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OIA-2023-4624

28 March 2023

[REDACTED]  
[REDACTED]@stuff.co.nz

Dear [REDACTED]

I refer to your email of 1 February 2023 requesting, under the Official Information Act 1982 (OIA), the following:

*Information about an incident involving HMNZS Te Mana in the South China Sea in the period 2017/18.*

*with internal reports, briefings or any other form of correspondence, including that provided to ministers and/or ministries (ie MFAT), when Te Mana was subjected to radio calls from the PLA Navy/People's Republic of China forces regarding its presence in the area.*

*Can Defence provide details of the nature of the radio calls, what was said and any instructions that were given to HMNZS Te Mana and Commander Lisa Hunn.*

*Can Defence confirm that during the incident that PLA Navy ships engaged with Te Mana, or appeared to come close to the frigate, while it was legitimately in waters outside any exclusive economic zone.*

Reports, briefings and other correspondence concerning the transit of the South China Sea by HMNZS Te Mana in September 2018 are withheld in full in accordance with section 6(a) of the OIA.

The following summary outlines the transit and interaction with Chinese People's Liberation Army Navy (PLAN) vessels. HMNZS Te Mana was tasked to conduct a South China Sea transit as part of the ship's deployment on Operation Crucible to the Asia Pacific region. Transits by New Zealand Defence Force vessels through the South China Sea have occurred frequently for decades due to it being a major global shipping route and a critical path for ongoing engagement in South East Asia in support of our partners in the region. These transits demonstrate our continued interest in and commitment to the region. HMNZS Te Mana transited the South China Sea from 21 September 2018 to 23 September 2018.

HMNZS Te Mana was contacted by VHF radio from the PLAN vessels throughout the transit. All communications between both the PLAN units and HMNZS Te Mana were of a professional manner and followed the Code of Unexpected Encounters at Sea format. The communications from the PLAN vessels were routine and focussed on identifying information including name, pennant number, and passage intentions. HMNZS Te Mana responded throughout with a standard reply stating that passage was being conducted in

accordance with the International Law of the Sea. Throughout the transit PLAN ships and helicopter maintained a distance of between 3 nautical miles to 0.25 nautical miles (500 yards). During the transit HMNZS Te Mana operated in accordance with international law at all times, particularly the United Nations Convention on the Law of the Sea.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

**AJ WOODS**

Air Commodore

Chief of Staff HQNZDF