

19-D-02401

s 9(2)(a)

Dear s 9(2)(a)

Thank you for your email of 8 October 2019 requesting information under the Official Information Act 1982 (the Act) from Hon Chris Faafoi as Minister for Broadcasting, Communications and Digital. Parts (A) and (B) of your request were transferred to the Ministry for the Environment (the Ministry) for response.

You have requested:

*Information to show:*

- (A) *the maximum permitted RFEMR exposure limit in NZ in microwatts/cm<sup>2</sup>*
- (B) *how the limit in NZ is justified and considered safe for New Zealanders considering the far stricter limits in many other countries for example: China 10 microwatts/cm<sup>2</sup>, Russia 10 microwatts/cm<sup>2</sup>, Italy 10 microwatts/cm<sup>2</sup>, France 10 microwatts/cm<sup>2</sup>, Poland 10 microwatts/cm<sup>2</sup>, Hungary 10 microwatts/cm<sup>2</sup>, Switzerland General 9.5 microwatts/cm<sup>2</sup> Switzerland Schools and Hospitals 4.25 microwatts/cm<sup>2</sup>, Belgium 2.4 microwatts/cm<sup>2</sup>, Bulgaria 2.4 microwatts/cm<sup>2</sup>.*

The Ministry has identified seven documents in scope of your request, two relate to Part A of your request and five relate to Part B. These are listed in the attached table. Please note that these documents are or soon will be publicly available, therefore these are declined under section 18(d) of the Act.

*Part (A)*

With regard to Part A of your request we have interpreted 'RFEMR' to mean radio frequency fields and 'maximum permitted exposure limit' to mean the allowable permitted exposure level under the National Environmental Standards for Telecommunications Facilities 2016 (NESTF 2016).

The NESTF 2016 does not set an allowable permitted exposure level that is an offence to breach. However, it does regulate land uses by permitting some facilities if they meet certain requirements.

Under the NESTF 2016, facilities that generate radio frequency fields must be installed and operated in accordance with New Zealand Standard NZS 2772.1:1999 Radiofrequency fields – Maximum exposure levels – 3 kHz to 300 GHz (the NZS). It also requires the facility operator to provide information to show compliance with the NZS. If these requirements are not met, a higher level of resource consent is required which has to meet more tests.

Your request also refers to the maximum permitted exposure limit expressed in "microwatts/cm<sup>2</sup>". The NZS does not refer to one "maximum permitted exposure limit" but instead has many aspects with which compliance is required – and for a number of different circumstances.

The limits in the NZS are explained in the National guidelines for managing the effects of radio transmitters which are publicly available at the following web address: <https://www.mfe.govt.nz/publications/rma/national-guidelines-managing-effects-radio-frequency-transmitters>

The Ministry cannot provide you with a copy of the NZS, as this is subject to copyright. You can purchase them from Standards New Zealand at the following web address:

<https://shop.standards.govt.nz/catalog/2772.1%3A1999%28NZS%29/view/>.

*Part (B)*

The exposure limits in the NZS are based on guidelines published by the International Commission on Non-ionizing Radiation Protection (the Commission). The Commission reaffirmed the international guidelines' validity in 2009. In December 2017, the Commission publicly stated that the large degree of precaution in the 1998 guidelines means they remain protective for current day exposure scenarios.

The Interagency Committee on the Health Effects of Non-ionising Fields: Report to Ministers 2018 confirmed that "the findings of recent research do not cause the Committee to consider that current policies and recommendations should be changed".

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent.

If you have any queries about this, please feel free to contact our Executive Relations team via [ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz)

Yours sincerely



**Jo Gascoigne**  
Director – Natural and Built System

### List of documents

Doc no.	Doc date	Part of your request doc relates to	Content	Decision	OIA section applied
1	2000	A	The National guidelines for managing the effects of radio transmitters (Ministry for the Environment and Ministry of Health, 2000). <a href="https://www.mfe.govt.nz/publications/rma/national-guidelines-managing-effects-radio-frequency-transmitters">https://www.mfe.govt.nz/publications/rma/national-guidelines-managing-effects-radio-frequency-transmitters</a>	Refused	s. 18(d) –publicly available
2	2008	B	Cabinet paper: proposed National Environmental Standards for Telecommunications (NESTF 2008) <a href="https://www.mfe.govt.nz/node/17882/">https://www.mfe.govt.nz/node/17882/</a>	Refused	s. 18(d) –publicly available
3	March 2015	B	Report of the outcome evaluation of the National Environmental Standards for Telecommunication Facilities (NESTF 2008) <a href="https://www.mfe.govt.nz/sites/default/files/media/RMA/nestf-outcome-evaluation-final_0.pdf">https://www.mfe.govt.nz/sites/default/files/media/RMA/nestf-outcome-evaluation-final_0.pdf</a>	Refused	s. 18(d) –publicly available
4	November 2016	B	Proposed amendments to the National Environmental Standards for Telecommunications Facilities: Evaluation under section 32 of the Resource Management Act 1991, November 2016 <a href="https://www.mfe.govt.nz/publications/rma/proposed-amendments-national-environmental-standards-telecommunication-facilities-4">https://www.mfe.govt.nz/publications/rma/proposed-amendments-national-environmental-standards-telecommunication-facilities-4</a>	Refused	s. 18(d) –publicly available
5	2016	A	Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 <a href="http://www.legislation.govt.nz/regulation/public/2016/0281/30.0/DLM6985640.html">http://www.legislation.govt.nz/regulation/public/2016/0281/30.0/DLM6985640.html</a>	Refused	s. 18(d) –publicly available
6	2018	B	Interagency Committee on the Health Effects of Non-ionising Fields: Report to Ministers 2018.	Refused	s. 18(d) –publicly available

Doc no.	Doc date	Part of your request doc relates to	Content	Decision	OIA section applied
7	21 August 2019	B	<p>Addendum Report</p> <p>5G Radiofrequency Fields and Health, Ministry of Health.</p> <p><a href="https://www.health.govt.nz/publication/interagency-committee-health-effects-non-ionising-fields-report-ministers-2018">https://www.health.govt.nz/publication/interagency-committee-health-effects-non-ionising-fields-report-ministers-2018</a>.</p>	Refused	s. 18(d) – soon to be publicly available

Released under the provision of the Official Information Act 1982