

3 November 2023

Reference: DOIA 2324-0766

Phil Pennington  
Senior Producer, RNZ  
[Phil.Pennington@rnz.co.nz](mailto:Phil.Pennington@rnz.co.nz)

Tēnā koe Phil

Thank you for writing to the Ministry of Business, Innovation and Employment (MBIE) on 17 October 2023 to request the following information under the Official Information Act 1982 (the OIA):

*Pls advise if MBIE or any of its parts or proxies has any contract or link to or query in with a US company called Penlink (sometimes Pen-link, based in Nebraska). Pls advise if MBIE has any record of ANY emails with 'Penlink' (or 'Pen-link') occurring in the address or subject fields.*

*Re Cobwebs (CW) Technologies, a 2022 OIA with a 2020 business case in it shows MBIE expected work on implementing CW to be done within 2020.*

*The more recent OIA has the first recorded use of CW in April 2022.*

- 1. Pls advise if there was any other use prior to April 2022*
- 2. Pls advise what date MBIE began paying for licences and associated costs with CW*
- 3. If it was paying prior to April 2022, pls advise why MBIE/MI was not using CW prior to April 2022*

Please see the answers to your request below.

- 1. Please advise if MBIE or any of its parts or proxies has any contract or link to or query in with a US company called Penlink (sometimes Pen-link, based in Nebraska). Pls advise if MBIE has any record of ANY emails with 'Penlink' (or 'Pen-link') occurring in the address or subject fields?*

MBIE can confirm that it has no contract with Penlink. We understand that Cobwebs Technologies was recently acquired by Spire Capital, who we understand also own Penlink. Both companies are owned by the same parent, however we do not consider that this links MBIE with Penlink. We can also confirm there are no queries "in with" Penlink.

As for the second part of your question, we conducted an email search of the MBIE IT system covering the period 1 January 2018 to 17 October 2023 inclusive. The search returned 11,197 emails across 1000 inboxes. MBIE note this has occurred because of MBIE's involvement with the O Mahurangi-Penlink road construction project, north of Auckland, and not any connection to the Penlink company in Nebraska.

Please note in answering this question we have understood 'parts or proxies' to mean any sub-agency that falls within the MBIE umbrella. Please let us know if you mean something different.

- 2. Pls advise if there was any other [Cobwebs] use prior to April 2022?*

MBIE approved the Cobwebs business case and contract in March 2020 and the software was subject to a period of operational testing and development of assurance guidance and frameworks following the signing of the contract.

In December 2020, MBIE Intelligence began development of a robust assurance framework and set of processes to mitigate any risks associated with the use of the Cobwebs tools. MBIE Intelligence took the Cobwebs tools offline for the duration of this process.

The assurance framework and guidelines were developed in consultation with MBIE's internal Risk and Assurance team, and Cobwebs was then operationalised on 4 May 2021 after the assurance procedures were successfully completed, agreed and implemented.

Between 4 May 2021 and April 2022, there was no use of the Cobwebs tools. There was negligible demand for maritime mass arrival prevention and/or detection-related work during this time due to the global COVID-19 pandemic and the associated health risks to irregular migrants attempting any maritime ventures, as well as the redeployment of MBIE Intelligence staff to other work such as the COVID-19 response. Limited use of Cobwebs restarted from 11 April 2022 as activity increased within Immigration New Zealand's Irregular Migration Programme.

3. *Pls advise what date MBIE began paying for licences and associated costs with CW? If it was paying prior to April 2022, pls advise why MBIE/MI was not using CW prior to April 2022?*

MBIE began paying for the Cobwebs tools in March 2020 and has continued to pay for the licences since the beginning of the contract term.

Thank you again for writing to MBIE. Under section 28 of the OIA, you have the right to refer our response to an Ombudsman for review. You can find more about how to do this by calling 0800 802 602, or by emailing [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

Nāku noa, nā



**Jacqui Ellis**

General Manager - Data, Insights, and Intelligence  
Digital, Data, and Insights