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12 April 2023

J Bruning

Email: fyi-request-22085-ee20eeb5@requests.fyi.org.nz
Ref: H2023021708

Tēnā koe J Bruning

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 13 March 2023. You requested

“Please supply urgently, between 27 February 2021 and 9 March 2021 the following information:

[a] All discussions via WhatsApp, Signal, Messenger, private email, Parliamentary or political party email by officials, including Ministers and the Director General of Health discussing Pfizer, BioNTech, the post-marketing report, FDA, deaths and adverse events.

As advised on 28 March 2023, this part of your request was transferred to Te Whatu Ora under section 14(b)(i) of the Act. You can expect a response from their agency in due course.

[b] All reports, releases, memos, advice discussing and/or reviewing the implications of, contents, evidence in the post-marketing report supplied as a requirement in the Gazette conditions, and taking all steps to reasonably consider the harm profile to the population who were not at risk of hospitalisation or death from COVID-19 (required by Health Act, Part3A, s.92, Overarching Principles). This includes the risk to pregnant women, young people and children.

<https://scanmail.trustwave.com/?c=15517&d=xPWO5IG0S9IG1QQH39mTkhqZdcJdfKRS4ydMCk7zQ&u=https%3a%2f%2fwww%2elegislation%2egovt%2enz%2fact%2fpublic%2f1956%2f0065%2flatest%2fwhole%2html%23DLM307296>

This part of your request cannot be provided on the following grounds:

- section 9(2)(b)(ii) where its release would likely unreasonably prejudice the commercial position of the person who supplied the information.
- section 18(f) as the information requested cannot be made available without substantial collation or research.
- section 9(2)(a) to protect the privacy of natural persons

This cohort [group 4], 2 million people, were targeted by the Minister for COVID-19 to be injected from July 2021. General civil society would be required to be injected to work, to access services and public facilities. Therefore, it would be expected that a risk-benefit analyses for these individuals would be undertaken so as to protect public health, as required by the overarching legislation.

<https://scanmail.trustwave.com/?c=15517&d=xPWO5IG0S9IG1QQH39mTkhqZdcJdfKRS4HJZStnA&u=https%3a%2f%2fcovid19%2egovt%2enz%2fnews-and-data%2flatest-news%2fcovid-19-vaccine-rollout-plan%2f>

Your request is refused under section 18(d) of the act as the information (a risk assessment) requested is publicly available on the link provided here

https://www.health.govt.nz/system/files/documents/information-release/h2022014809_response.pdf

[c] All discussions via WhatsApp, Signal, Messenger, private email, Parliamentary or political party email sent by officials, including Ministers and the Director General of Health planning and discussing the signing of the second agreement.”

Manatū Hauora would need to conduct a search through a large number of inboxes for any information that includes mention of Pfizer contract. As such, conducting a search without unreasonably interfering with the operations of the relevant teams is not possible. I have considered whether charging or extending the time to compile the information would enable us to respond. However, I do not believe it is in the public interest to do so. Therefore, your request is refused under section 18(f) of the Act, as the information requested cannot be made available without substantial collation or research. Additionally, as much of this information is regarding Pfizer and their intellectual property, it is likely that some or all of this information would be withheld because it is free and frank and/or commercially sensitive reasons.

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



Megan McCoy

Acting Group Manager, Government Services

Government and Executive Services | Te Pou Whakatere Kāwanatanga