

4 May 2026

s9(2)(a)



Ministry for
**Ethnic
Communities**
Te Tari Mātāwaka

Our ref: OIA 2526-1057

Tēnā koe

s9(2)(a)

Response to your Official Information Act request

I refer to your requests under the Official Information Act 1982 (the Act) for information on interpreting and translation services. From 2 April 2026 to 30 April 2026, your requests to the Ministry of Business, Innovation, and Employment (MBIE), Ministry for Social Development (MSD), and Accident Compensation Corporation (ACC) were transferred to the Ministry for Ethnic Communities (the Ministry). Your request and our response are below.

... relating to subcontracting practices and NAATI credential compliance within interpreting and translation services procured by [the agency]

SECTION A: SUBCONTRACTING ARRANGEMENTS

- 1) *Whether [the agency's] interpreting and translation providers are permitted to subcontract assignments to third parties, including overseas-based agencies or individual contractors located outside New Zealand.*
- 2) *Any conditions or restrictions in Immigration New Zealand's contracts with interpreting and translation providers regarding the use of subcontractors, including any requirements that subcontractors be based in New Zealand or hold an appropriate New Zealand work visa.*
- 3) *Whether [the agency's] requires providers to disclose the identity, location, or credentials of individual interpreters or translators — including subcontractors — who carry out assignments on [the agency's] behalf.*
- 4) *Whether [the agency's] have any knowledge of, or has sought information about, assignments being routed to interpreters or translators located outside New Zealand.*
- 5) *Any instances where [the agency's] became aware that an assignment was conducted by a person located outside New Zealand or by an uncredentialed subcontractor, and any action taken as a result.*

SECTION B: NAATI CREDENTIAL COMPLIANCE

- 6) *What mechanism, if any, [the agency's] uses to verify that individual interpreters and translators carrying out assignments on its behalf — including those engaged through subcontracting arrangements — hold a valid NAATI credential or Working Towards NAATI (WTN) status.*
- 7) *Whether [the agency's] requires its interpreting and translation providers to maintain and supply a current register of credentialed practitioners working under its contracts, and if so whether [the agency's] have received and reviewed such registers.*

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- 8) *Any audits, spot checks, or compliance reviews conducted by [the agency's] on its interpreting and translation providers since 1 July 2024 to verify NAATI credential compliance, including the methodology and findings of any such reviews.*
 - 9) *Any instances since 1 July 2024 where a provider was found to have used an interpreter or translator who did not hold the required NAATI credential or Working Towards NAATI (WTN) status, and any consequences or remedial action taken.*
 - 10) *Any complaints received by [the agency's] since 1 July 2024 from staff, applicants, or members of the public regarding the qualifications or conduct of an interpreter or translator engaged through [the agency's] services.*

SECTION C: INTERPRETER AND TRANSLATOR PAY VISIBILITY

- 11) *Whether [the agency's] have any information about the rates or fees paid by its providers to individual interpreters or translators for assignments conducted on [the agency's] behalf.*
- 12) *Whether [the agency's] have ever sought, as part of contract negotiations, tendering processes, or performance reviews, any information about the pay or working conditions of interpreters or translators engaged through its provider contracts.*
- 13) *Any internal policies, briefings, risk assessments, or correspondence within [the agency's] regarding the fair remuneration or employment conditions of interpreters and translators working under its contracts, including any concerns raised about the margin between rates paid to providers and rates passed on to practitioners.*
- 14) *Whether [the agency's] tendering or procurement criteria for interpreting and translation services include any consideration of whether providers pay practitioners at or above a minimum rate, living wage, or industry standard.*

In April 2025, the Ministry took over from MBIE as the lead agency for supporting interpreters to achieve National Accreditation Authority for Translators and Interpreters (NAATI) certification.

The Ministry is the lead agency for Language Assistance Services (LAS) in Aotearoa New Zealand and responsible for the two Open Syndicated Panel agreements (OSA). These are the Telephone and Video Interpreting Services (TVIS), and the face-to-face interpreting services. The terms and conditions across these two OSA's are the same, with the exception that face-to-face interpreters must be New Zealand residents i.e. not based overseas.

The TVIS OSA enables participating agencies to purchase on-demand telephone and video interpreting services which are available 24/7. The OSA does not cover written translation services or face-to-face interpreting services. The face-to-face interpreting services OSA requires these interpreters to be New Zealand residents.

Translation services are not covered by these OSA's and, as such, the Ministry does not hold information relating to them. However, I understand that the Department of Internal Affairs (DIA), as the lead agency, has provided you with information on Translations services. Therefore, please refer to DIA's response regarding the translation services part of your request.

The [Language Assistance Services: Operational Policy for New Zealand Public Sector Agencies and those they fund 2024](#) (the Policy) provides an overview of the operational policy requirements as well as best practice guidelines for public sector agencies and the services that they fund. Further, the [Language Assistance Services Handbook for users 2024](#), is a practical guide to working with the Policy from 1 July 2024 when the NAATI standards were adopted.

For clarity and readability, the Ministry is referred to as the 'Lead Agency'; and the agencies named in your request (i.e. MSD, MBIE/Immigration NZ and ACC) are referred to with the umbrella term of 'participating agencies'. A full list of participating agencies are listed here: [participating agencies](#).

Section A: Subcontracting arrangements

Subcontracting assignments to third parties

The participating agencies' interpreting service providers are permitted to subcontract assignments, including to third parties. Subcontracting arrangements must be notified to the Lead Agency, and must comply with the relevant clauses of the Open Syndicated Panel Agreements (Clause 7 for face-to-face services and Clause 8 for TVIS). Under these clauses, providers remain fully responsible for the acts and omissions of any subcontractors and must ensure appropriate written agreements are in place that are enforceable by [participating agencies](#).

The Service Provider must:

- ensure that an appropriate written agreement is in place between the Service Provider and the subcontractor that is consistent with the terms of this Participating Agency Agreement in all material respects; and
- ensure that the agreement referred to in clause 8.2(a) acknowledges the benefit to each Agency for the purposes of the Contract and Commercial Law Act 2017 and is therefore enforceable by each Agency.
- The Service Provider will remain liable to the Participating Agency for all acts or omissions of each subcontractor as if they were the acts or omissions of the Service Provider.

The entry by the Service Provider into an agreement with a subcontractor will not:

- create a contractual relationship between the Participating Agency and the subcontractor except as described in clause 8.2(b); or
- relieve the Service Provider from liability for the performance of any obligations under this Participating Agency Agreement.

The Service Provider must obtain the Lead Agency's prior written consent to the replacement of any subcontractor, and clauses 8.2 and 8.3 will apply to all replacement subcontractors.

The Service Provider will not be required to observe clauses 8.1 and 8.2 in respect of any individual who is providing services to the Service Provider as a contractor that might otherwise have been provided by a Service Provider employee, including an individual interpreter.



Conditions/restrictions/ requirements in contracts with interpreting providers regarding the use of subcontractors

The contracts do not require all subcontractors to be based in New Zealand or to hold a New Zealand work visa. For TVIS, providers are required to report monthly on the proportion of assignments delivered by New Zealand-resident interpreters. Service level targets specify a staged increase in the proportion of calls serviced by New Zealand-resident interpreters over time. As at February 2026, 87 percent of calls were serviced by New Zealand-resident interpreters.

Requirements of the provider to disclose information of individual interpreters including subcontractors.

Service providers are required to report on assignment duration, mode of interpreting, interpreter location, and credential level. The identity of the interpreter is shared with the participating agencies at the time of booking to ensure suitability for the assignment.

Interpreter assignments being routed to interpreters located outside New Zealand.

The Lead Agency receives reporting under the contract on the location of interpreters for each assignment, including whether the interpreter is located within or outside New Zealand.

Instances of assignments conducted by a person located outside New Zealand or by an uncredentialed subcontractor, and any resulting action taken.

The Lead Agency is not aware of any instances where an assignment was conducted by an uncredentialed subcontractor. No remedial action has therefore been required. As such, this part of your request is refused under section 18(e) of the Act on the grounds that the information requested does not exist.

Section B: NAATI credential compliance

Verification of interpreters' NAATI credential or Working Towards NAATI (WTN) status.

The Lead Agency receives regular credential reporting from service providers - monthly for TVIS and bi-monthly for face-to-face interpreting. Reporting includes interpreter certification level. The Lead Agency also receives information from NAATI regarding interpreters who are working towards NAATI certification.

Register of credentialed practitioners.

Service providers are required to maintain a current register of interpreters engaged under the contract. There is no contractual requirement for that register to be supplied to the Lead Agency.

Audits of NAATI credential compliance

The Lead Agency has not undertaken any formal audits, spot checks, or compliance reviews since 1 July 2024. As such, this part of your request is refused under section 18(e) of the Act on the grounds that the information requested does not exist.

Contract performance matters, including challenges and opportunities, are discussed at regular meetings between the Lead Agency and service providers.

Clause 7.1 (c) states that from 1 July 2024, all personnel who are providing interpreting services are required to hold an appropriate NAATI credential or provide evidence that the interpreter is working towards achieving their NAATI credential. If no NAATI credentialed interpreter, or one working towards their credential can be found, and an interpreter who does not meet the criterion is used, then this must be documented as part of the reporting process.

Under clause 7.1(d) the Service Provider must ensure that from and including 1 July 2024, all personnel (including overseas based interpreters) who are providing interpreting services (excluding where the Source Language or the Target Language is te reo Māori), have passed the context course

Instances of interpreters without NAATI credentials or Working Towards NAATI (WTN) status, and consequences/remedial action taken.

The Lead Agency is not aware of any instances since 1 July 2024 where a provider used an interpreter who did not meet NAATI credential or Working Towards NAATI requirements. As such, this part of your request is refused under section 18(e) of the Act on the grounds that the information requested does not exist.

Complaints regarding qualifications/conduct of an interpreter

The Lead Agency has not received any complaints since 1 July 2024 regarding the qualifications or conduct of interpreters engaged to provide services to participating agencies. Performance issues, when identified, are managed in accordance with clause 14 of the contract. As such, this part of your request is refused under section 18(e) of the Act on the grounds that the information requested does not exist.

Section C: Interpreters pay visibility

Rates/fees paid to interpreters

As part of the reporting process to the Lead Agency, service providers set out the minimum and average rate paid to Interpreters

Pay and working conditions of interpreters

Interpreter rates and employment conditions formed part of the tender evaluation process. Providers were required to disclose the rates paid to interpreters as part of their tender submissions

Additionally, Clause 7.3 states:

Remuneration. The Service Provider will appropriately remunerate all interpreters engaged, whether under a contract of service or contract for services, to provide the services, taking into account prevailing remuneration rates in the interpreting market at the relevant time. The Service Provider acknowledges that the prevailing remuneration rate in the market may change over time and that it may need to adjust any rates to reflect such changes. If an interpreter gains appropriate accreditation with their professional body the Service Provider will adjust the remuneration rate accordingly. The remuneration rate for all interpreters will take into account other costs incurred, that are not compensated, during the delivery of the language assistance.

Interpreter rates form part of the reporting process.

Internal policies, briefings, risk assessments, or correspondence regarding fair remuneration/employment conditions of interpreters including concerns raised about the margin between rates paid to providers and rates passed on to practitioners.

The Ministry does not hold any internal policies, briefings, risk assessments, or correspondence relating to the fair remuneration or employment conditions of interpreters including any concerns about the margin between rates paid to providers and rates passed on to individual practitioners. As such, this part of your request is refused under section 18(g) of the Act on the grounds that the information is not held, and there are no reasonable grounds to believe it is held by, or more closely connected with the functions of, another Minister or agency.

Tendering/ procurement criteria related to remuneration for interpreting services.

Tender and contract requirements address remuneration through contractual obligations, including Clause 7.3, which requires providers to appropriately remunerate interpreters in line with prevailing market rates and to adjust remuneration where accreditation is gained.

Under section 28 of the OIA, you have the right to seek an investigation and review by the Office of the Ombudsman of my response relating to this request. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note, due to the public interest in our work, the Ministry may publish responses to requests for official information on our website, shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: Ministerial@ethniccommunities.govt.nz.

Ngā mihi



Edward Firth

Director of Ministerial Services