


OC241305

4 December 2024



Tēnā koe 

I refer to your email dated 7 November 2024, requesting the following under the Official Information Act 1982 (the Act):

“further related information released or received after the initial date of OIA 08/10/2024.

- *Any Correspondence between VIA (or their officers) and Ministry of Transport regarding accepting A** and C** vehicle emissions codes (used vehicles from Japan) as suitable for acceptable as compliant for NZ*
- *Any advice given on the subject of suitability of A** and C** emissions codes to be acceptable from New Zealand Transport Agency (NZTA)*
- *Any minutes of meetings between MOT and VIA (physical or virtual) where this subject is mentioned (possibly 14/08/2024) plus others*
- *Any minutes of meetings between Ministry of Transport and New Zealand Transport Agency to discuss the suitability of A** and C** emission codes”*

Regarding the second part of your request ‘*Any advice given on the subject of suitability of A** and C** emissions codes to be acceptable from New Zealand Transport Agency (NZTA)*’, we have identified one document that falls within the scope. The document is marked as ‘*RE_ info on how Euro_Japan equivalencies were determined*’ and is attached.

Certain information is withheld under the following sections of the Act:

9(2)(a) to protect the privacy of natural persons.

In reference to the third part of the request, ‘*any minutes of meetings between MOT and VIA (physical or virtual) where this subject is mentioned (possibly 14/08/2024) plus others*’, we can confirm that this topic was raised during a virtual meeting between MoT and VIA on 4 November. During this meeting, MoT noted that the review of equivalency codes is led by NZTA in its role as the regulatory authority. However, we would like to inform you that no minutes were recorded for this meeting.

With respect to the remaining part of your request [part 1 and 4], at the time this OIA request was made [7 November 2024], there was no correspondence between VIA and MoT regarding the acceptance of A** and C** emissions codes. Additionally, there are no minutes from any meeting between the MoT and the NZTA where the suitability of these codes was discussed.

Therefore, I am refusing the remaining part of your request under the following section of the Act:

18(e) that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

With regard to the information that has been withheld under section 9 of the Act, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website www.ombudsman.parliament.nz.

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Nick Paterson', with a long horizontal flourish extending to the right.

Nick Paterson
Manager Environment

From: [Lily McSweeney](#)
To: [Nick Paterson](#); [Karl Laulu](#)
Cc: [Gayelene Wright](#); [Carol Rios Diaz](#); [Liz Hopgood](#); [Blake Shepherd](#)
Subject: RE: Info on how Euro/Japan equivalencies were determined?
Date: Tuesday, 15 October 2024 2:58:04 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Nick and Liz –

Thanks Nick for that clarity, understood. Our previous communication was based on that the prior work on this had been Ministry led, and we (personally, not the organisation) were not directly involved – however we recognise the change in personnel on your side too and are happy to have this back on the regulator again.

I will provide more fulsome information regarding Liz’s request this week but here is a starter

Note, I have switched from using “equivalency” to “alignment” – I think this better recognises that the various standards from different parts of the world will never be exactly equivalent in every factor. It isn’t NZ’s role to create harmonisation between the international standards, rather it is NZ’s role to ensure that the standards we list as our minimum requirement are creating roughly similar outcomes in the vehicles we allow.

Firstly, confirming that Karl and I will do / lead the work to review the justification of how we determined alignment as per the VIA request, well supported by our SME’s – key here on our side will be Dave Brown, Dan Myers, and Fumi Norman, among others. We have not (as far as I am aware) kicked off the review of justification beyond the initial conversations we had when the issue was first raised. This is because we are focusing on the issue (ISC) still outstanding for the first amendment and do not want to overstretch the time and goodwill of our SME’s who have other workloads as well as advising on these technical matters.

In my opinion, the aims of the work will be to:

- Identify the justifications that we used to determine alignment between Japanese and European standards (Currently in progress)

- Ensure that these justifications remain sound and are achieving the desired outcome of *(TBC but something to do with NZ accepting standards that are as aligned as possible from a variety of jurisdictions to ensure vehicles being imported from around the globe are meeting similar emission targets / passing similar emission tests)*

- If determined that the justification is not sound, action how we can resolve identified issues.

Regarding the request on info for how we determined the alignments, I am still pulling this together from my end and will give you a debrief soon (I am aiming for an initial set of info to you tomorrow). It would be useful, if you haven’t already, to have a look in TARDIS and see if Sigurd had saved any relevant documents in there?

Cheers!

Lily McSweeney (She/Her)

Policy Advisor, Users and Vehicles System Policy

System Policy | Te Tūāpae System Leadership

Email: lily.mcsweeney@nzta.govt.nz

Phone: s 9(2)(a)

Waka Kotahi NZ Transport Agency

From: Nick Paterson <N.Paterson@transport.govt.nz>

Sent: Monday, October 14, 2024 10:04 AM

To: Karl Laulu <Karl.Laulu@nzta.govt.nz>

Cc: Gayelene Wright <g.wright@transport.govt.nz>; Carol Rios Diaz <C.RiosDiaz@transport.govt.nz>; Liz Hopgood <L.Hopgood@transport.govt.nz>; Blake Shepherd <Blake.Shepherd@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>

Subject: RE: Info on how Euro/Japan equivalencies were determined?

Hi Karl,

Thank you for your email. This is an issue that we would need the NZTA to review as the regulator. I understand that at the the time there was an agreement for the MoT to do this work, although this would normally be a matter that the regulator would lead, as we had the capacity and capability to do that. MoT no longer has the capability to undertake this work, and as we are not a regulatory agency we are not actively seeking to replace this capability.

Kind regards

Nick

Nick Paterson

T: s 9(2)(a) | E: n.paterson@transport.govt.nz | www.transport.govt.nz



From: Karl Laulu <Karl.Laulu@nzta.govt.nz>

Sent: Friday, October 11, 2024 12:04 PM

To: Liz Hopgood <L.Hopgood@transport.govt.nz>; Blake Shepherd <Blake.Shepherd@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>

Cc: Gayelene Wright <g.wright@transport.govt.nz>; Carol Rios Diaz <C.RiosDiaz@transport.govt.nz>

Subject: RE: Info on how Euro/Japan equivalencies were determined?

Hi Liz,

We have worked closely with our SMEs, and they've confirmed equivalency was introduced into the 2023 consultation by the Ministry.

Below is a snippet of content used during the consultation information session lead by MOT, where the Ministry has determined and labelled equivalents as well as the Japanese standards as being weaker:

Accepted Emissions Testing Standards from other Jurisdictions

- Appropriate equivalencies need to be selected.
- Emission limits and testing practices between the standards do not all align exactly.

Euro 5 equivalents	Alignment with Euro 5	Euro 6d equivalents	Alignment with Euro 6d
US Tier 2	Stronger	US Tier 3	Stronger
Japan 2005	Weaker	Japan 2018	Weaker
ADR 79/04	Aligns	Future ADR79/05	Expected to align
UNECE R83/06	Aligns	Future UNECE R83/08	Expected to be stronger



Dan Myers has provided me with emails confirming MOT were provided data (email attached) from Japan authorities who compared results of vehicles tested to JC08 and WLTP. The WLTP emissions were up to five times greater than JC08. This confirmed that Japan 2005 should not be directly compared to Euro 5 or 6. He also provided the attached spreadsheet (embedded in JP-EU email) produced by Sigurd detailing his take on equivalency which I believe was then later used to finalise 2023 Amendment Rule definitions for Japan 2005 low harm currently in-force.

For me, the above information clearly serves things back to the Ministry to determine the best way forward, keeping in mind our SMEs have advised we steer away from the use of 'equivalence' for emissions standards.

Cheers

Karl Lau (He/Him)

Senior Policy Advisor, Users and Vehicles

System Policy | Te Tūāpae - System Leadership | s 9(2)(a)

From: Liz Hopgood <L.Hopgood@transport.govt.nz>

Sent: Friday, October 11, 2024 10:51 AM

To: Blake Shepherd <Blake.Shepherd@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>; Karl Lau <Karl.Lau@nzta.govt.nz>

Cc: Gayelene Wright <g.wright@transport.govt.nz>; Carol Rios Diaz <C.RiosDiaz@transport.govt.nz>

Subject: Info on how Euro/Japan equivalencies were determined?

Hi Blake, Lily, Karl

Hi, hope you are well

I'm hoping one of you may be able to help me out with any info you have on how the Euro/Japan equivalencies were originally determined?

(and confirming, will you be/are you doing the current work on reviewing these? If not are

you able to connect me with who is. It may be good for us to get an update on what's happening in this space).

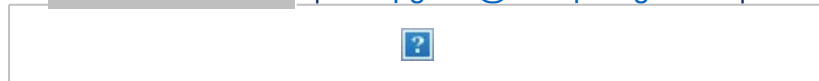
Thank a lot

Liz Hopgood

Kaitohutohu | Adviser, Environment

Te Manatū Waka Ministry of Transport

M: s 9(2)(a) | L.Hopgood@transport.govt.nz | www.transport.govt.nz



I work Monday, Tuesday, Friday

MINISTRY OF TRANSPORT

Wellington (Head Office) | Ground Floor, 3 Queens Wharf | PO Box 3175 | Wellington 6011 | NEW ZEALAND | Tel: +64 4 439 9000 |

Auckland | NZ Government Auckland Policy Office | Level 7, 167B Victoria Street West | PO Box 106238 | Auckland City | Auckland 1143 | NEW ZEALAND | Tel: +64 4 439 9000 |

Disclaimer: This email is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient you must delete this email and may not use any information contained in it. Legal privilege is not waived because you have read this email.

Please consider the environment before printing this email.

This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient, you must not peruse, disclose, disseminate, copy or use the message in any way. If you have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by Waka Kotahi NZ Transport Agency for information assurance purposes.

This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient, you must not peruse, disclose, disseminate, copy or use the message in any way. If you have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by Waka Kotahi NZ Transport Agency for information assurance purposes.