

12 March 2019

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Dear Personal details removed for proactive release

I refer to your email of 14 February 2019 in which you request the following under the Official Information Act 1982 (OIA):

"I would like to request information about the process for granting diplomatic agrément to incoming ambassadors and high commissioners to New Zealand.

In particular,

- 1) I realise these may not exist, but I would like a copy of any official guidelines or other document of the process for responding to these requests.*
- 2) Are statistics available on the number of requests approved and denied?*
- 3) What kind of information is customarily compiled about a prospective ambassador or high commissioner before responding to a request?"*

Part 1 and Part 3

For part 1 and part 3 of your request, attached is the document relevant to your request. Some portions of the document are out of scope of the request. For the portions identified as being within scope, no information has been withheld under the OIA.

Also relevant to your request is the *Guidelines for the Diplomatic and Consular Corps* document which can be found on the Ministry's website at: <https://www.mfat.govt.nz/en/embassies/guidelines-for-diplomatic-and-consular-corps/>. The section titled 'Staff of the Mission or Post, Chapter 2: Heads of Diplomatic Missions' contains information about seeking agrément. To the extent your request is for this information, it is refused under section 18(d) of the OIA as this information is publicly available.


Part 2

For part 2 of your request, I am advised that since January 2015, there have been 142 Foreign Head of Mission (HOM) requests for agrément. Of these requests, 140 were approved, none were denied, one was withdrawn and one is currently under action.

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

You have the right under section 28(3) of the OIA to seek a review of this response by the Ombudsman.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'W' followed by a long horizontal line that tapers to the right.

Wendy Adams
for Secretary of Foreign Affairs and Trade



NEW ZEALAND
FOREIGN AFFAIRS & TRADE

Process Set

Manage foreign HOM appointment

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Process owner name	Michael Swain
Process owner title	Divisional Manager, PRD
Approval date	24/08/2018
Review date	31/08/2019
Version number	1.0

Document control

OUT OF SCOPE

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1 Introduction

1.1 Document audience

This document will be used by:

- Process owner
- Operational business teams
- Project managers
- Business analysts
- Business process management team (BPM).

1.2 Document purpose

The purpose of this document is to provide clear, comprehensive, complete, consistent process documentation that provides transparency to business stakeholders with what they do across the ministry and to enable them in implementing continuous process improvement.

1.3 Document objectives

This document will:

- provide a clear and documented processes for process stakeholders that follows the Ministry process mapping standards
- ensure that stakeholders of processes are clear on their roles and responsibilities
- provide a manageable and auditable document trail for changes to processes that will assist with communication and change management
- assist Project Managers with scoping and defining project deliverables
- assist Business Analysts with eliciting high level requirements and functional requirements
- enable business to perform continuous process improvement from the documented current state.

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2 Process: Manage foreign HOM appointment

Security classification –

Special access requirements – None

2.1 Purpose

This process is used to manage the agreement of the Minister of Foreign Affairs and the Governor-General to appoint a foreign Head of Mission.

2.2 Roles and responsibilities

The roles and responsibilities involved in this process are:

Generic role	Business role	Key responsibilities
Protocol Advisor	Protocol Advisor	<ul style="list-style-type: none"> Writing all necessary letters and other documentation required throughout this process. Managing correct order for signing paperwork. Monitoring timely return of all paperwork.
Regional Division	Divisional Manager	Providing advice on the acceptance of the proposed candidate in the role as foreign HOM.
Deputy Secretary	Deputy Secretary of the respective region	Sign off of submission to MFA requesting the foreign HOM appointment.
MFA	Minister of Foreign Affairs (via ESD)	<ul style="list-style-type: none"> Formal sign off of submission requesting the foreign HOM appointment. Signing of the letter to GG requesting formal appointment of the foreign HOM. Signing the advice sheet for the foreign HOM.
	Governor-General	Countersigning the advice sheet for the foreign HOM.

2.3 Key definitions

The key definitions used in the process are:

Term	Definition
DPU	Diplomatic Protocol Unit
ESD	Executive Services Division
GG	Governor-General
MFA	Minister of Foreign Affairs
TPN	Third Person Note

2.4 Related information

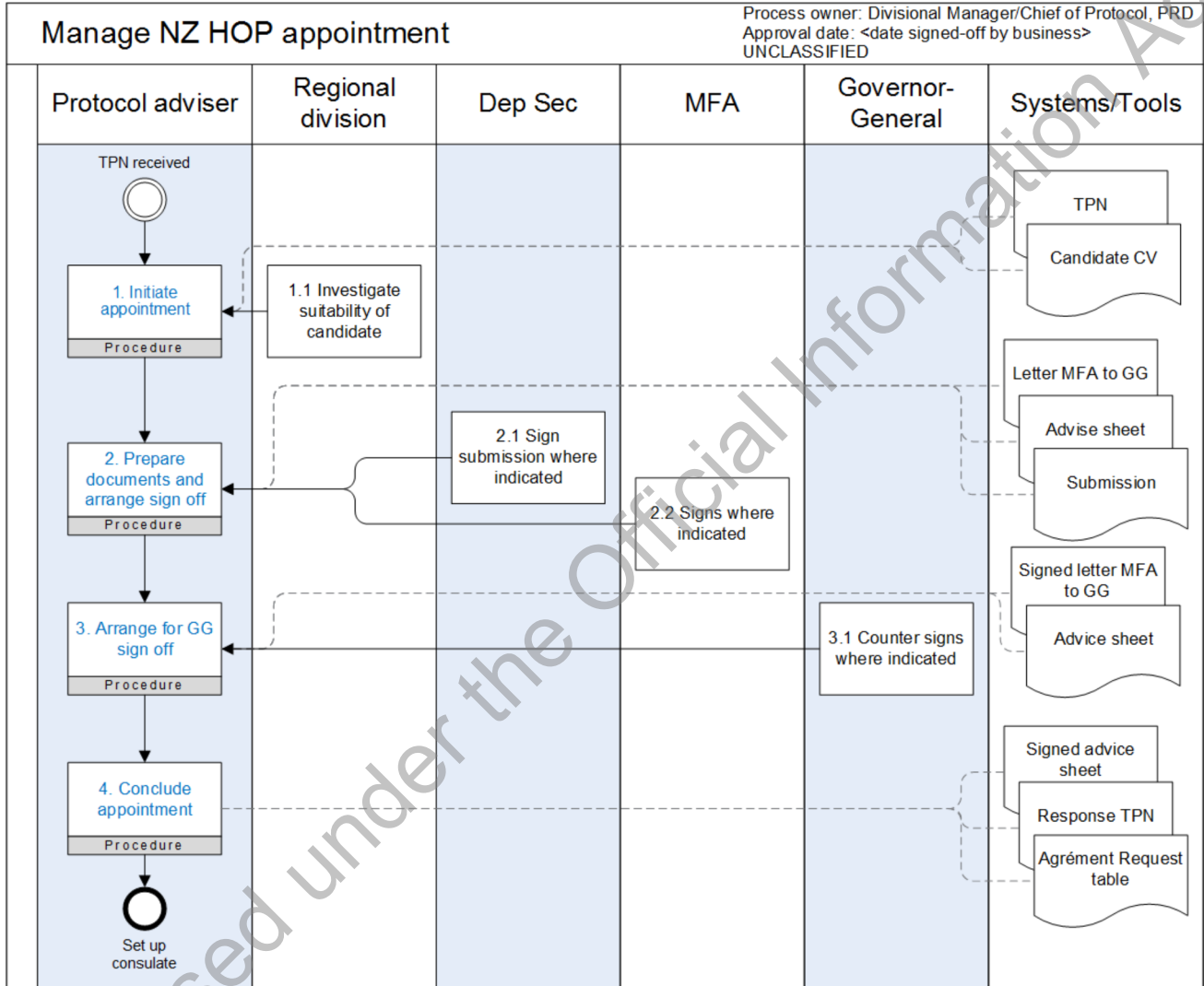
- Diplomatic Privileges and Immunities Act 1968
- Vienna Convention on Diplomatic Relations 1961

- Foreign Affairs Act 1988
- Guidelines for the Diplomatic and Consular Corps Resident in and Accredited to New Zealand

2.5 Relevant team

Contact [the DPU team](#) for more information.

2.6 Process map



2.7 Process asset links

The following links will display in the right-hand navigation on the Business Process Portal page:

Title	URL (working document)	Classification	Grey site compatible (Yes/No)	GDM version
Policy				
Diplomatic Privileges and Immunity Act 1968	http://www.legislation.govt.nz/act/public/1968/0036/latest/whole.html	-----	Yes	No
Vienna Convention on Diplomatic Relations	http://o-wln-gdm/Functions/InformationManagement/BusinessProcessManagement/RepresentandadvocateNZinterests/DiplomaticConsPrivilegesImmunities/VCDR_9_1_1961.pdf	-----	Yes	Yes
Foreign Affairs Act 1988	http://www.legislation.govt.nz/act/public/1988/0159/latest/DLM138398.html?search=ts_act%40bill%40regulation%40deemedreg_foreign+affairs+act_resel_25_a&p=1	-----	Yes	No
Procedures				
1. Initiate appointment	In this document	-----	Yes	No
2. Prepare documents & arrange sign off	In this document	-----	Yes	No
3. Arrange for GG sign off	In this document	-----	Yes	No
4. Conclude appointment	In this document	-----	Yes	No
Guidelines				
n/a				
References				
Guidelines for the Diplomatic and Consular Corps Resident in and Accredited to New Zealand	Paper based	-----	Yes	No
Tools				

Title	URL (working document)	Classification	Grey site compatible (Yes/No)	GDM version
Advice sheet for foreign HOM - template	http://o-wln-gdm/Functions/InformationManagement/BusinessProcessManagement/RepresentandadvocateNZinterests/ManageDiplomaticAppointments/foreign_HOM_Advice%20sheet%20-%20template.docx	-----	Yes	Yes
MFA letter to GG re agrément foreign HOM - template	http://o-wln-gdm/Functions/InformationManagement/BusinessProcessManagement/RepresentandadvocateNZinterests/ManageDiplomaticAppointments/foreign_HOM_MFA%20letter%20to%20GG%20re%20agrement%20-%20template.docx	-----	Yes	Yes
Submission for Agrément foreign HOM - template	http://o-wln-gdm/Functions/InformationManagement/BusinessProcessManagement/RepresentandadvocateNZinterests/ManageDiplomaticAppointments/foreign_HOM_Submission%20for%20Agrement-%20template.docx	-----	Yes	Yes
TPN template	http://o-wln-gdm/Functions/Protocol/Representation/NewZealandRepresentationOverseas/Draft%20TPN%20-%20Seeking%20Agreement%20for%20New%20High%20Commissioner%20or%20Ambassador.docx	-----	Yes	Yes
Agrément Requests Table	http://o-wln-gdm/Functions/Protocol/Representation/layouts/DocIdRedir.aspx?ID=PROT-21-635	In-confidence	Yes	Yes

3 Procedure: Initiate appointment

Security classification –

Special access requirements – None

3.1 When to use

This procedure is used to initiate the Manage foreign HOM appointment process by registering the candidate from the received TPN.

3.2 Role

Protocol advisor

3.3 Tools

[Agrément Requests Table](#)

3.4 Before you begin

The process is initiated by the receipt of a TPN from a foreign state, stating the wish to appoint a new foreign HOM to New Zealand.

Ensure the CV of the proposed candidate comes through with the TPN. If the CV is missing, reply to the sender requesting the CV.

3.5 Steps

1. Start the registration of this Appointment of a foreign HOM dossier in the Agreement Requests Table spreadsheet, using the date of email receipt as the start date.
2. Send an email with the CV of the candidate to the manager of the respective Regional Division requesting acceptance of the proposed candidate in writing.
3. Note the date of step 2 in the Agreement Requests Table spreadsheet.

3.6 Next steps

After receiving Regional Divisions advice, go to procedure: [Prepare documents and arrange sign off](#).

4 Procedure: Prepare documents and arrange sign off

Security classification –

Special access requirements – None

4.1 When to use

Use this procedure when documents need to be prepared to request agrément for the foreign HOM appointment with the Minister of Foreign Affairs and the Governor General, and to arrange sign off by the Minister.

4.2 Role

Protocol advisor

4.3 Tools

- [Agrément Requests Table](#)
- [Submission for Agrément foreign HOM – template](#)
- [MFA letter to GG re agrément foreign HOM – template](#)
- [Advice sheet for foreign HOM – template](#)

4.4 Before you begin

Once you have received acceptance from the regional Division on the candidate for the foreign HOM appointment, update the Agreement Requests Table spreadsheet.

4.5 Steps

1. Start drafting the submission to MFA using the [Submission for Agrément foreign HOM template](#).
2. Prepare the formal papers to the Governor General:
 - a. a letter from the Minister to the Governor General, using the [MFA letter to GG re agrément foreign HOM – template](#) (print on Ministerial Letterhead)
 - b. advice sheet, using the [Advice sheet for foreign HOM – template](#) (print on Black Crested Parchment Paper).
3. Indicate to the Deputy Secretary where their signature is required on the submission.
4. Send the paperwork to the Deputy Secretary.
5. Update the Agrément Requests Table spreadsheet with date sent to Deputy Secretary.
6. When the signed submission and supporting documents are received from the Deputy Secretary update the Agrément Requests Table spreadsheet with the date.
7. Send the following documents to ESD for them to be sent to the MFA's Office, indicating on the documents where the Minister's signature is required:
 - a. the submission plus CV
 - b. second copy of the submission plus CV
 - c. the letter from the Minister to the Governor General plus CV
 - d. the advice sheet.
8. Update the Agrément Requests Table spreadsheet with date sent to the Minister's office.
9. MFA's Office returns the signed submission, MFA's letter to the GG and the advice sheet.
10. Update the Agrément Requests Table spreadsheet with date received back from MFA's Office.

4.6 Next steps

Await the receipt of the signed submission and supporting documents from the MFA's Office, then go to procedure: [Arrange for GG sign off](#).

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5 Procedure: Arrange for GG sign off

Security classification –

Special access requirements – None

5.1 When to use

Use this procedure to request the the Governor-General to sign the advice sheet for the foreign HOM appointment.

5.2 Role

Protocol advisor

5.3 Tools

- [Agrément Requests Table](#)
- [Signed Letter MFA to GG](#)
- [Signed Advice sheet](#)

5.4 Before you begin

Ensure the relevant documents are signed by the MFA.

5.5 Steps

1. Update the Agrément Requests Table spreadsheet with the date that the signed documents are received from the MFA's Office.
2. Indicate to the GG where his signature is required. Send all paperwork to the Cabinet Office to pass on to Government House.
3. Update the Agrément Request Table spreadsheet with the date that the paperwork is sent to Government House.
4. Cabinet Office checks the paperwork for accuracy and sends to Government House.
5. The Governor-General countersigns the advice sheet, and returns the paperwork to the Ministry.

5.6 Next steps

Await the receipt of the signed documents from Government House, then go to procedure:

[Conclude appointment](#)

6 Procedure: Conclude appointment

Security classification –

Special access requirements – None

6.1 When to use

This procedure is to be used when all relevant documents have been signed and a response TPN must be written to the foreign state confirming that agreement has been granted.

6.2 Role

Protocol advisor

6.3 Tools

- [Agrément Requests Table](#)
- [TPN template](#)

6.4 Before you begin

Ensure the relevant documents are signed by the GG.

6.5 Steps

1. Update the Agrément Requests Table spreadsheet with the date that the signed documents are received from Government House.
2. Write a response TPN, using the TPN template, advising the foreign state that agreement has been granted.
3. Advise COP to telephone resident HOM to advise agrément has been granted.
4. Send response TPN back to the sender of the initial request TPN, copy in the Regional Division manager, Chief of Protocol and the post.
5. Update the Agrément Requests Table spreadsheet. If you crossed the 30 working days goal for finishing the foreign HOM appointment, capture the reason in the spreadsheet.

6.6 Next steps

Contact foreign Mission to advise when the next available credential ceremony dates are in order to fit them into a ceremony, see process: [Coordinate credentials ceremony](#).