

26 September 2025

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

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

OIA 30375

Personal details removed for  
Proactive Release

Tēnā koe <sup>Personal details removed for</sup>  
<sup>Proactive Release</sup>

Thank you for your email of 16 August 2025 to the Office of the Prime Minister in which you requested information under the Official Information Act 1982 (OIA). On 25 August 2025 the following parts of your request were transferred to the Ministry of Foreign Affairs and Trade (the Ministry) under section 14(b) of the OIA for response:

4. *Legal Jurisdiction*  
*Under which legal framework will the FBI operate within New Zealand? Will the FBI be required to act strictly in accordance with New Zealand law?*
5. *Authority and Powers*  
*By whose authority will the FBI be permitted to undertake investigative activities, including the apprehension, detention, questioning, or interception of personal or commercial information and data within New Zealand territory?*

On 22 September 2025, the timeframes for responding to your request were extended by an additional 10 working days due to the consultations necessary to make a decision on your request (section 15A(1)(b) of the OIA refers).

### **Response to your request**

The recent announcement by Federal Bureau of Investigation (FBI) Director Kash Patel relating to the opening of a dedicated law enforcement attaché office in Wellington explains that the Wellington office was originally established in 2017 as a suboffice of the Canberra, Australia Legal Attache's Office:

- Press release from the Office of Public Affairs and Diplomacy US Mission New Zealand in relation to changes to the US FBI presence in New Zealand  
<https://nz.usembassy.gov/fbi-opens-standalone-office-in-new-zealand/>

The diplomatic role of Legal Attaché at the United States (US) Embassy in Wellington was established on 22 February 2017. The role was established at the request of the US Embassy in accordance with the Vienna Convention on Diplomatic Relations (1961) and New Zealand's Guidelines for the Diplomatic and Consular Corps (linked to the current

version). This role has been filled by a representative of the Federal Bureau of Investigation since its inception.

In November 2023, the US Embassy requested New Zealand's approval to establish an additional diplomatic position at the US Embassy with the diplomatic title of Assistant Legal Attaché. This role was established using the same process as the first role.

In July 2025, the US Embassy transitioned its liaison function in New Zealand from a sub-office of their Canberra-based Legal Attaché to a dedicated Legal Attaché Office based in the US Embassy in Wellington. This change was an internal administrative matter for the FBI and the US Embassy in Wellington. It did not change the current staffing accredited to New Zealand nor change their function.

It is common practice internationally for a range of government agencies including law enforcement agencies, to have staff posted offshore in a diplomatic capacity at an Embassy or High Commission. These diplomatic officers work closely with their relevant counter-part agency on issues specific to their area of work.

Foreign Diplomatic officers accredited to New Zealand from a foreign Police agency fulfil a Police Liaison role (irrespective of the specific diplomatic title used). The function of all diplomatic agents is set out in the Vienna Convention on Diplomatic Relations 1961 and the Vienna Convention on Consular Relations 1963 with accredited Police Attaché assisting in the conduct of bilateral police engagement.

Foreign law enforcement officers accredited to New Zealand as diplomats are not sworn officers in New Zealand and do not hold jurisdiction to conduct independent law enforcement activities in New Zealand.

You may also be interested in the following press release from office of the Minister Responsible for the GCSB and NZSIS in relation to Mr Patel's visit.  
<https://www.beehive.govt.nz/release/ministers-welcome-new-fbi-office-wellington>

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