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17 January 2024

Rohan Lloyd

By email: fyi-request-24946-37c0bbab@requests.fyi.org.nz

Ref: H2023033269

Tēnā koe Rohan

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health | Manatū Hauora (the Ministry) on 29 November 2023 for information regarding approved tobacco retailers in the Northland area. Please find a response to each part of your request below:

The number of "Approved Smoked Tobacco Retailer" applications in Northland

The Ministry has not approved any applications for any retailer in New Zealand. Following the formation of the new Government the Tobacco Regulatory Authority (TRA) suspended receiving new applications for the Approved Smoked Tobacco Retailer scheme on 1 December 2023, which was due to close on 3 December 2023.

List of the retailers that have applied

Information relating to this part of your request is withheld in full under section 9(2)(b)(ii) of the Act, as information would be likely to prejudice the commercial position of the person who supplied the information. 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.

Please note, applicants provided their information to the Ministry in confidence, as part of the application process.

PART 2:

Any information you have about the number of retail locations in Northland. In particular, any documents that would prove or disprove the Prime Ministers claim.

The Ministry does not hold the current number of tobacco outlets in Northland, as there is no licencing scheme at present. I am therefore unable to provide you with this information under section 18(g) of the Act. The maximum number of retailers that may be approved through the Approved Smoked Tobacco Retailer scheme, by location, is published in the Gazette. The number of potential retail locations in Northland if the scheme proceeds can be calculated by adding the approved numbers in rural and urban Northland. The Gazette Notice can be found here: <https://gazette.govt.nz/notice/id/2023-sl4301>.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: oiagr@health.govt.nz.

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 black ink, appearing to be 'A. Old', written in a cursive style.

Dr Andrew Old
Deputy Director-General
Public Health Agency | Te Pou Hauora Tūmatanui