



15 July 2024

By email: fyi-request-27507-bc2182b3@requests.fyi.org.nz

Tēnā koe Sarah

Official information request for BORA assessments relating to COVID-19 vaccine mandates

Our Ref: OIA353/1

1. I refer to your official information request dated 5 July 2024 for *“all BORA assessments/vetting documents, or any documents referencing these, that relate to Covid-19 vaccination mandates.”*

Covid-19 Public Health Response Act 2020

2. Vaccination mandates were generally authorised by the Covid-19 Public Health Response Act 2020 (**Act**). Advice to the Attorney-General regarding the consistency of Bills (including the Covid-19 Public Health Response Bill) with the New Zealand Bill of Rights Act 1990 is usually published at: <https://www.justice.govt.nz/justice-sector-policy/constitutional-issues-and-human-rights/the-bill-of-rights-act/advice/>.
3. This part of your request is refused under s 18(d) of the Official Information Act 1982 (**OIA**); the information requested is already publicly available. You have the right to seek an investigation and review of this decision by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz, or freephone 0800 802 602.

Orders under the Act

4. Individual vaccination mandates were generally effected by Orders made under the Act. Bill of Rights Act assessments/vetting documents in relation to those Orders were generally not published. Documents containing those assessments are more closely connected with the functions of the Ministry of Health. We therefore transfer your request, pursuant to by s 14(b)(ii) of the OIA.

Yours faithfully

Crown Law

Daniel Perkins
Senior Crown Counsel