

5 April 2022

Chuck Schooner

By email: [fyi-request-18863-7fa497cc@requests.fyi.org.nz](mailto:fyi-request-18863-7fa497cc@requests.fyi.org.nz)  
Ref: H202203884

Tēnā koe Chuck

### **Response to your request for official information**

Thank you for your request under the Official Information Act 1982 (the OIA) on 14 March 2022 for information relating to the Covid-19 Public Health Response (Vaccinations) Order 2021. You specifically requested:

*“Documents that outline the origination of the Covid-19 Public Health Response (Vaccinations) Order 2021*

- Did the order originate from politicians or a group of professionals*
- All of the parliamentarians that supported / recommended this be approved*
- Who were the people / persons that came up with the order and recommended it to the politicians - the reporting and signatories involved*

Like other Public Health Response Orders, the Vaccinations Order is made by the Minister for COVID-19 Response under section 11 of the [COVID-19 Public Health Response Act 2020](#) (the Act) in accordance with section 9 of that Act. The purpose of the COVID-19 Public Health Act Response is to support a public health response to COVID-19.

[Section 11 of the Act](#) sets out the purposes for Orders can be made under the Act (for example preventing, containing, reducing, controlling, managing, eliminating, or limiting the risk of the outbreak or spread of COVID-19), and [Section 9 of the Act](#) specifies the requirements for making (or amending) COVID-19 Orders. This includes, having regard to advice from the Director General of Health and to have consulted with the Prime Minister, the Minister of Justice, and the Minister of Health before making (or amending) an Order.

During the pandemic, Public Health Response Orders are made in response to problem where a regulatory solution to help prevent the risk of an outbreak or spread of COVID-19, is the most appropriate way forward. This includes a culmination of public health, scientific, policy, etc. advice.

The requirements under the Act also means that for the Minister for COVID-19 Response to make or amend the Vaccinations Order, certain criteria need to be met so that the Order meets the requirements under the Act.

*Are there provisions in the Pfizer contract that required the government to mandate the vaccine in any form - if so who are the individual persons responsible for agreeing the Pfizer contract - please provide all recommendation reporting recommending that the NZ Government enter into contract with Pfizer and the signatories to the report .”*

Copies of the contracts between Pfizer and the New Zealand Government are withheld in full under the following sections of the OIA:

- section 9(2)(b)(ii) – where their release would likely unreasonably prejudice the commercial position of the person who supplied the information; and
- section 9(2)(ba)(ii) – to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest.

I have considered the countervailing public interest in release in making this decision and consider that it does not outweigh the need to withhold at this time.

Under section 28(3) of the OIA, 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.

Nāku noa, nā



Jan Torres  
**Acting Manager, OIA Services**  
**Office of the Director-General**