

4 May 2023

██████████
By email: ██████████

Dear Mr ██████████

Official Information Act 1982 (OIA) Request on blockchain and cryptocurrencies

OIA request to MBIE for information

On 28 March you sent an OIA request to the Ministry of Business, Innovation and Employment (MBIE) with several requests for information relating to blockchain and cryptocurrencies. Your full request is reproduced below;

'Subject: Official Information Act Request - Information on Government Plans, Research, and Investment in Blockchain and Cryptocurrencies

I am writing to request information under the Official Information Act 1982 (the Act), seeking information relating to governments' plans, research and investment with respect to blockchain and cryptocurrency technologies in New Zealand.

Specifically, I am seeking information on the following:

- 1. Any government research or studies conducted in relation to blockchain technologies and cryptocurrencies during the timeframe of 1st January 2016 to the present date.*
- 2. Any ongoing or planned projects involving blockchain technologies, cryptocurrencies, or distributed ledger technology by the New Zealand government or any of its agencies.*
- 3. Any government funding, grants or investments made during the timeframe of 1st January 2016 to the present date, towards blockchain and cryptocurrency-related projects, startups or initiatives in New Zealand.*
- 4. Details of any policies or strategies formulated that concern the adoption, regulation or development of blockchain technologies or cryptocurrencies.*
- 5. Any document or communication illustrating government's collaboration with international organizations, like-minded countries or private sector players, for the promotion or development of blockchain and cryptocurrency technologies.*

6. Any risks, benefits or opportunities identified by the government or its agencies relating to the use of blockchain and cryptocurrencies, and possible measures taken to mitigate identified risks or harness potential benefits.

I understand that the Ministry of Business, Innovation and Employment handles a vast range of matters, so I kindly request this information to be provided in electronic format via email. I am aware that the Act provides a 20-working-days time frame for response to Official Information requests and am willing to provide any additional information or clarification if needed.

Thank you for considering my request, and I look forward to receiving the requested information in a timely manner.'

On 13 April, MBIE transferred responsibility for answering information request No.4 to the FMA.

Request 4; Details of blockchain policies or strategies

In response to question 4, we advise that the FMA has not formulated any strategies or policies that directly concern the regulation of blockchain technologies or cryptocurrencies. However, the FMA regulates cryptocurrency issuers or service providers to the extent they are issuing cryptocurrencies that are financial products, or if they are in the business of providing a financial service. Virtual Asset Service Providers are considered financial institutions and must comply with AML/CFT Act obligations. For completeness, the Department of Internal Affairs, not the FMA, is the supervisor for this type of entity.

You can find more information about the FMA's views on cryptocurrencies on the FMA website. See for example:

- [Cryptocurrencies | Financial Markets Authority \(fma.govt.nz\)](https://www.fma.govt.nz/insights/cryptocurrencies)
- [Crypto asset service providers | Financial Markets Authority \(fma.govt.nz\)](https://www.fma.govt.nz/insights/crypto-asset-service-providers)
- [Spotlight on Crypto: Using New Zealand based cryptocurrency trading platforms | Financial Markets Authority \(fma.govt.nz\)](https://www.fma.govt.nz/insights/spotlight-on-crypto)

Next Steps

If you have any questions about our decision under the Official Information Act, please refer them to Natalie Muir of the Wellington FMA office sat natalie.muir@fma.govt.nz. Note also that you have the right to complain to the Ombudsman regarding our assessment of the above OIA request, in accordance with section 28 of the OIA. Information about how to make a complaint is available at www.ombudsman.parliament.nz or can be obtained by calling the Ombudsman's Office at 0800 802 602.

Yours sincerely



Michael Oomen
Manager, Internal Governance and Oversight