

13 August 2021

Sue Grey

By email: suegreylawyer@gmail.com
Ref: H202106950

Dear Sue Grey

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health (the Ministry) on 5 June 2021 for:

“... OIA copies of all documents discovered by the Crown in the Nga Kaitiaki Tuku Iho v Minister of Health High Court proceedings in whatever non-confidential form they are available. As these documents are already readily accessible for the crown I would be grateful if you would please provide them by reply.”

Information within scope of this request is itemised in Appendix 1 of this letter and copies of the documents are enclosed. The table in Appendix 1 outlines the grounds under which I have decided to withhold information. Where information is withheld, this is noted in the document itself.

I trust this information fulfils your request. Under section 28(3) of the Act you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Yours sincerely



Chris James
Group Manager
Medsafe

Appendix 1: Documents for release

#	Date	Title	Decision on release
1	6 September 2013	Delegation of Director-General's powers	Released in full.
2	11 September 2013	Delegation of powers by the Minister of Health.	
3	20 September 2013	Delegation of Minister's powers by the Director-General of Health	
4	21 October 2020	New Medicine Application cover letter	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> • section 9(2)(a) to protect the privacy of natural persons; • section 9(2)(b)(ii) where its release would likely unreasonably prejudice the commercial position of the person who supplied the information; and • section 9(2)(ba)(i) to protect information that is subject to an obligation of confidence and making it available would likely prejudice the supply of similar information, or information from the same source.
5	4 November 2020	Terms of Reference Medsafe COVID-19 Vaccine Advisory Group	Released in full.
6	13 November 2020	New Medicine Application cover letter	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> • section 9(2)(a); • section 9(2)(b)(ii); and • section 9(2)(ba)(i).
7	January 2021	New Medicine Application Evaluation Report – Quality	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> • section 6(b)(ii) as its release would prejudice information entrusted to the Government of New Zealand on a basis of confidence by any international organisation; and • section 9(2)(b)(ii).

#	Date	Title	Decision on release
8	January 2021	New Medicine Application Evaluation Report – New Excipient (ALC-0135)	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> • section 9(2)(b)(ii); and • section 9(2)(g)(ii).
9	January 2021	New Medicine Application Evaluation Report – New Excipient (ALC-0159)	
10	January 2021	New Medicine Application Evaluation Report – Clinical	
11	20 January 2021	Science and Technical Advisory Team – Request for Information	Released with some information withheld under section 9(2)(g)(ii) .
12	28 January 2021	New Medicine Application Evaluation Report – Non-Clinical	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> • section 6(b)(ii); • section 9(2)(b)(ii); and • section 9(2)(g)(ii).
13	28 January 2021	Memo: Referral to the Medicines Assessment Advisory Committee – Comirnaty (COVID-19 mRNA vaccine) (Pfizer-BioNTech) 0.5 mg/mL concentrate for injection (TT50-10853)	Released with some information withheld under section 9(2)(g)(ii) .
14	28 January 2021	Letter regarding the application for consent	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> • section 9(2)(a); and • section 9(2)(g)(ii).
15	3 February 2021	Medicines Assessment Advisory Committee minutes and recommendations - 109th meeting on 2 February 2021	
16	N/A	New medicine application form: Prescription medicine	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> • section 9(2)(a); and • section 9(2)(b)(ii).
17	N/A	New Medicine Application Evaluation Report– Risk Management Plan	Released with some information withheld under section 9(2)(b)(ii) .
18	N/A	New Medicine Application Evaluation Report – Quality (Attachments)	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> • section 6(b)(ii); and • section 9(2)(b)(ii).