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6 December 2022

Andrew Lewis

By email: fyi-request-21069-77886c44@requests.fyi.org.nz
Ref: H2022017238

Tēnā koe Andrew,

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health) on 21 November 2022 for:

“Please supply all information on file which relates to the impact assessment for the Covid 19 Health Response Act 2020”

The New Zealand Treasury determined that the COVID-19 Public Health Response Bill was a direct COVID-19 response. The Treasury suspended the Regulatory Impact Analysis (RIA) requirements because the RIA does not provide for proposals developed at pace to respond to emergencies such as the COVID-19 pandemic. The temporary suspension of RIA requirements is detailed in Cabinet Minute: CAB-20-MIN-0138 and can be viewed here: www.treasury.govt.nz/publications/cabinet-minute/cab-20-min-0138-additional-item-temporary-suspension-regulatory-impact-analysis-requirements-covid-19. Therefore, your request is refused under section 18(e) of the Act, as the information requested does not exist.

Te Tāhū o te Ture (the Ministry of Justice) considered whether the Bill was consistent with the rights and freedoms of the New Zealand Bill of Rights Act 1990 (NZBORA). You can view the advice here: www.justice.govt.nz/assets/Documents/Publications/COVID-19-Public-Health-Response-Bill.pdf.

There were RIAs for subsequent amendments to the COVID-19 Public Health Response Act. All RIAs are published on Manatū Hauora’s website and can be viewed here: www.health.govt.nz/about-ministry/information-releases/regulatory-impact-statements.

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 Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'S Waldegrave', with a long horizontal flourish extending to the right.

Steve Waldegrave
Associate Deputy Director General
Strategy, Policy & Legislation