

11/02/2021

M.R.M.

By email: [fyi-request-14225-641b5b63@requests.fyi.org.nz](mailto:fyi-request-14225-641b5b63@requests.fyi.org.nz)  
Ref: H20208646

Dear M.R.M.

### Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 1 December 2020 for information relating to COVID-19 vaccine manufacturers indemnified against side effects for liability claims.

Please find below a response to each part of your request below.

*"1. Please provide me with a copy or copies of all of the relevant information pertaining to manufacturers of Covid-19 vaccines (who have agreed to supply New Zealand with their particular brand of Covid-19 vaccines) that evidence each of them having been legally indemnified (e.g. by way of a formal written agreement/contract) against Covid-19 side effects liability claims".*

*"2. If any of the abovementioned manufacturers/suppliers have not been indemnified as described above by formal written agreement/contract, then please provide their name/s".*

Any indemnity granted to potential suppliers of COVID-19 vaccines are required to be tabled to the house. Please see the following link to the Parliament website:

<https://www.parliament.nz/en/pb/papers-presented/current-papers/current?criteria.Keyword=indemnity&criteria.DateFrom=2020-11-24&criteria.DateTo=&parliamentStartDate=2020-11-24&parliamentEndDate=&criteria.DocumentStatus=>

The specific details of each indemnity are outlined in the contracts and business cases relating to these contracts. This information is withheld under section 9(2)(b)(ii) of the Act as the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. The Ministry is satisfied that in the circumstances of this case, the withholding of the information is not outweighed by other considerations which render it desirable in the public interest to make the information available.

*"3. In addition, please provide me with a copy or copies of all of the relevant information pertaining to the New Zealand Government setting up a statutory no-fault vaccine injury compensation scheme for those persons who suffer side effects, and, who want or need to make a liability claim against the particular manufacturer/supplier of the Covid-19 vaccine administered to them.*

*4. Furthermore, and failing the above, please provide me with a copy or copies of all of the relevant information pertaining to the New Zealand Government funding any and all forms and/or levels of legal action/s for those persons who suffer side effects, and, who want or need to make a liability claim against the particular manufacturer/supplier of the Covid-19 vaccine administered to them".*

In New Zealand all injuries, including vaccine related injuries, are covered by the Accident Compensation Corporation (ACC). This ensures that injured people receive treatment and compensation for any loss they incur. Because of that, information relating to your question three and question four is not held by the Ministry of Health. If you have any further questions about compensation for vaccine related injuries, the Ministry would suggest approaching ACC directly who may be able to assist you more specifically with the information relating to your request.

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](mailto: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](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Yours sincerely



Wendy Illingworth  
**Group Manager**  
**Public Health System Policy**