



23 November 2021

Anna Goodwin
fyi-request-17410-f953fehd@requests.fyi.org.nz

Ref: OIA-2021/22-0512

Dear Anna Goodwin

Official Information Act request relating to the ruling which grants authority to mandate COVID-19 vaccine

Thank you for your Official Information Act 1982 (the Act) request received on 31 October 2021. You requested:

"A.

1. Please provide the specific ruling of the NZ High Court and Tikanga Maori Law Jurisdiction which has granted the authority for DPMC to proceed with a public mandate for any Covid-19 jab for anyone in Aotearoa. This should include any ruling to enforce such a mandate upon a living man or woman or upon any public or private entity.

2. Please provide the specific ruling of the NZ High Court and the Tikanga Maori Law Jurisdiction which has explicitly abrogated the NZBORA 1990.

B. Assuming that proper authority for such a mandate has been obtained, and in the context of the risk of the Covid jab far exceeding the risk of Covid 19 infection at this time based upon numerous scientific reports:

1. Please provide any and all minutes held by the DPMC in which a decision was made to abrogate the responsibilities of this government to its commitments as a signatory of the Universal Declaration of Human Rights 1948.

2. Please provide the minutes of any discussions with the Medical Council of New Zealand and the Health and Disability Commissioner in which the standards of conduct for physicians were altered to exclude the informed consent process from discussions related to the Covid-19 jab. It seems that there is still a reference to informed consent in patient care in the health and disability Code and on the MCNZ website."

The Department of the Prime Minister and Cabinet does not hold any information relating to your request in A1. Accordingly, this part of your request is refused under section 18(e) as the document alleged to contain the information requested does not exist.

In New Zealand, bills are passed through different stages in Parliament to become law. Legislations and key documents about New Zealand's COVID-19 response are publicly available on the Unite against COVID-19 website. You are able to access them by visiting www.covid19.govt.nz/alert-levels-and-updates/legislation-and-key-documents/.

The New Zealand Bill of Rights Act 1990 has not been abrogated. Your request under A2 is refused under section 18(e) as the document alleged to contain the information requested does not exist.

The information you have requested in B1 does not exist, as a decision was not made to abrogate New Zealand's responsibilities as a signatory of the Universal Declaration of Human Rights 1948. As such, this part of your request is refused under section 18(e) as the document alleged to contain the information requested does not exist.

There have been no discussions with the Medical Council of New Zealand, and the Health and Disability Commissioner to alter the standards of conduct for physicians to exclude the informed consent process from discussions related to the COVID-19 vaccine. Accordingly, this part of your request is also refused under section 18(e) as the document alleged to contain the information requested does not exist.

Documents relating to the Government's decisions about its response to COVID-19 is also available publicly at www.covid19.govt.nz/alert-levels-and-updates/proactive-releases/.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

We do not intend to publish this response on the Department of the Prime Minister and Cabinet's website.

Yours sincerely



Cheryl Barnes
Deputy Chief Executive, COVID-19 Response