 19,000 daily flights to more than 1,250 airports in 195 countries. Further connecting flights are offered by Star Alliance Connecting Partner, Juneyao Airlines.

For more information about Air New Zealand visit [www.airnewzealand.com](http://www.airnewzealand.com) and for more information about Star Alliance visit [www.staralliance.com](http://www.staralliance.com) and/or follow Star Alliance on [Facebook](#), [Twitter](#), [Youtube](#), [LinkedIn](#) or [Instagram](#).

Star Alliance Press Office: Tel: +49 69 96375 183 or email: [mediarelations@staralliance.com](mailto:mediarelations@staralliance.com)

Released under the Official Information Act 1982

Released under the Official Information Act 1982

---

**From:** .....SMITHYMAN, Alexandra (Inet)  
**Sent:** Thursday, 4 February 2021 4:36 p.m.  
**To:** HORNE, Stuart (MEA) <Stuart.Horne@mfat.govt.nz>  
**Subject:** RE: Air NZ Response to TVNZ Saudi Navy

Thanks Stu

**Alexandra Smithyman**  
Private Secretary (Minister of Foreign Affairs)  
s9(2)(a)

[SEEMAIL RESTRICTED]

---

**From:** HORNE, Stuart (MEA) [<mailto:Stuart.Horne@mfat.govt.nz>]  
**Sent:** Thursday, 4 February 2021 3:35 PM  
**To:** Alexandra Smithyman <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>  
**Cc:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
**Subject:** FW: Air NZ Response to TVNZ Saudi Navy

[UNCLASSIFIED]

Alex – as discussed, Air New Zealand has let us know about a potential media story involving their refurbishments of gas turbine engines belonging to the Saudi navy. We were not aware of this prior to today.

While this is a matter for Air New Zealand, if asked, I think the Minister could simply note that MFAT was made aware of this contract today, and are still gathering information on the detail of the contract.

Regards

Stu

---

Repeated Information Removed

---

**From:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>  
**Date:** Monday, 08 Feb 2021, 9:20 PM  
**To:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>, <sup>s9(2)(g)(ii)</sup> HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>, HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>, GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>, TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>, SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>, KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>, MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>, ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>, Matt Torbit <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>, Alexandra Smithyman <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>, NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>, BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request

[SEEMAIL] [RESTRICTED]

Thanks Fleur – am happy with that nuance.

---

**From:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Sent:** Monday, 8 February 2021 9:11 PM  
**To:** ..... <sup>s9(2)(g)(ii)</sup> HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request

[UNCLASSIFIED]

Thanks Stu. Given we're still waiting to understand whether Air NZ complied with NZ's export controls regime... I wonder if the following point should be tweaked slightly

s9(2)(g)(i)

Fleur

---

**From:** <sup>s9(2)(g)(ii)</sup>  
**Sent:** Monday, 8 February 2021 9:02 PM  
**To:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request

Thanks Stu. In light of Minister Robertson's comment to TVNZ below, I'd suggest we tweak your lines below to ensure consistency of message.

Cheers

s9(2)(g)(ii)

MINISTER ROBERTSON COMMENT

"I was surprised and alarmed to hear that a subsidiary of Air New Zealand has been working with the Saudi Navy. We raised this matter with Air New Zealand as soon as we were made aware of it by TVNZ.

"Air New Zealand has now assured me they will not be undertaking any more work with the Saudi military. They are also looking at reporting systems and are ensuring more transparency.

"While Air New Zealand Gas Turbines is its own company, this situation is simply not acceptable. The Chief Executive of Air New Zealand has apologised to me."

TWEAKED LINES FOR MFA:

s9(2)(g)(i)

- 
- 
- 

s9(2)(g)(ii)

Senior Foreign Affairs Adviser  
Office of Hon Nanaia Mahuta, Minister of Foreign Affairs  
Mobile: s9(2)(a)

---

**From:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>  
**Date:** Monday, 08 Feb 2021, 8:45 PM  
**To:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>, s9(2)(g)(ii), HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>, HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>, GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>, TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>, SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>, KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>, MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>, ...GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>, Matt Torbit <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>, Alexandra Smithyman <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>, NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>, BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request

[SEEMAIL] [RESTRICTED]

Thanks Fleur

I have spoken to s9(2)(g)(ii) and have prepared some initial TPs and background (below).

But first - just so everyone is caught up. Air New Zealand advised us of this issue on Thursday afternoon. MFA's office was informed (email attached) and in consultation with ISED – we followed up with a series of questions to Air New Zealand to ascertain whether their actions breached the Export Controls Regime. Air New Zealand have yet to substantively respond.

What we don't know is when Minister Robertson's office became aware of this issue – and it may be worth a follow up with his office from <sup>s9(2)(g)(ii)</sup> /Alex

s9(2)(g)(i)

s6(a)

Air New Zealand's full statement is as follows:

Air New Zealand's Gas Turbines business specialises in the repair and overhaul of gas turbines used for marine and industrial purposes, such as power stations, large ships, fast ferries and sizeable manufacturing or processing plants.

As one of a handful of facilities in the world licensed to repair a certain type of engine used on large vessels, the Gas Turbines business has been contracted to work on naval ship engines from New Zealand, the United States and Australia.

The business also occasionally contracts to carry out ad hoc overflow work from third party repair facilities. It is through a third party contract that work has recently been carried out on two engines and one power turbine module from vessels belonging to the Royal Saudi Navy. The Gas Turbines business has not contracted directly with the Royal Saudi Navy and will not be carrying out any further work of this nature.

The Gas Turbines business is reviewing its contracting processes to ensure it has improved oversight of future work assigned through third party arrangements.”

Happy for any comments and suggestions.

Cheers

Stu

---

**From:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Sent:** Monday, 8 February 2021 6:45 PM  
**To:** ....<sup>s9(2)(g)(ii)</sup> ; HORNE, Stuart (MEA)  
<[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS the EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request

[UNCLASSIFIED]

A heads up that Newshub (Perry Wilson) is seeking comment from MFAT in the matter. No rush for a response tonight, can hold until tomorrow. They also suggested they would seek an interview with MFA.

Cheers  
Fleur

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

---

**From:** ....<sup>s9(2)(g)(ii)</sup>  
**Date:** Monday, 08 Feb 2021, 6:38 PM  
**To:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>, HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>, HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>, GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>, MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>, TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>, SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>, KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>, MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>, ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>, ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>, ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>  
**Subject:** Saudi Arabia/Air NZ media lines request

Evening folks

TVNZ's lead story tonight was about Air NZ filling a contract for the Saudi navy. See link/email chain below.

There is no intention for MFA to do proactive media on this - but could we please have some reactive lines tonight so that she/PM/other Ministers can respond tomorrow morning if/when questions are asked by media? This seems likely as everyone is back at Parliament tomorrow.

Thanks!

s9(2)(g)(ii)

s9(2)(g)(ii)

Senior Foreign Affairs Adviser  
Office of Hon Nanaia Mahuta, Minister of Foreign Affairs  
Mobile: <sup>s9(2)(a)</sup>

---

**From:** Matt Torbit <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>

**Date:** Monday, 08 Feb 2021, 6:24 PM

**To:** <sup>s9(2)(g)(ii)</sup>

Jessica Thorn <[Jessica.Thorn@parliament.govt.nz](mailto:Jessica.Thorn@parliament.govt.nz)>,  
Alexandra Smithyman <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>

**Cc:** Nevada Halbert <[Nevada.Halbert@parliament.govt.nz](mailto:Nevada.Halbert@parliament.govt.nz)>, 'Guergana Guermanoff [DPMC]' <[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>

**Subject:** FW: URGENT interview request from TVNZ Breakfast

Hey folks - see below. We'll need lines for this regarding the international reputation angle (and international law angle?). In the story Robertson's office has been contacted (as Air NZ shareholding Minister).

Story here: <https://www.tvnz.co.nz/one-news/new-zealand/exclusive-air-nz-has-been-secretly-helping-saudi-arabian-military-despite-its-role-in-yemen-humanitarian-crisis>

It may be that we respond to TVNZ and direct them to contact Robertson's office, as Min' responsible, for any comment regarding Air NZ. But I'd still be good to have lines - and I imagine PMO will also want some, too.

Matt

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

---

**From:** Nick Grant <[Nick.Grant@tvnz.co.nz](mailto:Nick.Grant@tvnz.co.nz)>

**Date:** Monday, 08 Feb 2021, 6:08 PM

**To:** Matt Torbit <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>

**Subject:** URGENT interview request from TVNZ Breakfast

Hi Matt

We'd very much like Minister Mahuta to come on Breakfast tomorrow to discuss this evening's 1 News story re: Air NZ, and how this may impact on our international relationships and reputation

Ideally the on-air time would be 7.20am

If it's not possible for her to appear, it would obviously be good to have a statement

I look forward to your response

Ngā mihi

**Nick Grant**

Senior producer



---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."

---

The information contained in this email message is for the attention of the intended recipient only and is not necessarily the official view or communication of the Department of the Prime Minister and Cabinet. If you are not the intended recipient you must not disclose, copy or distribute this message or the information in it. If you have received this message in error, please destroy the email and notify the sender immediately.

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."

Released under the Official Information Act 1987

---

**From:** HILLYER, Cecile (ISED)  
**Sent:** Monday, 8 February 2021 8:53 pm  
**To:** NOBLE, Peter (ISED); DONNELLY, Katy (ISED)  
**Subject:** FW: Saudi Arabia/Air NZ media lines request [IN-CONFIDENCE]

**Security Classification:**  
IN CONFIDENCE

[IN CONFIDENCE]

I presume I'm copied in on this in case there is some export controls issue – but it doesn't seem to me as if there is. Pulling you in just in case.

---

**From:** ....<sup>s9(2)(g)(ii)</sup>  
**Sent:** Monday, 8 February 2021 8:34 PM  
**To:** ....GUERMANOFF, Guergana (Inet) <guergana.guermanoff@dpmc.govt.nz>; SEED, Chris (CEO) <Chris.Seed@mfat.govt.nz>; MEDIA <media@mfat.govt.nz>; HORNE, Stuart (MEA) <Stuart.Horne@mfat.govt.nz>; HALLUM, Victoria (LGL) <Victoria.Hallum@mfat.govt.nz>; HILLYER, Cecile (ISED) <Cecile.Hillyer@mfat.govt.nz>; GRAHAM, Catherine (ECO) <Catherine.Graham@mfat.govt.nz>; ....SMITHYMAN, Alexandra (Inet) <Alexandra.Smithyman@parliament.govt.nz>; ....HOOKER, Jane (Inet) <jane.hooker@parliament.govt.nz>; ....TORBIT, Matt (Inet) <Matt.Torbit@parliament.govt.nz>  
**Cc:** VITALIS, Vangelis (DS TEG) <Vangelis.Vitalis@mfat.govt.nz>; TAYLOR, Rob (DS EMA) <Rob.Taylor@mfat.govt.nz>; KING, Ben (DCE) <Ben.King@mfat.govt.nz>; MORTON, Tara (MEA) <Tara.Morton@mfat.govt.nz>; LOAN, Ruth (CEO Office) <Ruth.Loan@mfat.govt.nz>; LAWRANCE, Natasha (CEO Office) <Natasha.Lawrance@mfat.govt.nz>; LAURENSEN, Amy (CEO Office) <Amy.Laurenson@mfat.govt.nz>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request [IN-CONFIDENCE]

8am good for MFA too. Thanks.

---

<sup>s9(2)(g)(ii)</sup>

Senior Foreign Affairs Adviser  
Office of Hon Nanaia Mahuta, Minister of Foreign Affairs  
Mobile: <sup>s9(2)(a)</sup>

---

**From:** Guergana Guermanoff [DPMC] <[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>  
**Date:** Monday, 08 Feb 2021, 8:01 PM  
**To:** SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>, MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>, HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>, HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>, HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>, ^MFAT: Catherine Graham <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>, <sup>s9(2)(g)(ii)</sup> Alexandra Smithyman <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>, Jane Hooker <[Jane.Hooker@parliament.govt.nz](mailto:Jane.Hooker@parliament.govt.nz)>, Matt Torbit <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>, TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>, ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>, MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>, LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>, LAWRANCE, Natasha (CEO Office) <[Natasha.Lawrance@mfat.govt.nz](mailto:Natasha.Lawrance@mfat.govt.nz)>, LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request [IN-CONFIDENCE]

IN-CONFIDENCE

Thanks Chris. In terms of timing, the Caucus run is at 9.30am so lines tonight or by 8am would be appreciated from PM perspective

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

---

**From:** SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>  
**Date:** Monday, 08 Feb 2021, 7:58 PM  
**To:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>, HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>, HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>, HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>, ^MFAT: Catherine Graham <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>, Guergana Guermanoff [DPMC] <[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>, ...<sup>s9(2)(g)(ii)</sup> ...SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>, ...HOOKER, Jane (Inet) <[jane.hooker@parliament.govt.nz](mailto:jane.hooker@parliament.govt.nz)>, ...TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>, TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>, ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>, MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>, LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>, LA WRANCE, Natasha (CEO Office) <[Natasha.Lawrance@mfat.govt.nz](mailto:Natasha.Lawrance@mfat.govt.nz)>, LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request [IN-CONFIDENCE]

[SEEMAIL] [IN CONFIDENCE]

Thanks all.

With Parliament back tomorrow, MFA in the House etc etc have asked Rob T to SRO this, drawing on and together the various lines of inquiry and response which may possibly be required.

Cheers

Chris

---

**From:** ...GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>  
**Sent:** Monday, 8 February 2021 7:27 PM  
**To:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; ...<sup>s9(2)(g)(ii)</sup> HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ...TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ...SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request [IN-CONFIDENCE]

IN-CONFIDENCE

Angles of questions coming from PMO, FYI in putting the media lines together:  
Was the Govt informed and did the Govt advise Air NZ ? If yes what was the advice? ( I understand this may be more Min Robertson's lead but in respect of dealing with Saudi military are there any international controls / govt approvals that companies may require etc etc)

Have any international UN conventions been breached ?

The Gas Turbines business is reviewing its contracting processes to ensure it has improved oversight of future work assigned through third party arrangements.”

Happy for any comments and suggestions.

Cheers

Stu

---

Repeated Information Removed

Released under the Official Information Act 1982

---

**From:** s9(2)(g)(ii) (Inet)  
**Sent:** Tuesday, 9 February 2021 1:34 pm  
**To:** NOBLE, Peter (ISED)  
**Subject:** RE: PM Qns: Saudi Arabia/Air NZ and Export Control peocess

All good – no hurry...



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: s9(2)(a)  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** NOBLE, Peter (ISED) [mailto:Peter.Noble@mfat.govt.nz]  
**Sent:** Tuesday, 9 February 2021 1:25 PM  
**To:** s9(2)(g)(ii)  
**Subject:** RE: PM Qns: Saudi Arabia/Air NZ and Export Control peocess

[SEEMAIL] [RESTRICTED]

Thanks – bad mistake. Afraid we will not be able to correct instantly but will try.

---

**From:** .... s9(2)(g)(ii)  
**Sent:** Tuesday, 9 February 2021 1:16 PM  
**To:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Subject:** RE: PM Qns: Saudi Arabia/Air NZ and Export Control peocess

Just noticed when I clicked through the link you sent that there's what appears to be a mistake:  
***MFAT makes decisions about permits according to the Criteria for the Assessment of Export Applications which have been approved by the Minister of Foreign Affairs and Trade.***

Presumably the words 'and Trade' shouldn't be there?



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: s9(2)(a)  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** NOBLE, Peter (ISED) [mailto:Peter.Noble@mfat.govt.nz]  
**Sent:** Tuesday, 9 February 2021 1:06 PM  
**To:** s9(2)(g)(ii) ; ....GUERMANOFF, Guergana (Inet)  
<guergana.guermanoff@dpmc.govt.nz>  
**Cc:** HORNE, Stuart (MEA) <Stuart.Horne@mfat.govt.nz>; KING, Ben (DCE) <Ben.King@mfat.govt.nz>; VITALIS, Vangelis (DS TEG) <Vangelis.Vitalis@mfat.govt.nz>; TAYLOR, Rob (DS EMA) <Rob.Taylor@mfat.govt.nz>; MORTON, Tara (MEA) <Tara.Morton@mfat.govt.nz>; Matt Torbit <Matt.Torbit@parliament.govt.nz>; Alexandra Smithyman

<[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>; Nicholas Clutterbuck <[Nicholas.Clutterbuck@parliament.govt.nz](mailto:Nicholas.Clutterbuck@parliament.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; DONNELLY, Katy (ISED) <[katy.donnely@mfat.govt.nz](mailto:katy.donnely@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>

**Subject:** RE: PM Qns: Saudi Arabia/Air NZ and Export Control peocess

[SEEMAIL] [RESTRICTED]

Although we have the publically available assessment criteria - <https://www.mfat.govt.nz/en/trade/trading-weapons-and-controlled-chemicals/how-your-application-is-assessed/> we would most likely have gone to Ministers on this one. Conjectural as to what our position would have been in 2019.

---

**From:** ....<sup>s9(2)(g)(ii)</sup>

**Sent:** Tuesday, 9 February 2021 12:56 PM

**To:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>

**Cc:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>; ....CLUTTERBUCK, Nicholas (Inet) <[nicholas.clutterbuck@parliament.govt.nz](mailto:nicholas.clutterbuck@parliament.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; DONNELLY, Katy (ISED) <[katy.donnely@mfat.govt.nz](mailto:katy.donnely@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>

**Subject:** RE: PM Qns: Saudi Arabia/Air NZ and Export Control peocess

Peter,

Thanks for this – very useful.

One – probably dumb! – additional question from me is what criteria the Secretary of Foreign Affairs and Trade applies when deciding whether or not to grant a permit under the Customs Act? What I’m getting at is: given what we know, would Air NZ likely have been granted such a permit, if they’d applied for one?

Thanks

Michael



<sup>s9(2)(g)(ii)</sup>

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: <sup>s9(2)(a)</sup>

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** NOBLE, Peter (ISED) [<mailto:Peter.Noble@mfat.govt.nz>]

**Sent:** Tuesday, 9 February 2021 12:45 PM

**To:** <sup>s9(2)(g)(ii)</sup>

....GUERMANOFF, Guergana (Inet)

<[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>

**Cc:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; Matt Torbit <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; Alexandra Smithyman <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>; Nicholas

Clutterbuck <[Nicholas.Clutterbuck@parliament.govt.nz](mailto:Nicholas.Clutterbuck@parliament.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; DONNELLY, Katy (ISED) <[katy.donnelly@mfat.govt.nz](mailto:katy.donnelly@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>

**Subject:** RE: PM Qns: Saudi Arabia/Air NZ and Export Control peocess

[SEEMAIL] [RESTRICTED]

Guergana/<sup>s9(2)</sup><sub>(g)(ii)</sub>

Brief as requested. Happy to provide any further points or clarification as needed.

Peter

Senior Adviser – Counterproliferation and Export Controls  
International Security and Disarmament Division  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

M:s9(2)(a)

---

**From:** ....<sup>s9(2)(g)(ii)</sup>

**Sent:** Tuesday, 9 February 2021 8:45 AM

**To:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>

**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>; ....CLUTTERBUCK, Nicholas (Inet) <[nicholas.clutterbuck@parliament.govt.nz](mailto:nicholas.clutterbuck@parliament.govt.nz)>

**Subject:** RE: PM Qns: Saudi Arabia/Air NZ and Export Control peocess

One additional question from me: what are the possible consequences/penalties for a company that doesn't go through an Export Control process when it is meant to?

---

**From:** Guergana Guermanoff [DPMC] [<mailto:Guergana.Guermanoff@dpmc.govt.nz>]

**Sent:** Tuesday, 9 February 2021 8:35 AM

**To:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>;<sup>s9(2)(g)(ii)</sup>  
<[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; ^MFAT: Catherine Graham <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>

**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; Matt Torbit <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; Alexandra Smithyman <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>

**Subject:** PM Qns: Saudi Arabia/Air NZ and Export Control peocess

**Importance:** High

Hi again Stu

The PM has asked for a bullet point explainer on how the Export Control measures work – how is it administered, who has the sign off (any Ministerial involvement?); is there are contract value that kicks in? what should have Air

NZ done (in terms of the Export Controls process)? What are MFAT's normal expectations of companies in terms of the process?

So basically a good background explainer in short bullet points.

The PM would like this information for post-Cabinet, so if I could get it by 1pm please.

Thanks

Guergana

**Guergana Guermanoff**

Foreign Policy Advisor  
Policy Advisory Group  
Department of the Prime Minister and Cabinet

M s9(2)(a)

E [guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)



DEPARTMENT OF THE  
PRIME MINISTER AND CABINET  
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

From: Guergana Guermanoff [DPMC]

Sent: Tuesday, 9 February 2021 7:51 am

To: 'HORNE, Stuart (MEA)' <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; ...<sup>s9(2)(g)(ii)</sup>  
<[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HALLUM, Victoria (LGL)  
<[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; ^MFAT: Catherine Graham  
<[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>

Cc: VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>;  
SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>; MORTON, Tara (MEA)  
<[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra  
(Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; BENNET,  
Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>

Subject: RE: Saudi Arabia/Air NZ media lines request

Thanks for the update and conversation Stu

Have discussed with PMO and the second bullet point will be used as reactive response if specifically raised by media:

s9(2)(g)(i)

Geri

**Guergana Guermanoff**

Foreign Policy Advisor  
Policy Advisory Group  
Department of the Prime Minister and Cabinet

M s9(2)(a)

E [guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)



DEPARTMENT OF THE  
PRIME MINISTER AND CABINET  
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

---

**From:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>

**Sent:** Tuesday, 9 February 2021 7:38 am

**To:** ....<sup>s9(2)(g)(ii)</sup>

MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HALLUM,

Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; ^MFAT:

Catherine Graham <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>

**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>;

SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>; MORTON, Tara (MEA)

<[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; Guergana Guermanoff [DPMC] <[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>; ....TORBIT,

Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra (Inet)

<[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; BENNET, Dawn

(AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>

**Subject:** RE: Saudi Arabia/Air NZ media lines request

[SEEMAIL] [IN CONFIDENCE]

Thanks <sup>s9(2)(g)(ii)</sup> – as discussed this morning and based on the Air NZ update below – I have tweaked the talking points to remove some specificity on the Export Controls and also added a bit of background information (courtesy of our post in Riyadh) on Saudi Navy activity in the Yemeni war.

<sup>s9(2)(g)(i)</sup>

Cheers

Stu

---

**From:** ....<sup>s9(2)(g)(ii)</sup>

**Sent:** Tuesday, 9 February 2021 6:33 AM

**To:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HALLUM, Victoria (LGL)

<[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; GRAHAM, Catherine (ECO)

<[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>

**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>;

SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; MORTON, Tara (MEA)

<[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>;

....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra (Inet)

<[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; BENNET, Dawn

(AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>

**Subject:** RE: Saudi Arabia/Air NZ media lines request

Hi everyone

Stu

From: ....<sup>s9(2)(g)(ii)</sup>

Sent: Tuesday, 9 February 2021 6:33 AM

To: HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>

Cc: VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>

Subject: RE: Saudi Arabia/Air NZ media lines request

Hi everyone

Pasted below FYI is a message Andrew Kirton from Air NZ sent to political advisors/press secretaries for a range of Govt Ministers, including the PM and MFA, late last night.

Please note in particular what is said about export controls.

Cheers

<sup>s9(2)(g)(ii)</sup>

Hi all ,

I thought I'd provide a brief background to the Saudi Navy issue for you. Also FYI Greg is fronting media tomorrow morning (ZB and RNZ pre-records prior to 7am, TVNZ and AM Show live after 7). **Note to be clear, we are still working through the finer details and the below is my understanding of the situation as at this evening:**

- Air New Zealand's "Gas Turbines" business has been fixing engines from third parties for 30-40 years, in addition to Air NZ fixing its own aircraft engines.
- The logic is that we have highly skilled aircraft engineers and two engineering bases (AKL and CHC) with occasional spare capacity. Servicing third party engines keeps these bases working and people employed.
- As background, the same engine that powers an aircraft jet engine also powers many naval and civilian ships and civilian ferries. The engines are the same, but instead of spinning the fan blades of an aircraft jet engine at high speed they power a marine propeller and a lower speed.
- Air NZ Gas Turbines is one of a small number of companies accredited to service GE (General Electric) gas turbine engines, meaning we can fix our own engines but also tender for work to fix third party engines.
- The two Saudi Navy engines and one Saudi Navy power unit came to Air NZ through another accredited GE engineering company in Germany. I understand that this was because they were over capacity and it is not uncommon for one GE accredited engineering company to ask others to help out when they have too much work. There is no requirement for Air NZ Gas Turbines to take on this type of third party work if it doesn't want to.
- Air NZ Gas Turbines contracted with this German engineering company to take the Saudi Navy engines in July 2019 and the engines arrived in September 2019. (Note Greg Foran joined Air NZ in February 2020). The work is still ongoing and will be completed next month.

- Air NZ Gas Turbines does not have a direct contract or relationship with the Saudi Navy or defence force.
- Air NZ Gas Turbines contracts with a freight forwarding company to look after all their Export Controls and other legal matters, while we are in the process of validating that everything was in order for this work, our working assumption is it was.
- Once Greg Foran was alerted to this issue around 10 days ago, Air NZ has moved to confirm it will not undertake future work of this nature and is looking into internal governance processes for this part of the business to ensure they are robust.
- You may have seen reports of Air NZ not answering initial questions from media / delaying answers. Part of this is due to the contractual obligations which restricted Air NZ from confirming client details. These have now been overcome but clearly we should have responded quicker.

Our media statement is below:

*“The following can be attributed to an Air New Zealand spokesperson:*

*Air New Zealand’s Gas Turbines business specialises in the repair and overhaul of gas turbines used for marine and industrial purposes, such as power stations, large ships, fast ferries and sizeable manufacturing or processing plants.*

*As one of a handful of facilities in the world licensed to repair a certain type of engine used on large vessels, the Gas Turbines business has been contracted to work on naval ship engines from New Zealand, the United States and Australia.*

*The business also occasionally contracts to carry out ad hoc overflow work from third party repair facilities. It is through a third party contract that work has recently been carried out on two engines and one power turbine module from vessels belonging to the Royal Saudi Navy. The Gas Turbines business has not contracted directly with the Royal Saudi Navy and will not be carrying out any further work of this nature.*

*The Gas Turbines business is reviewing its contracting processes to ensure it has improved oversight of future work assigned through third party arrangements.”*

----

Please let me know if you have any questions.

Regards,  
Andrew

Andrew Kirton    Head of Corporate Affairs    s9(2)(a)

E. [Andrew.Kirton@airnz.co.nz](mailto:Andrew.Kirton@airnz.co.nz)

---

**From:** MORTON, Tara (MEA)  
**Sent:** Tuesday, 9 February 2021 8:20 am  
**To:** s9(2)(a)  
**Cc:** HORNE, Stuart (MEA); Pearce, Kathleen  
**Subject:** FW: Saudi Arabia/Air NZ media lines request

[UNCLASSIFIED]

Hi <sup>s9(2)</sup><sub>(a)</sub>

Good to chat just now. As discussed please find below points we have provided to MFA. We will also send through material on the Saudi Navy from our post in Riyadh and material from AirNZ.

Cheers  
Tara

---

**From:** ....<sup>s9(2)(g)(ii)</sup>  
**Date:** Tuesday, 09 Feb 2021, 7:58 AM  
**To:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>, HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>, MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>, HALLUM, Victoria (LGL) <[Victoria.Hallum@mfat.govt.nz](mailto:Victoria.Hallum@mfat.govt.nz)>, HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>, GRAHAM, Catherine (ECO) <[Catherine.Graham@mfat.govt.nz](mailto:Catherine.Graham@mfat.govt.nz)>  
**Cc:** VITALIS, Vangelis (DS TEG) <[Vangelis.Vitalis@mfat.govt.nz](mailto:Vangelis.Vitalis@mfat.govt.nz)>, TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>, SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>, KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>, MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>, ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>, ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>, NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>, BENNET, Dawn (AUS) <[Dawn.Bennet@mfat.govt.nz](mailto:Dawn.Bennet@mfat.govt.nz)>, ....CLUTTERBUCK, Nicholas (Inet) <[nicholas.clutterbuck@parliament.govt.nz](mailto:nicholas.clutterbuck@parliament.govt.nz)>, ....THORN, Jessica (Inet) <[Jessica.thorn@parliament.govt.nz](mailto:Jessica.thorn@parliament.govt.nz)>  
**Subject:** RE: Saudi Arabia/Air NZ media lines request

Thanks from me too Stu – v helpful. I think we'll present your last point to MFA as useful background, rather than an 'if raised' one. <sup>s9(2)(g)(i)</sup>

The export control angle is obviously the one MFA has the most direct portfolio interest in (along with MDAC – hence my copying Nicholas Clutterbuck into this exchange). So we look forward to hearing about MFAT's efforts to chase that down with Air NZ (though it sounds like from the below they're not 100% sure what exactly happened here...)

Cheers

<sup>s9(2)(g)(ii)</sup>



<sup>s9(2)(g)(ii)</sup>

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: <sup>s9(2)(a)</sup>  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** MORTON, Tara (MEA)  
**Sent:** Tuesday, 9 February 2021 10:28 am  
**To:** NOBLE, Peter (ISED)  
**Cc:** KAY, Richard (MEA); HORNE, Stuart (MEA)  
**Subject:** FW: TPs on Saudi Arabia Defence Relations SEEMAIL RESTRICTED  
**Attachments:** FW: Saudi Arabia/Air NZ media lines request ; FW: Saudi Arabia/Air NZ media lines request

**Security Classification:** RESTRICTED

[RESTRICTED]

Hi Peter

MOD was also asked to provide briefing to their Minister this morning on this issue – please find it below in case useful. We shared the points to MFA with them.

Cheers  
Tara

---

**From:** s9(2)(a) <s9(2)(a)@defence.govt.nz>  
**Sent:** Tuesday, 9 February 2021 9:29 AM  
**To:** MORTON, Tara (MEA) <Tara.Morton@mfat.govt.nz>  
**Cc:** s9(2)(a) <s9(2)(a)@defence.govt.nz>; HORNE, Stuart (MEA) <Stuart.Horne@mfat.govt.nz>; s9(2)(a) <s9(2)(a)@defence.govt.nz>  
**Subject:** FW: TPs on Saudi Arabia Defence Relations SEEMAIL RESTRICTED

\*\*\* [SEEMAIL] This message may contain classified information \*\*\*

Hi Tara

Defence relationships points below.

Cheers

s9(2)(a)



Aotearoa New Zealand  
**MANATŪ KAUPAPA  
WAONGA**  
Ministry of Defence

s9(2)(a)

Director, Global  
International Branch

Defence House, 34 Bowen Street, Pipitea, PO Box 12703,  
Wellington 6144  
New Zealand

**P:** s9(2)(a)

**E** s9(2)(a)

[@defence.govt.nz](mailto:s9(2)(a)@defence.govt.nz)

**W** [www.defence.govt.nz](http://www.defence.govt.nz)

**From:** s9(2)(a)

**Sent:** Tuesday, 9 February 2021 9:11 a.m.

**To:** s9(2)(a) [@parliament.govt.nz](mailto:@parliament.govt.nz); s9(2)(a)

[@defence.govt.nz](mailto:@defence.govt.nz); s6(a)

[@NZDF.mil.nz](mailto:@NZDF.mil.nz); s6(a)

[@NZDF.mil.nz](mailto:@NZDF.mil.nz)

**Cc:** s9(2)(a)

[@nzdf.mil.nz](mailto:@nzdf.mil.nz); s9(2)(a)

[@defence.govt.nz](mailto:@defence.govt.nz); s9(2)(a)

s9(2)(a)

[@defence.govt.nz](mailto:@defence.govt.nz); s9(2)(a)

[@NZDF.mil.nz](mailto:@NZDF.mil.nz);

[@defence.govt.nz](mailto:@defence.govt.nz); s9(2)(a)

[@defence.govt.nz](mailto:@defence.govt.nz); s9(2)(a)

[@NZDF.mil.nz](mailto:@NZDF.mil.nz); s9(2)(a)

[@parliament.govt.nz](mailto:@parliament.govt.nz);

s9(2)(a)

[@parliament.govt.nz](mailto:@parliament.govt.nz)

**Subject:** RE: Due 0900 - TP on Saudi Arabia Defence Relations SEEMAIL RESTRICTED

Hi, s9(2)(a)

Thanks for the request; please see below for the talking points and attached for the advice provided to MFA's office from MFAT/Air NZ.

Let me know if you require any further information.

Cheers,  
s9(2)(a)

s6(a)

## Background

2. s6(a)

3. New Zealand and Saudi Arabia are both contributing partners to the Combined Maritime Forces (CMF). Commodore Al-Shahrani of Saudi Arabia took over command of the Combined Task Force (CTF) 150 in August 2018. This was the first time that a Gulf nation has taken such a role in CMF. Saudi Arabia has also led CTF 152 periodically, which is a Task Force designed to enhance naval cooperation in the Arabian Gulf, particularly between GCC nations, by coordinating Theatre Security Cooperation activities with regional partners.

4. s6(a)

5. s6(a)

6. New Zealand does not directly purchase military equipment from Saudi Arabia. New Zealand may have common suppliers as in 2017 Saudi Arabia signed a 10 year deal with the United States to purchase military equipment and services worth around US\$ 350 billion. US companies supplying the Saudi military under that deal will also be supplying us, but New Zealand does not have any direct links.

---

**From:** s9(2)(a)

**Sent:** Tuesday, 9 February 2021 6:47 AM

**To:** s9(2)(a) @defence.govt.nz>; s9(2)(a)

@defence.govt.nz>; s6(a)

@NZDF.mil.nz>; s6(a)

**Cc:** s9(2)(a)

@NZDF.mil.nz>

@nzdf.mil.nz>; s9(2)(a)

@defence.govt.nz>; s9(2)(a)

s9(2)(a)

@defence.govt.nz>; s9(2)(a)

@NZDF.mil.nz>;

@defence.govt.nz>; s9(2)(a)

@defence.govt.nz>; s9(2)(a)

s9(2)(a)

@NZDF.mil.nz>; s9(2)(a)

@parliament.govt.nz>;

@parliament.govt.nz>

**Subject:** TP on Saudi Arabia Defence Relations SEEMAIL RESTRICTED

**Importance:** High

Morning all,

In case of any follow-up from this NZ Herald article – <https://www.nzherald.co.nz/nz/the-green-party-slams-air-nz-after-saudi-arabian-military-revelations/DHUUVDXRPCPIHCG6YX24V5SIM/> - can you please provide the Office with TPs on defence engagement with Saudi Arabia.

Deadline is **1300 today** ahead of Question Time bridge run. (I am double checking if they instead want this for caucus at 0930 and will be in touch if we need earlier.)

Thanks, s9(2)(a)

SEEMAIL RESTRICTED



s9(2)(a)

Private Secretary, Defence | Office of Hon Peeni Henare

Minister of Defence | Minister for Whānau Ora

Associate Minister of Health | Associate Minister of Tourism | Associate Minister of Housing (Māori Housing)

DDI: s9(2)(a)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

---

**Note:**

The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please email or telephone the sender immediately. Thank you"

Released under the Official Information Act 1982

Released under the Official Information Act 1982

---

**From:** NOBLE, Peter (ISED)  
**Sent:** Wednesday, 10 March 2021 6:44 pm  
**To:** s9(2)(g)(ii)  
....  
**Cc:** ...GUERMANOFF, Guergana (Inet); SEED, Chris (CEO); KING, Ben (DCE); LOAN, Ruth (CEO Office); HILLYER, Cecile (ISED); ESD  
**Subject:** SUB - Air NZ - Export of Marine Engines  
**Attachments:** SUB - AirNZ - Export of Marine Engines V2.docx; SUB - AirNZ - Export of Marine Engines.pdf; 6152775\_Advice re Air NZ Contracts with Saudi Military.PDF

**Security Classification:**  
RESTRICTED

s9(2)(g)(ii)

As discussed, attached our submission on Air New Zealand's export of marine gas turbine engines and s9(2)(h)  
. Hard copies in the post.

Regards  
Peter

Released under the Official Information Act 1982

Released under the Official Information Act 1982

---

**From:** ANDREWS, Matthew (CLU)  
**Sent:** Monday, 22 February 2021 6:59 pm  
**To:** GOODALL, Jacqui (CLU); CONSEDINE, Danielle (CLU)  
**Subject:** FW: Air New Zealand/Saudi military contracts (confidential and legally privileged)

**Categories:** Blue Category  
**Security Classification:** RESTRICTED

[RESTRICTED]

FYI

---

**From:** ANDREWS, Matthew (CLU)  
**Sent:** Monday, 22 February 2021 6:59 PM  
**To:** ....GUERMANOFF, Guergana (Inet) <guergana.guermanoff@dpmc.govt.nz>; ....<sup>s9(2)(g)(ii)</sup>

**Cc:** KING, Ben (DCE) <Ben.King@mfat.govt.nz>; HILLYER, Cecile (ISED) <Cecile.Hillyer@mfat.govt.nz>; LOAN, Ruth (CEO Office) <Ruth.Loan@mfat.govt.nz>; ESD <DM-ESD@mfat.govt.nz>; OCE <OCE@mfat.govt.nz>  
**Subject:** RE: Air New Zealand/Saudi military contracts (confidential and legally privileged)

Guergana

MFAT appreciates the significance of both this specific set of transactions, and the wider issues raised about the export controls framework. We're treating this Air NZ process as a priority, and have urgently sought through contacts information likely to be relevant to any decision needed.

We don't see this in best case/worst case scenario from a timing perspective. Rather, the best estimate we can give is that, once we receive that requested information, maintaining the momentum is still likely to take a further two weeks from that point before a decision is made. That timeframe reflects the following components, which are probably sequential rather than simultaneous:

- ISED's technical assessment of the items against the export controls framework i.e. the technical basis for the decision(s)
- Potential engagement with Air NZ for any clarification and natural justice reasons
- Assessment by CLU, LGL and Crown Law of any proposed decision against the legal framework

MFAT has taken steps to ensure that all of these components can process as quickly as possible and appropriate, for example by instructing Crown Law now so they can read into the background and law.

Regards

Matthew

**Matthew Andrews** ([He/Him](#))

**Corporate Counsel**  
Corporate Legal Unit  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

M <sup>s9(2)(a)</sup> [E matthew.andrews@mfat.govt.nz](mailto:matthew.andrews@mfat.govt.nz)

195 Lambton Quay, Private Bag 18901, Wellington 5045, New Zealand  
[www.mfat.govt.nz](http://www.mfat.govt.nz) | [www.safetravel.govt.nz](http://www.safetravel.govt.nz)



From: ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>  
Sent: Monday, 22 February 2021 7:56 AM  
To: ANDREWS, Matthew (CLU) <[Matthew.Andrews@mfat.govt.nz](mailto:Matthew.Andrews@mfat.govt.nz)>; ....<sup>s9(2)(g)(ii)</sup>

Cc: KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; ESD <[DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz)>; OCE <[OCE@mfat.govt.nz](mailto:OCE@mfat.govt.nz)>  
Subject: RE: Air New Zealand/Saudi military contracts (confidential and legally privileged)

Thanks Matthew.

I know this is a hard question to answer definitively, but one that the PM is very interested in (and I assume also MFA) – in a best case/worst case scenario (and with all of the relevant caveats) what is the like timeframe for this process?

Guergana

**Guergana Guermanoff**

Foreign Policy Advisor  
Policy Advisory Group  
Department of the Prime Minister and Cabinet

M <sup>s9(2)(a)</sup>

E [guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)



DEPARTMENT OF THE  
PRIME MINISTER AND CABINET  
TE TARI O TE PIRIMIA NE TE KOMITI MATUA

From: ANDREWS, Matthew (CLU) <[Matthew.Andrews@mfat.govt.nz](mailto:Matthew.Andrews@mfat.govt.nz)>  
Sent: Sunday, 21 February 2021 11:43 pm  
To: ....<sup>s9(2)(g)(ii)</sup>  
<[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>

Guergana Guermanoff [DPMC]

Cc: ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; ^MFAT: DM-ESD <[DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz)>; OCE <[OCE@mfat.govt.nz](mailto:OCE@mfat.govt.nz)>  
Subject: Air New Zealand/Saudi military contracts (confidential and legally privileged)

[SEEMAIL] [RESTRICTED]

Dear Michael and Guergana

s9(2)(h) - 2 pages redacted

# Media Release

Media release  
23 February 2021

## Air New Zealand Gas Turbines review – further update

Air New Zealand continues to progress its internal review and the independent external review being carried out by PwC on its Gas Turbines business is also well underway.

Air New Zealand Chairman Dame Therese Walsh says the airline has now received advice from the QC appointed to review the licensing requirements for exporting the specific type of engines the business was repairing for the Royal Saudi Navy.

“The legal advice we have received from Mike Heron QC is that the export of the two engines to Germany for the Royal Saudi Navy did not require an export permit under the Customs Act, nor did it require a notification to the Secretary of Foreign Affairs and Trade. The advice is that new notification requirements introduced in late 2020 do not apply to contracts entered into before September 2020 (when the notification requirement was expanded for certain military related exports). The contract for this Royal Saudi Navy work was agreed in May 2019. We are discussing this advice with MFAT.

“The independent review by external advisors PwC is well underway and they have had an interim meeting with the Board, but a final report is not expected for a few more weeks. The Board is satisfied with how the reviews are tracking and the interim measures that have been put in place. They have expressed their appreciation for the cooperation and assistance of the Gas Turbines employees involved in the reviews.”

Air New Zealand Chief Executive Officer Greg Foran says the internal review is progressing well and early findings have helped the business to identify where there are opportunities to improve processes.

“We have taken immediate steps to ensure all future work of a military or government nature is escalated to Executive level for review, including ethical considerations, and approval before a contract can proceed. We will also work with relevant governmental agencies to ensure our understanding of issues for differing jurisdictions is kept up to date.

“For Air New Zealand, business is more than just revenue, we’ve got to make sure the work we are doing fits within our values. It’s clear we’ve still got some work to do to make sure our processes support us to make the right decisions and we’re committed to getting on and doing it.”

**Ends**

*Issued by Air New Zealand Communications.*

Email: [media@airnz.co.nz](mailto:media@airnz.co.nz) | Phone: +64 21 747 320 | Twitter: @AirNZMedia

About Star Alliance:

The Star Alliance network was established in 1997 as the first truly global airline alliance to offer worldwide reach, recognition and seamless service to the international traveller. Its acceptance by the market has been recognised by numerous awards, including the Air Transport World Market Leadership Award and Best Airline Alliance by both Business Traveller Magazine and Skytrax. The member airlines are: Aegean Airlines, Air Canada, Air China, Air India, Air New Zealand, ANA, Asiana Airlines, Austrian, Brussels Airlines, Copa Airlines, Croatia Airlines, EGYPTAIR, Ethiopian Airlines, EVA Air, LOT Polish Airlines, Lufthansa, Scandinavian Airlines, Shenzhen Airlines, Singapore Airlines, South African Airways, SWISS, TAP Air Portugal, THAI, Turkish Airlines, and United. Overall, the Star Alliance network currently offers more than 19,000 daily flights to more than 1,250 airports in 195 countries. Further connecting flights are offered by Star Alliance Connecting Partner, Juneyao Airlines.

For more information about Air New Zealand visit [www.airnewzealand.com](http://www.airnewzealand.com) and for more information about Star Alliance visit [www.staralliance.com](http://www.staralliance.com) and/or follow Star Alliance on [Facebook](#), [Twitter](#), [Youtube](#), [LinkedIn](#) or [Instagram](#).

Star Alliance Press Office: Tel: +49 69 96375 183 or email: [mediarelations@staralliance.com](mailto:mediarelations@staralliance.com)

Released under the Official Information Act 1982

DRAFT

---

**From:** ....s9(2)(g)(ii)  
**Sent:** Tuesday, 23 February 2021 3:04 pm  
**To:** HILLYER, Cecile (ISED); KING, Ben (DCE); NOBLE, Peter (ISED); SEED, Chris (CEO); HORNE, Stuart (MEA)  
**Cc:** ....SMITHYMAN, Alexandra (Inet)  
**Subject:** FW: Air NZ Media Release  
**Attachments:** DRAFT - Gas Turbines review update 23022021.docx  
**Importance:** High

Proposed Air NZ release attached. If you have any concerns with what's in this, you'll need to give me a call quickly.



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: s9(2)(a)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** Therese Walsh <[Therese.Walsh@airnz.co.nz](mailto:Therese.Walsh@airnz.co.nz)>  
**Date:** Tuesday, 23 Feb 2021, 2:42 PM  
**To:** Danni Thian <[Danni.Thian@parliament.govt.nz](mailto:Danni.Thian@parliament.govt.nz)>  
**Subject:** Air NZ Media Release

Kia ora Danni,

Thank you for the phone call earlier, I do appreciate this and recognise that this is not an easy issue.

As discussed, we made a clear commitment to update the public/media/investors on progress following the February Air NZ Board meeting (today), and are currently under pressure from a media and investor perspective for when they can expect this update. We are also conscious that we need to deal with this well in advance of the equity raise. We expect to receive a number of queries on this subject from both investors and media when we release our Interim Result on Thursday.

I attach a draft media release that was intended to go out at close of business today. This release has been shared with MFAT so that we could ensure we are as coordinated as possible from a communications perspective. We are awaiting a response. I had also planned to update the Minister this afternoon on this approach.

Could you please let us know if you have any issues with us releasing this media statement at this time? Noting that we have committed to provide a public update on progress, it may be helpful to coordinate on any communications from here as I know that these issues are intertwined with processes and reviews also underway at MFAT.

In relation to our interim results on Thursday I will send you a copy of the media release after market close tomorrow so there are no disclosure issues and then you can brief the MOF. Hopefully that will make things easier.

Also understand the lack of diary space to meet at the moment so will leave the ball in your court for when you think it is appropriate.

Let me know if any questions.

Thank you,

Nāku iti nei,  
Nā Therese

Therese Walsh DNZM    Chairman | Executive Board    E. [Therese.Walsh@airnz.co.nz](mailto:Therese.Walsh@airnz.co.nz)

Good planets are hard to find - please think of the environment before you print this email.

---

CAUTION - This message may contain privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited. If you have received this message in error please notify Air New Zealand immediately. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Air New Zealand.

---

For more information on the Air New Zealand Group, visit us online at <http://www.airnewzealand.com>

---

Released under the Official Information Act 1982

Released under the Official Information Act 1982

---

**From:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Sent:** Wednesday, 24 February 2021 9:24 AM  
**To:** GOODALL, Jacqui (CLU) <Jacqui.Goodall@mfat.govt.nz>  
**Cc:** ANDREWS, Matthew (CLU) <Matthew.Andrews@mfat.govt.nz>  
**Subject:** US LM2500 determinations

[UNCLASSIFIED]

Jacqui,

The three key docs and a link to the Commerce website explaining EAR 99.

EAR 99 is where the jurisdiction analysis has landed.

<https://www.bis.doc.gov/index.php/licensing/commerce-control-list-classification/export-control-classification-number-eccn>

There is a reference to DDTC Case CJ 018-09. The DDTC portal has a complete list of all CJ Final Determinations but it only goes back to 2010. However the reference to this case in the second attachment does end with the infrared suppressor being assessed as EAR99, so no real need to obtain the actual CJ.

---

**From:** NOBLE, Peter (ISED)  
**Sent:** Wednesday, 24 February 2021 4:15 pm  
**To:** ....<sup>s9(2)(g)(ii)</sup> .....GUERMANOFF, Guergana (Inet)  
**Cc:** KING, Ben (DCE); HILLYER, Cecile (ISED); DONNELLY, Katy (ISED); ANDREWS, Matthew (CLU); ....THORN, Jessica (Inet); ESD; LOAN, Ruth (CEO Office)  
**Subject:** RE: Air New Zealand: General Consent to export US Navy gas turbine engines.

**Security Classification:**  
RESTRICTED

Many thanks.

---

**From:** ....<sup>s9(2)(g)(ii)</sup>  
**Sent:** Wednesday, 24 February 2021 4:09 PM  
**To:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>; ....GUERMANOFF, Guergana (Inet) <guergana.guermanoff@dpmc.govt.nz>  
**Cc:** KING, Ben (DCE) <Ben.King@mfat.govt.nz>; HILLYER, Cecile (ISED) <Cecile.Hillyer@mfat.govt.nz>; DONNELLY, Katy (ISED) <katy.donnelly@mfat.govt.nz>; ANDREWS, Matthew (CLU) <Matthew.Andrews@mfat.govt.nz>; ....THORN, Jessica (Inet) <Jessica.thorn@parliament.govt.nz>; ESD <DM-ESD@mfat.govt.nz>; LOAN, Ruth (CEO Office) <Ruth.Loan@mfat.govt.nz>  
**Subject:** RE: Air New Zealand: General Consent to export US Navy gas turbine engines.

Peter: MFA has signed this submission. So you may proceed.

Cheers

<sup>s9(2)(g)(ii)</sup>



<sup>s9(2)(g)(ii)</sup>

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: <sup>s9(2)(a)</sup>  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** NOBLE, Peter (ISED) [<mailto:Peter.Noble@mfat.govt.nz>]  
**Sent:** Wednesday, 24 February 2021 11:39 AM  
**To:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>;<sup>s9(2)(g)(ii)</sup>  
**Cc:** KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; DONNELLY, Katy (ISED) <[katy.donnelly@mfat.govt.nz](mailto:katy.donnelly@mfat.govt.nz)>; ANDREWS, Matthew (CLU) <[Matthew.Andrews@mfat.govt.nz](mailto:Matthew.Andrews@mfat.govt.nz)>; Jessica Thorn <[Jessica.Thorn@parliament.govt.nz](mailto:Jessica.Thorn@parliament.govt.nz)>; ESD <[DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>  
**Subject:** RE: Air New Zealand: General Consent to export US Navy gas turbine engines.

[SEEMAIL] [RESTRICTED]

Thanks Guergana.

From: ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>

Sent: Wednesday, 24 February 2021 11:35 AM

To: NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; ....<sup>s9(2)(g)(ii)</sup>

Cc: KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; DONNELLY, Katy (ISED) <[katy.donnelly@mfat.govt.nz](mailto:katy.donnelly@mfat.govt.nz)>; ANDREWS, Matthew (CLU) <[Matthew.Andrews@mfat.govt.nz](mailto:Matthew.Andrews@mfat.govt.nz)>; ....THORN, Jessica (Inet) <[Jessica.thorn@parliament.govt.nz](mailto:Jessica.thorn@parliament.govt.nz)>; ESD <[DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>

Subject: RE: Air New Zealand: General Consent to export US Navy gas turbine engines.

Hi both

The PM has noted the advice without comment.

Guergana

**Guergana Guermanoff**

Foreign Policy Advisor

Policy Advisory Group

Department of the Prime Minister and Cabinet

M <sup>s9(2)(a)</sup>

E [guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)



DEPARTMENT OF THE  
PRIME MINISTER AND CABINET  
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

From: NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>

Sent: Tuesday, 23 February 2021 6:31 pm

To: ....<sup>s9(2)(g)(ii)</sup>

Cc: Guergana Guermanoff [DPMC] <[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>; ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; DONNELLY, Katy (ISED) <[katy.donnelly@mfat.govt.nz](mailto:katy.donnelly@mfat.govt.nz)>; ANDREWS, Matthew (CLU) <[Matthew.Andrews@mfat.govt.nz](mailto:Matthew.Andrews@mfat.govt.nz)>; ....THORN, Jessica (Inet) <[Jessica.thorn@parliament.govt.nz](mailto:Jessica.thorn@parliament.govt.nz)>; ^MFAT: DM-ESD <[DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>

Subject: RE: Air New Zealand: General Consent to export US Navy gas turbine engines.

[SEEMAIL] [RESTRICTED]

Hi<sup>s9(2)(g)(ii)</sup>

As discussed attached a noting submission to the Minister that we intend to advise Air New Zealand by midday tomorrow – 24 February – that it will not require permits to re-export US Navy marine gas turbine engines sent to New Zealand for overhaul in 2021 should it successfully tender for this work.

Hard copies in the mail tomorrow.

Peter

From: ....<sup>s9(2)(g)(ii)</sup>

Sent: Tuesday, 23 February 2021 1:41 PM

To: NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>

Cc: KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; DONNELLY,

Katy (ISED) <[katy.donnelly@mfat.govt.nz](mailto:katy.donnelly@mfat.govt.nz)>; ANDREWS, Matthew (CLU) <[Matthew.Andrews@mfat.govt.nz](mailto:Matthew.Andrews@mfat.govt.nz)>;  
...THORN, Jessica (Inet) <[Jessica.thorn@parliament.govt.nz](mailto:Jessica.thorn@parliament.govt.nz)>

**Subject:** RE: Air New Zealand: General Consent to export US Navy gas turbine engines.

**Importance:** High

Hi Peter, Cecile,

I mentioned this to MFA in a meeting Chris and Ben just had with her. She was not comfortable simply getting an oral heads up about this.

Rather, she would like a short, noting submission which describes the case and the reasons why MFAT considers it to be within the criteria of our existing export controls regime. That is: what are our criteria for signing off sensitive exports, and why does this case clearly meet them?

She indicated that, until the review into the export control regime was complete, she would be approaching decision-making in this area with an abundance of caution.

Hope that makes sense, happy to discuss,

s9(2)(g)(ii)



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: s9(2)(a)  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

Repeated Information Removed

Released under the Official Information Act 1982



23 February 2021

Minister of Foreign Affairs

For action by

24 February 2021

## Air New Zealand: Control and Export Status of US Navy Engines

---

**BRIEFING** Overview Submission

**PURPOSE** To inform you that we intend to advise Air New Zealand that it will not require permits to re-export US Navy marine gas turbine engines sent to New Zealand for overhaul in 2021 should it successfully tender for this work.

## Tukunga tūtohua – Recommended referrals

---

Prime Minister	For information by	24 February 2021
Minister for Disarmament and Arms Control	For information by	24 February 2021

## Taipitopito whakapā – Contact details

---

NAME	ROLE	DIVISION	WORK PHONE
Cecile Hillyer	Divisional Manager	International Security and Disarmament	s9(2)(a)
Peter Noble	Senior Export Controls and Counter-Proliferation Advisor	International Security and Disarmament	s9(2)(a)

## Pito matua – Key points

---

## Mā te Tari Minita e whakakī – Minister's Office to complete

---

<input type="checkbox"/> Approved	<input type="checkbox"/> Noted	<input type="checkbox"/> Seen
<input type="checkbox"/> Needs amendment	<input type="checkbox"/> Declined	<input type="checkbox"/> Withdrawn
<input type="checkbox"/> Overtaken by events	<input type="checkbox"/> See Minister's notes	

**Comments**

## Air New Zealand: Control and Export Status of Navy Engines

- Air NZ Gas Turbines is seeking to bid for a contract to overhaul three US Navy General Electric (GE) LM2500 marine gas turbine engines in 2021. Should the US Navy accept the tender then Air NZ would be irrevocably bound to complete the contract.
- Air New Zealand has previously undertaken the same work for the US Navy over a number of years.
- These are the same types of engine which Air New Zealand has done work for other navies.
- Accordingly, Air NZ has sought an export permit from us in advance so as to be assured they will be able to re-export the engines.
- Air New Zealand must submit the tender by close of business on Wednesday 24 February 2021.
- Officials have undertaken an assessment of whether the engines are 'controlled items' under the Customs and Excise Act 2018, and would therefore require an export permit.
- The determination of the control status, based on the parameters listed in the New Zealand Strategic Goods List, rests on whether the engines constitute components of a warship specially designed for military use.
- In making the assessment Air New Zealand offered to provide supporting information. MFAT sought advice from the Royal New Zealand Navy (on the basis that these engines are used in our ANZAC frigates) and from the State Department's Office of Defense Trade Controls Policy.
- We have received a US State Department official determination dated 01 June 2005 which Air New Zealand has obtained from General Electric which states that LM2500 and LM2500+ engines are not subject to US export controls and that they do not have any unique military capabilities or any inherently military technologies. The determination states that the export of these engines may require authorisation from the Department of Commerce.
- We have subsequently received confirmation from the State Department that the 2005 determination still applies, and a reference to the Commerce Department controls which now apply. The applicable Commerce control is EAR 99 which pertains only to an embargoed or sanctioned country, to a party of concern, or in support of a prohibited end-use.
- We assess that the US determination made by US export controls technical specialists, with access to all the required technical specifications provided by General Electric, to be authoritative. It is based on information from the manufacturer assessed by the export controls experts of the country of origin.
- On the basis of this technical information, which has assessed the control status of the engines on the same criteria as we are required to apply, the Ministry considers that the engines would not be controlled as per the Strategic Goods List. Rather, they would be subject to our catch-all controls on the basis that they constitute the export of non-controlled goods to a military end-user.
- Although subject to catch-all controls Air New Zealand will not require an export permit as the engines would be consigned for use in an exempt destination (Australia, Canada, Iceland, Japan, Norway, South Korea, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America or a member state of the European Union).

## Air New Zealand: Control and Export Status of Navy Engines

- It is our intention to inform Air New Zealand by midday Wednesday 24 February 2021 that it will not require permits to re-export US Navy marine gas turbine engines sent to New Zealand for overhaul in 2021 should it successfully tender for this work.
- The Ministry continues to urgently work on advice on the legal framework relating to Air New Zealand's desire to export those engines which are currently in New Zealand to Saudi Arabia and Turkey. The Ministry's determination will be reviewed by Crown Law prior to being advised to Ministers, and then to Air New Zealand.

Ben King  
for Secretary of Foreign Affairs and Trade

---

Released under the Official Information Act 1982

## Air New Zealand: Control and Export Status of Navy Engines

## Tūtohu – Recommendations

It is recommended that you:

- |   |  |                 |
|---|--|-----------------|
| 1 | <b>Note</b> Air NZ Gas Turbines is seeking to bid for a contract to overhaul three US Navy General Electric (GE) LM2500 marine gas turbine engines in 2021. Should the US Navy accept their tender then Air NZ would be irrevocably bound to complete the contract.                    | <b>Yes / No</b> |
| 2 | <b>Note</b> that we have received authoritative technical information that LM2500 marine gas turbine engines are not a controlled item as per the New Zealand Strategic Goods List;  | <b>Yes / No</b> |
| 3 | <b>Note</b> that on this basis, the legal framework would not require Air New Zealand to have an export permit to re-export engines to the US Navy which may be imported and then re-exported later this year as these exports are exempt under the catch-all controls Gazette Notice; | <b>Yes / No</b> |
| 4 | <b>Note</b> that it is our intention to inform Air New Zealand by midday 24 February 2021 that it will not require permits to re-export US Navy marine gas turbine engines sent to New Zealand for overhaul in 2021 should they it successfully tender for this work;                  | <b>Yes / No</b> |
| 5 | <b>Note</b> the Ministry continues to urgently work on advice on the legal framework relating to Air New Zealand's desire to export those engines which are currently in New Zealand to Saudi Arabia and Turkey;   | <b>Yes / No</b> |
| 6 | <b>Refer</b> a copy of this submission to the Prime Minister for information; and  | <b>Yes / No</b> |
| 7 | <b>Refer</b> a copy of this submission to the Minister for Disarmament and Arms Control for information.   | <b>Yes / No</b> |

Hon Nanaia Mahuta  
Minister of Foreign Affairs

Date: / February / 2021

---

**From:** KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>  
**Sent:** Tuesday, 2 March 2021 7:13 PM  
**To:** SHAMY, Sylvester (AS RGA) <[Sylvester.Shamy@mfat.govt.nz](mailto:Sylvester.Shamy@mfat.govt.nz)>  
**Cc:** GOODALL, Jacqui (CLU) <[Jacqui.Goodall@mfat.govt.nz](mailto:Jacqui.Goodall@mfat.govt.nz)>; ANDREWS, Matthew (CLU) <[Matthew.Andrews@mfat.govt.nz](mailto:Matthew.Andrews@mfat.govt.nz)>  
**Subject:** FW: Response to Saudi Export queries

[RESTRICTED]

Sylvester – fyi also (and relevant ahead of our review of the draft ToR tomorrow).

---

**From:** ....<sup>s9(2)(g)(ii)</sup>  
**Sent:** Tuesday, 2 March 2021 5:30 PM  
**To:** HORNE, Stuart (MEA) <[Stuart.Horne@mfat.govt.nz](mailto:Stuart.Horne@mfat.govt.nz)>; ....SMITHYMAN, Alexandra (Inet) <[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>  
**Cc:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; DONNELLY, Katy (ISED) <[katy.donnely@mfat.govt.nz](mailto:katy.donnely@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; TAYLOR, Rob (DS EMA)

<[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>

**Subject:** RE: Response to Saudi Export queries

No issue with these lines, Stu.

I do think this raises questions, possibly for the review currently being framed up into our export control system, about the range of issues that NZ businesses have to consider with respect to exporting sensitive goods. That is, should reputational considerations be part of the criteria for deciding whether to issue permits for controlled goods? If so, how on earth would you measure that? (These are not questions you need to answer in this email chain!)

Cheers

s9(2)(g)(ii)



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M s9(2)(a)  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** HORNE, Stuart (MEA) [<mailto:Stuart.Horne@mfat.govt.nz>]

**Sent:** Tuesday, 2 March 2021 5:09 PM

**To:** s9(2)(g)(ii)

Alexandra Smithyman

<[Alexandra.Smithyman@parliament.govt.nz](mailto:Alexandra.Smithyman@parliament.govt.nz)>

**Cc:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; DONNELLY, Katy (ISED) <[katy.donnelly@mfat.govt.nz](mailto:katy.donnelly@mfat.govt.nz)>; MORTON, Tara (MEA) <[Tara.Morton@mfat.govt.nz](mailto:Tara.Morton@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; TAYLOR, Rob (DS EMA) <[Rob.Taylor@mfat.govt.nz](mailto:Rob.Taylor@mfat.govt.nz)>; ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>

**Subject:** RE: Response to Saudi Export queries

[SEEMAIL] [RESTRICTED]

Hi s9(2)(g)(ii) and Alex

Increasingly we and ISED are getting queries from New Zealand companies who have contracts under way or who are tendering for work with Saudi Government Departments or Companies with Government links. Queries so far relate to goods or services probably not covered by the Export controls regime where companies want some guidance on where they stand with regard to reputational risk and how much scrutiny they may come under, i.e. how badly could it be perceived.

These include:

s9(2)(ba)(i)

We propose to respond along the following lines – but wanted to sense check it with you.

*“Thank-you for your query around exports of goods/services to Saudi Arabia*

*Currently the only legislative controls in place for exports to Saudi Arabia relate to the New Zealand export controls regime, which is mandated under Sections 96 and 97 of the Customs and Excise Act 2018. The Customs Act does not*

control the provision of services, it only deals with the export of goods and electronic publications. If your exports are covered by the list of strategic goods or come under the catch-all controls for exports of non-controlled goods to military, para military, militia, or police entities then the export controls regime does apply. Your application will be assessed under the Criteria for the Assessment of Export Applications <https://www.mfat.govt.nz/en/trade/trading-weapons-and-controlled-chemicals/how-your-application-is-assessed/#criteria> which will necessarily consider human rights and reputational concerns.

Where exports are not controlled, as you note it is possible for there to be reputational risks for companies. The Ministry is not able to provide an opinion on whether you should trade in these circumstances, or how much scrutiny you will come under, or what measures you should take to address this should it occur. You should seek professional advice in this regard."

Regards

Stu

## Stuart Horne

### Divisional Manager

Middle East and Africa Division

New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

Ts9(2)(a)

E [stuart.horne@mfat.govt.nz](mailto:stuart.horne@mfat.govt.nz)

---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."

---

**From:** GOODALL, Jacqui (CLU)  
**Sent:** Wednesday, 3 March 2021 9:47 am  
**To:** CONSEDINE, Danielle (CLU)  
**Subject:** FW: Response to Saudi Export queries

**Categories:** Blue Category  
**Security Classification:** RESTRICTED

[RESTRICTED]

fyi

Ngā mihi,

**Jacqui Goodall** ([She/Her](#))

**Associate Counsel**  
Corporate Legal Unit (Division)  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

T s9(2)(a) [E jacqui.goodall@mfat.govt.nz](mailto:jacqui.goodall@mfat.govt.nz)

---

Repeated Information Removed

Released under the Official Information Act 1982

---

**From:** MEDIA  
**Sent:** Tuesday, 9 March 2021 9:29 am  
**To:** NOBLE, Peter (ISED); HILLYER, Cecile (ISED)  
**Cc:** KING, Ben (DCE); GOODALL, Jacqui (CLU); ANDREWS, Matthew (CLU); DONNELLY, Katy (ISED); CONSEDINE, Danielle (CLU); LOAN, Ruth (CEO Office)  
**Subject:** FW: Export controls and Air NZ - further lines

**Importance:** High

**Categories:** Yellow Category  
**Security Classification:** IN CONFIDENCE

[IN CONFIDENCE]

Hi Peter  
s9(2)(g)(i)

Emma

---

**From:** .... s9(2)(g)(ii)  
**Sent:** Tuesday, 9 March 2021 9:26 am  
**To:** ....TORBIT, Matt (Inet) <Matt.Torbit@parliament.govt.nz>; ....GUERMANOFF, Guergana (Inet) <guergana.guermanoff@dpmc.govt.nz>; MEDIA <media@mfat.govt.nz>  
**Cc:** ....EDILSON, Madison (Inet) <madison.edilson@dpmc.govt.nz>  
**Subject:** RE: Export controls and Air NZ - further lines

s9(2)(g)(i)



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: s9(2)(a)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** Matt Torbit  
**Sent:** Tuesday, 9 March 2021 9:22 AM  
**To:** Guergana Guermanoff [DPMC] <[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>;  
s9(2)(g)(ii)  
**Cc:** Madison Edilson <[madison.edilson@dpmc.govt.nz](mailto:madison.edilson@dpmc.govt.nz)>  
**Subject:** RE: Export controls and Air NZ - further lines

Hi folks – just checking the below edit in red is correct?

---

**From:** Guergana Guermanoff [DPMC] [<mailto:Guergana.Guermanoff@dpmc.govt.nz>]  
**Sent:** Tuesday, 9 March 2021 8:46 AM  
**To:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>; Matt Torbit <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; <sup>s9(2)(g)(ii)</sup>

**Cc:** Madison Edilson <[madison.edilson@dpmc.govt.nz](mailto:madison.edilson@dpmc.govt.nz)>  
**Subject:** RE: Export controls and Air NZ - further lines

Thank you!

**Guergana Guermanoff**

Foreign Policy Advisor  
Policy Advisory Group  
Department of the Prime Minister and Cabinet

M <sup>s9(2)(a)</sup>  
E [guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)



---

**From:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Sent:** Tuesday, 9 March 2021 8:40 am  
**To:** ....TORBIT, Matt (Inet) <[Matt.Torbit@parliament.govt.nz](mailto:Matt.Torbit@parliament.govt.nz)>; .... <sup>s9(2)(g)(ii)</sup>

**Cc:** Guergana Guermanoff [DPMC] <[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>; Madison Edilson [DPMC] <[Madison.Edilson@dpmc.govt.nz](mailto:Madison.Edilson@dpmc.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Subject:** Export controls and Air NZ - further lines

[UNCLASSIFIED]

Morena

Please find further lines on the investigation into the requirement for an export goods permit for Air NZ. Benedict Collins/1 News has indicated he will ask further questions about the investigation.

<sup>s9(2)(g)(i)</sup>

Released under the Official Information Act 1982

Nga mihi, Kimberley

**Kimberley Rothwell**

Senior Media Advisor  
Communications Division  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

M s9(2)(a)

---

195 Lambton Quay, Private Bag 18901, Wellington 5045, New Zealand  
[www.mfat.govt.nz](http://www.mfat.govt.nz) | [www.safetravel.govt.nz](http://www.safetravel.govt.nz)



---

"The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. It may be legally privileged. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it as this may be unlawful. If you have received this message in error, please email or telephone the sender immediately."

---

The information contained in this email message is for the attention of the intended recipient only and is not necessarily the official view or communication of the Department of the Prime Minister and Cabinet. If you are not the intended recipient you must not disclose, copy or distribute this message or the information in it. If you have received this message in error, please destroy the email and notify the sender immediately.

Released under the Official Information Act 1982

---

**From:** ....GUERMANOFF, Guergana (Inet)  
**Sent:** Monday, 15 March 2021 12:08 pm  
**To:** NOBLE, Peter (ISED)  
**Cc:** SEED, Chris (CEO); KING, Ben (DCE); LOAN, Ruth (CEO Office); LAURENSEN, Amy (CEO Office); ....MINETT, Constance (Inet); HILLYER, Cecile (ISED); ....<sup>s9(2)(g)(ii)</sup>  
**Subject:** RE: SUB - Air NZ - Export of Marine Engines

Hi Peter

The PM has considered the submission and has asked to discuss with me. I will be meeting with the PM this afternoon and will provide an update after that.

Guergana

**Guergana Guermanoff**

Foreign Policy Advisor  
Policy Advisory Group  
Department of the Prime Minister and Cabinet

M <sup>s9(2)(a)</sup>

E [guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)



DEPARTMENT OF THE  
PRIME MINISTER AND CABINET  
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

---

**From:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>  
**Sent:** Friday, 12 March 2021 12:23 pm  
**To:** Guergana Guermanoff [DPMC] <Guergana.Guermanoff@dpmc.govt.nz>  
**Cc:** SEED, Chris (CEO) <Chris.Seed@mfat.govt.nz>; ^MFAT: Ben King <Ben.king@mfat.govt.nz>; LOAN, Ruth (CEO Office) <Ruth.Loan@mfat.govt.nz>; LAURENSEN, Amy (CEO Office) <Amy.Laurenson@mfat.govt.nz>; ....MINETT, Constance (Inet) <constance.minett@parliament.govt.nz>; HILLYER, Cecile (ISED) <Cecile.Hillyer@mfat.govt.nz>; ....<sup>s9(2)(g)(ii)</sup>  
**Subject:** RE: SUB - Air NZ - Export of Marine Engines

[SEEMAIL] [RESTRICTED]

Hi Guergana,

Any confirmation yet that the PM and relevant Ministers have been informed of the outcome of the engine determination?

<sup>s9(2)(g)(i)</sup>

Ideally, we would like to respond formally to Air NZ today immediately after Chris calls Greg Foran.

Peter

From: SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>  
Sent: Thursday, 11 March 2021 8:02 am  
To: ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; ....<sup>s9(2)(g)(ii)</sup>  
>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
Cc: LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; ....MINETT, Constance (Inet) <[constance.minnett@parliament.govt.nz](mailto:constance.minnett@parliament.govt.nz)>  
Subject: RE: SUB - Air NZ - Export of Marine Engines

Water trading under way ....

From: ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>  
Date: Thursday, 11 Mar 2021, 7:54 AM  
To: HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>, KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>, ....<sup>s9(2)(g)(ii)</sup>  
>, NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
Cc: SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>, LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>, LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>, ....MINETT, Constance (Inet) <[constance.minnett@parliament.govt.nz](mailto:constance.minnett@parliament.govt.nz)>  
Subject: RE: SUB - Air NZ - Export of Marine Engines

Good morning,

Can you also please allow us time - at least today/overnight - to inform the PM and relevant Ministers here. We want to avoid the situation of somehow this issue again surprising Ministers by going public before they have been updated and allowed the time to understand the reasons behind the determination.

The PM for one is travelling to the regions and I will not be able to get the advice to her immediately.

Guergana

### Guergana Guermanoff

Foreign Policy Advisor  
Policy Advisory Group  
Department of the Prime Minister and Cabinet

M <sup>s9(2)(a)</sup>

E [guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)



From: HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>  
Sent: Thursday, 11 March 2021 5:34 am  
To: ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>; ....<sup>s9(2)(g)(ii)</sup>  
> NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
Cc: Guergana Guermanoff [DPMC] <[Guergana.Guermanoff@dpmc.govt.nz](mailto:Guergana.Guermanoff@dpmc.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; ....MINETT, Constance (Inet) <[constance.minnett@parliament.govt.nz](mailto:constance.minnett@parliament.govt.nz)>  
Subject: RE: SUB - Air NZ - Export of Marine Engines

[SEEMAIL] [RESTRICTED]

Sounds good, will do.

[RESTRICTED]

---

**From:** KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>

**Date:** Wednesday, 10 Mar 2021, 22:21

**To:** ....<sup>s9(2)(g)(ii)</sup>

NOBLE, Peter (ISED)

<[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>

**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>, SEED, Chris (CEO)

<[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>, LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>, HILLYER, Cecile (ISED)

<[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>, LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>, ....MINETT, Constance (Inet) <[constance.minett@parliament.govt.nz](mailto:constance.minett@parliament.govt.nz)>

**Subject:** RE: SUB - Air NZ - Export of Marine Engines [SEC=RESTRICTED]

[RESTRICTED]

Thank you<sup>s9(2)(g)(ii)</sup>

Peter / Cecile – we should think carefully about how we relay this news to Air New Zealand. We should think of the various touch points we've had over the last few weeks on broader Air NZ issues, including Chris with Greg Foran; me with Cath O'Brien and Andrew Kirton; Matthew Andrews with Mike Herron; your contacts; and so on. We should ensure that, as we roll out this decision to Air New Zealand, we take the opportunity to touch base with our contacts to relay the news. Can you please work with OCE and others as necessary to develop a plan of how to pitch this into Air NZ, perhaps with some coordinated calls with Chris leading with Greg; and then the rest of us following up shortly thereafter to discuss with our contacts?

---

**From:** ....<sup>s9(2)(g)(ii)</sup>

**Sent:** Wednesday, 10 March 2021 9:12 PM

**To:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>

**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; SEED, Chris (CEO)

<[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office)

<[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; ESD <[DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz)>;

....MINETT, Constance (Inet) <[constance.minett@parliament.govt.nz](mailto:constance.minett@parliament.govt.nz)>

**Subject:** RE: SUB - Air NZ - Export of Marine Engines

Hi Peter

MFA has approved this submission. We'll do the referrals, and send the hard copy back to you, in the morning.

Cheers

<sup>s9(2)(g)(ii)</sup>



<sup>s9(2)(g)(ii)</sup>

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: <sup>s9(2)(a)</sup>

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

Repeated Information Removed

---

**From:** MEDIA  
**Sent:** Tuesday, 16 March 2021 1:49 pm  
**To:** HILLYER, Cecile (ISED); MEDIA  
**Cc:** NOBLE, Peter (ISED); SEED, Chris (CEO); KING, Ben (DCE); LOAN, Ruth (CEO Office); LAURENSEN, Amy (CEO Office); RAWSON, Vanessa (CMD); RANDALL, Simon (CMD)  
**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

**Security Classification:**  
IN CONFIDENCE

[IN CONFIDENCE]

Yes that's fine.  
Emma

---

**From:** HILLYER, Cecile (ISED) <Cecile.Hillyer@mfat.govt.nz>  
**Sent:** Tuesday, 16 March 2021 1:39 pm  
**To:** MEDIA <media@mfat.govt.nz>  
**Cc:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>; SEED, Chris (CEO) <Chris.Seed@mfat.govt.nz>; KING, Ben (DCE) <Ben.King@mfat.govt.nz>; LOAN, Ruth (CEO Office) <Ruth.Loan@mfat.govt.nz>; LAURENSEN, Amy (CEO Office) <Amy.Laurenson@mfat.govt.nz>; RAWSON, Vanessa (CMD) <Vanessa.Rawson@mfat.govt.nz>; RANDALL, Simon (CMD) <Simon.Randall@mfat.govt.nz>  
**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[IN CONFIDENCE]

I presume we could manage the risk by alerting media who had raised the issue with us to the issuance of the statement, saying it's on the website but doing them the courtesy of sending them a copy. Would that work dear media team? I believe Chris's call with Greg Foran is set up for 3.00pm, so we need to make the sequence happen this afternoon as best we can.

---

**From:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Sent:** Tuesday, 16 March 2021 12:34 PM  
**To:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Cc:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; RANDALL, Simon (CMD) <[Simon.Randall@mfat.govt.nz](mailto:Simon.Randall@mfat.govt.nz)>  
**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[IN CONFIDENCE]

I can't get a solid answer on that because they are not 100 percent that the fault will allow access once the new site is live. However, they could put something up on the old site in the next 20 minutes (before the switch over), but that's also high risk as it may vanish when the new site goes up. Does this sequence need to happen today?

---

**From:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>  
**Sent:** Tuesday, 16 March 2021 12:29 pm  
**To:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Cc:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO

Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; RANDALL, Simon (CMD) <[Simon.Randall@mfat.govt.nz](mailto:Simon.Randall@mfat.govt.nz)>

**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[IN CONFIDENCE]

Thanks Emma. When will we know when we can put the statement up for sure?

---

**From:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>

**Sent:** Tuesday, 16 March 2021 12:27 PM

**To:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>

**Cc:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; RANDALL, Simon (CMD) <[Simon.Randall@mfat.govt.nz](mailto:Simon.Randall@mfat.govt.nz)>

**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

**Importance:** High

[IN CONFIDENCE]

Pleasure Cecile

But on timing – CMD has advised there may be an issue. Today is the day our external website switches over to the new one. Right now a technical web issue is being resolved. All going well we will still be able to put this up at 3:10pm according to your preferred timing. There is a chance though that we won't have access to the site at that time, but we can't be definitive.

If it's not critical that the statement goes up then (later is OK), then all fine to proceed. Otherwise there is some risk.

Your thoughts?

Emma

---

**From:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>

**Sent:** Tuesday, 16 March 2021 12:21 pm

**To:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>

**Cc:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>

**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[IN CONFIDENCE]

Many thanks Emma – great timing. I was able to show this to Ben at the same time as we were revisiting what we'd sent over to MFA's office last night. We've made a few tweaks to the latter and that's what we're proposing to use for the MFAT statement.

Cecile

---

**From:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>

**Sent:** Tuesday, 16 March 2021 11:48 AM

**To:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>

**Cc:** NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>

**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[IN CONFIDENCE]

Hi Cecile  
Here's a start for you to consider.  
Emma

s9(2)(g)(i)

---

**From:** ..... s9(2)(g)(ii)  
**Sent:** Tuesday, 16 March 2021 11:04 am  
**To:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; ....MINETT, Constance (Inet) <[constance.minett@parliament.govt.nz](mailto:constance.minett@parliament.govt.nz)>; ....FISHER, Heath (Inet) <[heath.fisher@parliament.govt.nz](mailto:heath.fisher@parliament.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; ....MASTERS, Alexandra (Inet) <[alexandra.masters@parliament.govt.nz](mailto:alexandra.masters@parliament.govt.nz)>  
**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

Thanks Cecile. MFA has decided against doing the PR, believing Chris is better to do this one – so she can announce the outcomes of the review.

Can you rework the below with Chris in mind, and then re-share with us?

Cheers

s9(2)(g)(ii)



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: s9(2)(a)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** HILLYER, Cecile (ISED) [<mailto:Cecile.Hillyer@mfat.govt.nz>]  
**Sent:** Tuesday, 16 March 2021 10:52 AM  
**To:** ..... s9(2)(g)(ii) MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; NOBLE, Peter (ISED)

<[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; Constance Minett <[Constance.Minett@parliament.govt.nz](mailto:Constance.Minett@parliament.govt.nz)>; Heath Fisher <[Heath.Fisher@parliament.govt.nz](mailto:Heath.Fisher@parliament.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; Alex Masters <[Alexandra.Masters@parliament.govt.nz](mailto:Alexandra.Masters@parliament.govt.nz)>

**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[SEEMAIL] [RESTRICTED]

Many thanks <sup>s9(2)(g)(ii)</sup> looks much more like a PR! We have a few, minor suggestions. Changes to text with additions in red, deletions in strikethrough and comments on why we're suggesting the changes in green.

---

**From:** .... <sup>s9(2)(g)(ii)</sup>

**Sent:** Tuesday, 16 March 2021 7:48 AM

**To:** MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>

**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; ....MINETT, Constance (Inet) <[constance.minett@parliament.govt.nz](mailto:constance.minett@parliament.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; ....FISHER, Heath (Inet) <[heath.fisher@parliament.govt.nz](mailto:heath.fisher@parliament.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; ....MASTERS, Alexandra (Inet) <[alexandra.masters@parliament.govt.nz](mailto:alexandra.masters@parliament.govt.nz)>

**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

Hi team,

Thanks for this – as well as for everyone's work on this issue.

The draft PR you sent over read more to me like an MFAT communication than an MFA PR, so I have reworked below. Shout out (quickly!) if there's anything below you object to.

Also, could I ask that we have a set of Q&As prepared on this for MFA and the PM (to be delivered by 1pm, so that they have it prior to the PR going out this afternoon)? We expect that either/both could get asked about it once the PR goes.

Cheers

<sup>s9(2)(g)(ii)</sup>

<sup>s9(2)(g)(i)</sup>

Released under the Official Information Act 1982



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: s9(2)(a)  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** MEDIA [<mailto:media@mfat.govt.nz>]

**Sent:** Monday, 15 March 2021 7:24 PM

**To:** s9(2)(g)(ii)

**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; Constance Minett <[Constance.Minett@parliament.govt.nz](mailto:Constance.Minett@parliament.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; Heath Fisher <[Heath.Fisher@parliament.govt.nz](mailto:Heath.Fisher@parliament.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>

**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[SEEMAIL] [RESTRICTED]

Hi s9(2)(g)(ii)

As requested, see draft PR for MFA's consideration attached and below.

Thanks  
Fleur

## EXPORT CONTROLS DECISION

s9(2)(g)(i)

---

**From:** .... s9(2)(g)(ii)  
**Sent:** Monday, 15 March 2021 5:11 PM  
**To:** .... GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
**Cc:** SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; .... MINETT, Constance (Inet) <[constance.minett@parliament.govt.nz](mailto:constance.minett@parliament.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; .... FISHER, Heath (Inet) <[heath.fisher@parliament.govt.nz](mailto:heath.fisher@parliament.govt.nz)>  
**Subject:** RE: SUB - Air NZ - Export of Marine Engines

GG: I've commissioned a PR from ISED, which we'd propose to go out tomorrow in MFA's name. It's intended to cover both the determination, but also some messaging on the review of the export control system to come. If she doesn't wish to do the PR, the Secretary of Foreign Affairs and Trade would be the proposed alternative. Hopefully the draft can come through tonight so she can make calls on this first thing in the morning.



s9(2)(g)(ii)

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: s9(2)(a)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

From: Guergana Guermanoff [DPMC] [<mailto:Guergana.Guermanoff@dpmc.govt.nz>]  
Sent: Monday, 15 March 2021 4:33 PM  
To: NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>  
Cc: SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; ^MFAT: Ben King <[Ben.king@mfat.govt.nz](mailto:Ben.king@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; Constance Minnett <[Constance.Minnett@parliament.govt.nz](mailto:Constance.Minnett@parliament.govt.nz)>; HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>;<sup>s9(2)(a)(ii)</sup>

Subject: RE: SUB - Air NZ - Export of Marine Engines  
Importance: High

[SEEMAIL][RESTRICTED]

Hi Peter

The PM has noted the submission. MFAT can proceed to inform Air NZ of its determination. But, before informing Air NZ, can you please provide advice on the public communication plan on the decision.

Guergana

**Guergana Guermanoff**

Foreign Policy Advisor  
Policy Advisory Group  
Department of the Prime Minister and Cabinet

M s9(2)(a)

E [guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)



DEPARTMENT OF THE  
PRIME MINISTER AND CABINET  
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

---

Repeated Information Removed

Released under the Official Information Act 1982

---

**From:** HILLYER, Cecile (ISED)  
**Sent:** Tuesday, 16 March 2021 2:59 pm  
**To:** MEDIA  
**Cc:** NOBLE, Peter (ISED); SEED, Chris (CEO); KING, Ben (DCE); LOAN, Ruth (CEO Office); LAURENSEN, Amy (CEO Office); RAWSON, Vanessa (CMD); GOODALL, Jacqui (CLU)  
**Subject:** RE: PR draft - Air NZ - Export of Marine Engines  
**Attachments:** Document1 [Compatibility Mode].docx

**Importance:** High

**Security Classification:**  
RESTRICTED

[RESTRICTED]

Fantastic! The statement is as drafted below – attached in word form in case that’s easier to upload. Let’s put it up on the website at 3:10pm as agreed, and refer any journos who have contacted us about the issue to the website.

Many thanks for sorting 😊

Cecile

---

**From:** MEDIA <media@mfat.govt.nz>  
**Sent:** Tuesday, 16 March 2021 2:51 PM  
**To:** HILLYER, Cecile (ISED) <Cecile.Hillyer@mfat.govt.nz>; MEDIA <media@mfat.govt.nz>  
**Cc:** NOBLE, Peter (ISED) <Peter.Noble@mfat.govt.nz>; SEED, Chris (CEO) <Chris.Seed@mfat.govt.nz>; KING, Ben (DCE) <Ben.King@mfat.govt.nz>; LOAN, Ruth (CEO Office) <Ruth.Loan@mfat.govt.nz>; LAURENSEN, Amy (CEO Office) <Amy.Laurenson@mfat.govt.nz>; RAWSON, Vanessa (CMD) <Vanessa.Rawson@mfat.govt.nz>; GOODALL, Jacqui (CLU) <Jacqui.Goodall@mfat.govt.nz>  
**Subject:** RE: PR draft - Air NZ - Export of Marine Engines  
**Importance:** High

[RESTRICTED]

Hi Cecile – the website is live and can be accessed. Are there been any adjustments to the statement and do you still want it to go live at 3:10?

Emma

---

**From:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>  
**Sent:** Tuesday, 16 March 2021 1:48 pm  
**To:** ....<sup>s9(2)(g)(ii)</sup> MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; ....MINETT, Constance (Inet) <[constance.minett@parliament.govt.nz](mailto:constance.minett@parliament.govt.nz)>; ....FISHER, Heath (Inet) <[heath.fisher@parliament.govt.nz](mailto:heath.fisher@parliament.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; ....MASTERS, Alexandra (Inet) <[alexandra.masters@parliament.govt.nz](mailto:alexandra.masters@parliament.govt.nz)>; GOODALL, Jacqui (CLU) <[Jacqui.Goodall@mfat.govt.nz](mailto:Jacqui.Goodall@mfat.govt.nz)>; ....MASTERS, Alexandra (Inet) <[alexandra.masters@parliament.govt.nz](mailto:alexandra.masters@parliament.govt.nz)>  
**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[RESTRICTED]

Thanks for the feedback <sup>s9(2)(g)(ii)</sup> and Jacqui. <sup>s9(2)(g)(i)</sup>

Cecile

---

**From:** .... <sup>s9(2)(g)(ii)</sup>  
**Sent:** Tuesday, 16 March 2021 12:47 PM  
**To:** HILLYER, Cecile (ISED) <[Cecile.Hillyer@mfat.govt.nz](mailto:Cecile.Hillyer@mfat.govt.nz)>; MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; NOBLE, Peter (ISED) <[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; ....MINETT, Constance (Inet) <[constance.minett@parliament.govt.nz](mailto:constance.minett@parliament.govt.nz)>; ....FISHER, Heath (Inet) <[heath.fisher@parliament.govt.nz](mailto:heath.fisher@parliament.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; ....MASTERS, Alexandra (Inet) <[alexandra.masters@parliament.govt.nz](mailto:alexandra.masters@parliament.govt.nz)>; GOODALL, Jacqui (CLU) <[Jacqui.Goodall@mfat.govt.nz](mailto:Jacqui.Goodall@mfat.govt.nz)>; ....MASTERS, Alexandra (Inet) <[alexandra.masters@parliament.govt.nz](mailto:alexandra.masters@parliament.govt.nz)>  
**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

Thanks Cecile. The Minister would like reference to be made to the review she has commissioned please.



<sup>s9(2)(g)(ii)</sup>

Senior Foreign Affairs Advisor | Office of Hon Nanaia Mahuta MP  
Minister of Foreign Affairs | Minister of Local Government | Associate Minister for Māori Development

M: <sup>s9(2)(a)</sup>

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand  
[Seemail Restricted]

---

**From:** HILLYER, Cecile (ISED) [<mailto:Cecile.Hillyer@mfat.govt.nz>]  
**Sent:** Tuesday, 16 March 2021 12:20 PM  
**To:** <sup>s9(2)(g)(ii)</sup> MEDIA <[media@mfat.govt.nz](mailto:media@mfat.govt.nz)>  
**Cc:** ....GUERMANOFF, Guergana (Inet) <[guergana.guermanoff@dpmc.govt.nz](mailto:guergana.guermanoff@dpmc.govt.nz)>; NOBLE, Peter (ISED)

<[Peter.Noble@mfat.govt.nz](mailto:Peter.Noble@mfat.govt.nz)>; SEED, Chris (CEO) <[Chris.Seed@mfat.govt.nz](mailto:Chris.Seed@mfat.govt.nz)>; KING, Ben (DCE) <[Ben.King@mfat.govt.nz](mailto:Ben.King@mfat.govt.nz)>; LOAN, Ruth (CEO Office) <[Ruth.Loan@mfat.govt.nz](mailto:Ruth.Loan@mfat.govt.nz)>; LAURENSEN, Amy (CEO Office) <[Amy.Laurenson@mfat.govt.nz](mailto:Amy.Laurenson@mfat.govt.nz)>; Constance Minett <[Constance.Minett@parliament.govt.nz](mailto:Constance.Minett@parliament.govt.nz)>; Heath Fisher <[Heath.Fisher@parliament.govt.nz](mailto:Heath.Fisher@parliament.govt.nz)>; RAWSON, Vanessa (CMD) <[Vanessa.Rawson@mfat.govt.nz](mailto:Vanessa.Rawson@mfat.govt.nz)>; Alex Masters <[Alexandra.Masters@parliament.govt.nz](mailto:Alexandra.Masters@parliament.govt.nz)>; GOODALL, Jacqui (CLU) <[Jacqui.Goodall@mfat.govt.nz](mailto:Jacqui.Goodall@mfat.govt.nz)>

**Subject:** RE: PR draft - Air NZ - Export of Marine Engines

[SEEMAIL] [RESTRICTED]

Many thanks <sup>s9(2)(g)(ii)</sup> OCE is looking to line up a call from Chris to Greg Foran at 3.00pm, in the course of which he will share with him the text of the statement below, which at 3.10pm, will go up on the MFAT website. At the time the statement goes up on the website, Pete will send the formal determination letter to Air New Zealand.

s9(2)(g)(i)

Best

Cecile

**Cecile Hillyer (she / her)**

Ambassador for Counter-Terrorism  
Divisional Manager, International Security and Disarmament Division  
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

**M** s9(2)(a) **E** [cecile.hillyer@mfat.govt.nz](mailto:cecile.hillyer@mfat.govt.nz)

[www.mfat.govt.nz](http://www.mfat.govt.nz) | [www.safetravel.govt.nz](http://www.safetravel.govt.nz)

Repeated Information Removed

---

**From:** GOODALL, Jacqui (CLU)  
**Sent:** Tuesday, 16 March 2021 3:07 pm  
**To:** CONSEDINE, Danielle (CLU)  
**Subject:** FW: PR draft - Air NZ - Export of Marine Engines  
**Attachments:** Document1 [Compatibility Mode].docx

**Importance:** High

**Categories:** Blue Category

**Security Classification:**  
RESTRICTED

[RESTRICTED]

And this

Ngā mihi,

**Jacqui Goodall** ([She/Her](#))

**Associate Counsel**

Corporate Legal Unit (Division)

New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

T s9(2)(a)

E [jacqui.goodall@mfat.govt.nz](mailto:jacqui.goodall@mfat.govt.nz)

---

Repeated Information Removed

Released under the Official Information Act 1982

## Background Note: Export Controls Dimensions: Air New Zealand Gas Turbine Servicing for the Royal Saudi Navy

### Key Points

- s9(2)(g)(i)
- Exports of 'controlled items' require a permit from the Secretary of Foreign Affairs and Trade.
- s9(2)(g)(i)
- The next step will be for MFAT to discuss the situation with Customs. s9(2)(g)(i)  
If there has been a potential breach of the Customs Act it would fall to Customs to investigate the breach and or pursue prosecution.
- s9(2)(g)(i)

### Export Controls

- New Zealand's export controls regime is legislated under the Customs Act. This requires a permit for the export of strategic goods and technologies, both military and dual use (i.e. items which have both military and civil uses). Controlled items are listed in the New Zealand Strategic Goods List.
- Under the Customs Act the implementation of the export controls regime is delegated to the Secretary of Foreign Affairs and Trade. Permits must be approved by the Secretary, or delegated officials. There is no provision within the Customs Act for Ministers to approve export permits. However, for sensitive applications MFAT does consult the Minister of Foreign Affairs and the Prime Minister (and the Minister of Trade where relevant).
- There is no minimum financial level below which a permit to export is not required.
- **The newly expanded catch-all controls**<sup>1</sup> s9(2)(g)(i)

### Air New Zealand Gas Turbine Servicing

- The General Electric LM2500 marine gas turbine engine and variants is listed by the company as a military engine and is used by 33 navies worldwide.
- s9(2)(g)(i)
- In order to service the engines in New Zealand, returning them to their owner would require their re-export.

---

<sup>1</sup> Pursuant to the expanded catch-all controls the export of goods, software and technologies which are **not** listed in the New Zealand Strategic Goods List, but which may be intended for use relating, directly or indirectly, to weapons of mass destruction and their means of delivery, or for a military (military, paramilitary or police) end-use also require an export permit.

- s9(2)(g)(i)
- 
- AirNZ does have permits for the export of controlled aircraft components. It is not known if those responsible for obtaining those permits have connections with the Gas Turbine Division.

**Potential prosecution and penalties**

- If there has been a potential breach of the Customs Act it would fall to Customs to investigate the breach and or pursue prosecution.
- The penalty for a body corporate for unknowingly exporting prohibited goods is a fine not exceeding \$25,000, for an individual not exceeding \$5000.
- The penalty for knowingly exporting prohibited goods for a body corporate is a fine not exceeding \$100,000 and an amount equal to 3 times the value of the goods. For an individual, the penalty is imprisonment not exceeding six months or a fine not exceeding \$20,000.

International Security and Disarmament Division  
MFAT  
February 2021



10 March 2021

Minister of Foreign Affairs

For action by

12 March 2021

## Air New Zealand: Control and Export Status of Navy Engines

BRIEFING Overview Submission

PURPOSE To inform you that a determination has been made as to the control and export status of marine gas turbine engines sent to New Zealand for overhauls by Air New Zealand.

## Tukunga tūtohua – Recommended referrals

Prime Minister	For information by	19 March 2021
Minister of Finance	For information by	19 March 2021
Minister for Disarmament and Arms Control	For information by	19 March 2021

## Taipitopito whakapā – Contact details

NAME	ROLE	DIVISION	WORK PHONE
Cecile Hillyer	Divisional Manager	International Security and Disarmament	s9(2)(a)
Peter Noble	Senior Export Controls and Counter-Proliferation Advisor	International Security and Disarmament	s9(2)(a)

## Mā te Tari Minita e whakakī – Minister's Office to complete

<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Noted	<input type="checkbox"/> Seen
<input type="checkbox"/> Needs amendment	<input type="checkbox"/> Declined	<input type="checkbox"/> Withdrawn
<input type="checkbox"/> Overtaken by events	<input type="checkbox"/> See Minister's notes	

Comments

## Air New Zealand: Control and Export Status of Navy Engines

### Pito matua – Key points

---

#### *Background*

- ✦ New Zealand's system of export controls on strategic goods (our export control regime), is designed to ensure that such trades are consistent with our wider foreign, strategic and security policy. The system is an essential element of our non-proliferation, arms control and disarmament policies, and of our commitment to being a responsible exporter.
- ✦ The export of strategic goods (firearms, military goods and technologies, and goods and technologies that can be used in the production, development or delivery of nuclear, chemical or biological weapons) is prohibited under the Customs and Excise Act 2018 unless a permit has been obtained from the Secretary of Foreign Affairs and Trade.
- ✦ Media reports initially revealed that Air NZ Gas Turbines had undertaken contracts for overhauls of Electric (GE) LM2500 marine gas turbine engines for a range of navies over a number of years. This involved the recent export of two engines belonging to the Royal Saudi Navy. Air New Zealand subsequently advised that engines and related components <sup>s6(a)</sup>
- ✦ The media reports raised questions as to whether the particular engines could be controlled goods, and if so, whether Air New Zealand should have sought a permit before exporting the engines to Saudi Arabia.
- ✦ Permits for the export of this type of engine had not been previously sought and accordingly the control status of the engines had not been established with any certainty.

#### *MFAT's assessment of the engine's control status .....*

- ✦ Officials have now undertaken an assessment of whether the engines are 'controlled items' under the Customs and Excise Act 2018, and would therefore require an export permit.
- ✦ The determination of the control status, based on the parameters listed in the New Zealand Strategic Goods List 2019, rested on whether the engines constituted 'components of a warship specially designed for military use'.
- ✦ In making the assessment, MFAT sought advice from the Royal New Zealand Navy (as these engines are used in our ANZAC frigates) and from the US State Department's Office of Defense Trade Controls Policy. Air New Zealand also provided useful supporting information.

#### *..... determined the engine is not a controlled item .....*

- ✦ On the basis of the technical information obtained, MFAT officials undertook an assessment of the engine's control status in accordance with the New Zealand Strategic Goods List. Specifically, we found that these engines are not a "component therefore [of a warship] specially designed for military use", in that they do not possess any unique military capabilities or any inherent military technologies. This assessment concluded that the engines are not a controlled item.
- ✦ As the engines are not controlled, Air New Zealand has not breached the Customs and Excise Act 2018 **for previous exports**.

## Air New Zealand: Control and Export Status of Navy Engines

- Officials have also considered the separate issue of whether these engines may be subject to our catch-all controls where the export of non-controlled goods would be to a military end-user.
- Under the catch-all control transitional implementation provisions, the various LM2500 engines and related components **which are currently in country are exempt** from the requirement to obtain an export permit as the contracts for their overhaul predate the entry into force of the catch-all Gazette Notice on 9 October 2020.
- Future exports of these engines to military end-users (i.e. where there is no pre-existing contract prior to 9 October 2020) **would require a permit, unless consigned for use in an exempt destination** (Australia, Canada, Iceland, Japan, Norway, South Korea, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America or a member state of the European Union).

s9(2)(h)



Ben King  
for Secretary of Foreign Affairs and Trade

## Air New Zealand: Control and Export Status of Navy Engines

## Tūtohu – Recommendations

It is recommended that you:

- |   |   |   |
|---|---|---|
| 1 | <b>Note</b> the Ministry of Foreign Affairs has assessed that LM2500 marine gas turbine engines are not a controlled item as per the New Zealand Strategic Goods List;  | Yes / No<br><input checked="" type="radio"/> Yes <input type="radio"/> No |
| 2 | s9(2)(h)  | Yes / No<br><input checked="" type="radio"/> Yes <input type="radio"/> No |
| 3 | <b>Note</b> that the previous export of these engines by Air New Zealand, including those to Saudi Arabia in 2020, did not require a permit and therefore did not breach the Customs and Excise Act 2018;   | Yes / No<br><input checked="" type="radio"/> Yes <input type="radio"/> No |
| 4 | <b>Note</b> that future exports of these engines to military end-users (i.e. where there is no pre-existing contract prior to 9 October 2020) would require a permit, unless consigned for use in an exempt destination;  | Yes / No<br><input checked="" type="radio"/> Yes <input type="radio"/> No |
| 5 | <b>Note</b> that under the catch-all control transitional implementation provisions, the various LM2500 engines which are currently in country are exempt as the contracts for their overhaul predate the entry into force of the catch-all Gazette Notice on 9 October 2020; | Yes / No<br><input checked="" type="radio"/> Yes <input type="radio"/> No |
| 6 | <b>Note</b> that, following your acknowledgement, Air New Zealand will be informed of the outcome and appraised of future permit requirements where these are applicable;   | Yes / No<br><input checked="" type="radio"/> Yes <input type="radio"/> No |
| 7 | <b>Refer</b> a copy of this submission to the Prime Minister for information; and   | Yes / No<br><input checked="" type="radio"/> Yes <input type="radio"/> No |
| 8 | <b>Refer</b> copies of this submission to the Minister of Finance and the Minister for Disarmament and Arms Control for information.  | Yes / No<br><input checked="" type="radio"/> Yes <input type="radio"/> No |

  
Hon Nanaia Mahuta  
Minister of Foreign Affairs

Date: 10 / March / 2021

## **Commodity Determination for General Electric (GE) LM2500 and LM25006+ Marine Gas Turbine Engines**

### **Determination**

Having applied the relevant legal tests and having regard to the facts and technical information about the engine, the determination is that engine is not a controlled item.

On the basis of the technical information obtained, which has assessed the control status of the engines on the same criteria as as per ML9.a.1. New Zealand Strategic Goods List 2019, and recognizing it to be reliable, it is assessed that the engines are not a controlled item as per the New Zealand Strategic Goods List 2019.

Specifically, these engines are not a "component therefore [of a warship] specially designed for military use", in that they do not possess any unique military capabilities or any inherent military technologies.

These engines may be subject to catch-all controls<sup>1</sup> where the export would be to a military end-user as defined in the Customs and Excise Act 2018 S 97(10).

### **Legal Basis**

Controls on the export of strategic goods are implemented through the Customs Export Prohibition Order 2017 (or successive Orders), promulgated under Section 96 of the Customs and Excise Act 2018.

Controlled items may not be exported from New Zealand, including the electronic export of listed software and technology, unless an export licence or permission has been obtained from the Secretary of Foreign Affairs and Trade.

Controlled items are those listed in the New Zealand Strategic Goods List.

Catch-all Controls. The export of goods, software and technologies which are not listed in the New Zealand Strategic Goods List, but which may be intended for use relating, directly or indirectly, to an end-use related to weapons of mass destruction and their means of delivery, for use in terrorist acts, or for a military<sup>2</sup> end-use are prohibited unless a permit to export is obtained from the Secretary of Foreign Affairs and Trade. The catch-all controls are given effect through a Gazette Notice<sup>3</sup>.

---

<sup>1</sup> [Which goods are controlled? | New Zealand Ministry of Foreign Affairs and Trade \(mfat.govt.nz\)](https://www.mfat.govt.nz/en/Trade/Export-Controls/Which-goods-are-controlled-1-New-Zealand-Ministry-of-Foreign-Affairs-and-Trade-(mfat.govt.nz))

<sup>2</sup> As defined in the Customs and Excise Act 2018 S 97(10) "military" includes any armed force, paramilitary force, police force or militia.

<sup>3</sup> [Catch all Gazette Notice \[PDF 34 KB\] \(mfat.govt.nz\)](https://www.mfat.govt.nz/en/Trade/Export-Controls/Catch-all-Gazette-Notice-[PDF-34-KB]-mfat.govt.nz)

## Product Description

The LM2500 marine gas turbine is a simple-cycle, two-shaft, high-performance engine. Derived from GE's CF6-6 high-bypass turbofan aircraft engines in the late 1960s, the LM2500 consists of a gas generator, a power turbine, attached fuel and lube oil pumps, a fuel control and speed governing system, associated inlet and exhaust sections, lube and scavenge systems as well as controls and devices for starting and monitoring engine operation.<sup>4</sup>

The LM2500 variants come in three configurations:

1. LM2500
2. 3<sup>rd</sup> generation LM2500+
3. 4<sup>th</sup> generation LM2500+G4

## Applications

The LM2500 is GE's most widely-applied gas turbine, used by 35 navies worldwide. Applications for the LM2500 include patrol boats, corvettes, frigates, destroyers, cruisers, cargo/auxiliary ships and aircraft carriers. The LM2500 is also available as a military generator set.

Applications	LM2500	LM2500+	LM2500+G4
Military Marine	1,188	6	27
Commercial Marine	25	26	2

## Determination Requirement

To determine if GE LM2500 marine gas turbine engines and their variants are a controlled item as per ML9.a.1. New Zealand Strategic Goods List 2019. In particular, whether the engines are a "component therefore [of a warship] specially designed for military use".

## Supporting Information

(1) DDTO Case CJ 029-05 dated 01 June 2005 (attached): US State Department, Directorate of Defense Trade Controls: Commodity Jurisdiction Determination for GEAE LM2500 and LM2500+ modules.

s6(b)(i)

<sup>4</sup> <https://www.geaviation.com/marine/engines/military/lm2500-engine>

The determination states these modules are not subject to the licensing jurisdiction of the Department of State. **Comment:** this means they are not subject to International Traffic in Arms Regulations (ITAR) controls. It notes they may require export authorization from the Department of Commerce.

(2) State Department Internal Technology Paper as updated 22 February 2021 (attached): General Electric Aviation LM2500 Gas Turbine Engine. Jurisdiction Analysis.

s6(b)(i)

Nevertheless Reference (2) does cite that the determination was a classification of EAR99.

### **Assessment**

We assess that the US determination CJ 029-05 made by US export controls technical specialists, with access to all the required technical specifications provided by General Electric, to be reliable. It is based on information from the manufacturer and was assessed by the DDTC technical experts.

s6(b)(i)

This suggests that the engine has now been moved to EAR99, given its civil origins, lack of any unique military capabilities or any inherent military technologies, and general ubiquity of application in either civil or military guises.

---

<sup>5</sup> EAR99 items do not require a license in many situations. However, exports to an embargoed country, to an end-user of concern, or in support of a prohibited end-use, may be required a license from the Commerce Department.

Either way the engine is controlled by Commerce on the basis of it being a marine gas turbine engine **not** specially designed for a military use<sup>6</sup>.

International Security and Disarmament Division  
25 February 2021.

Released under the Official Information Act 1982

---

<sup>6</sup> s6(b)(i)