

# Hon Casey Costello

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Minister of Customs  
Minister for Seniors  
Associate Minister of Health  
Associate Minister of Immigration  
Associate Minister of Police

01 FEB 2024

Merav Benaia

By email: [fyi-request-24931-ce4d148c@requests.fyi.org.nz](mailto:fyi-request-24931-ce4d148c@requests.fyi.org.nz)  
Ref: CCHOIA-009

Dear Merav

## Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 18 December 2023 for:

*“...the evidence you have that the Smoke-free legislation you are repealing would have resulted in an increase in crime and black market. Specifically who provided this evidence and on what basis.”*

The Government has not received or sought specific advice on the information requested. Therefore, your request is refused under section 18(e) of the Act as the information requested does not exist.

However, these issues were raised during various debates when the Smokefree legislation was being passed into law, and in public submissions on the Bill. The Departmental Report responding to these submissions also noted the difficulties in estimating the size of such a black market.

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](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'Casey Costello'.

Hon Casey Costello  
Associate Minister of Health