



M Bell

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02 November 2023

Tēnā koe M Bell,

Ref: DOIA 2324-0560

Thank you for your email of 8 September to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

Please provide the following documents:

- *The procurement strategy(s) and or procurement plan(s) that were utilized in the procurement for the Covid-19 Vaccines (individually or collectively).*
- *The document endorsing / authorizing deviations from the government procurement guidelines for the purchase of Covid-19 Vaccines (individually or collectively).*
- *The procurement recommendations made to govt subsequent to negotiations with the Covid-19 vaccine manufacturers prior to purchase (individually or collectively).*

The information covered by the first two parts of this request is already publicly available to the extent that is possible. On 18 September the Ministry of Health published a summary statement of New Zealand COVID-19 vaccine procurement process and contracts with suppliers. This can be found at: [Summary statement of New Zealand COVID-19 vaccine procurement process and contracts with suppliers | Ministry of Health NZ](#).

This summary statement provides the information you are seeking within the limits of what can be made available in accordance with the Official Information Act. In particular, I would direct you to the Auditor General's report on preparations for the nationwide roll-out of the COVID-19 vaccine (linked in the summary statement, but also available here: [Part 3: Procuring Covid-19 vaccines — Office of the Auditor-General New Zealand \(oag.parliament.nz\)](#)), which explicitly assesses the conformance of the vaccine purchasing programme with government procurement rules.

In response to the third point of your request we have provided the following documents:

- Briefing 2021-1195 of 13 November 2020, Purchase of COVID-19 vaccines from Janssen Pharmaceutica NV
- Briefing 2021-1849 of 18 December 2020, Supply agreement for purchase of COVID-19 vaccines from Janssen Pharmaceutica NV
- Briefing 2021-1723 of 11 December 2020, Purchase of COVID-19 vaccines from Novavax Inc.
- Briefing 2021-1537 of 3 December 2020, Purchase of COVID-19 vaccines from AstraZeneca Ltd
- Briefing 2021-0996 of 2 October 2020, Commitment to purchase COVID-19 vaccines from Pfizer Inc.
- Briefing 2021-1847 of 18 December 2020, Supply agreement for purchase of COVID-19 vaccines from Pfizer New Zealand Ltd.

- Briefing 2021-2236 of 10 February 2021 COVID-19 Vaccine Strategy – Addition bilateral Pfizer purchase

In providing these briefings some of the information requested has been withheld under the following sections of the Official Information Act:

- 6(a), because the making available of that information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand
- 9(2)(a), to protect the privacy of natural persons, including that of deceased natural persons
- 9(2)(ba)(i), 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 to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
- 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
- 9(2)(j), enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Supply agreements annexed to these briefings have been withheld in accordance with s9(2)(ba)(i) and s9(2)(ba)(ii) of the Official Information Act. Please note that the Ministry of Health summary referred to above has been provided in consultation with the Ombudsman due to the Government's desire to respond to the high public interest in these documents, while needing to withhold the detailed information contained within them. The vast majority of material withheld within the briefings relates to specific contractual provisions covered by this summary.

I do not consider that the withholding of this information is outweighed by public interest considerations in making the information available.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Simon Rae

Policy Director – Emerging Technologies
Science, Innovation and International