
From: Wendy McGuinness [REDACTED]
Date: Monday, 5 August 2024 at 12:30 PM
To: info@ombudsman.parliament.nz <info@ombudsman.parliament.nz>
Cc: [REDACTED]
Subject: Section 28(3) request under the OIA

To whom it may concern,

We are in the process of completing a book on the history of COVID-19 and have had to request a lot of additional information as an OIA requests (learn more about the book [here](#)). Officials have generally responded on time and have been easy to deal with. However this is not the case with this request. Hence, under section 28(3) of the Act, I am writing to ask the Ombudsman to review our request for additional information from MOH.

Our request relates to the MOH not making public the recommendations from the National Reserve Supply Technical Advisory Group. We are happy for the redacted copy. MOH initially advised that there was no official report, but when we went back to them on this, there reasons changed to being due to defence and/or commercial reasons for non-disclosure.

Please see our earlier correspondence on this matter, on our website [here](#) (see our OIA correspondence, row 2024/09).

Background

The correspondence to date is attached:

1. On 2 April 2024 we asked about the status of the review, and whether they could provide

- a copy of the review. (See Attachment 1)
2. On 26 April 2024 MOH advised that the outcome of the review will not be published due to defence and/or commercial reasons. (See Attachment 2)
 3. On 25 June 2024 we asked for a redacted version of the review, only showing the content and the process. (See Attachment 3)
 4. On 18 July 2024 MOH responded that they have not written an official report, and that they are unable to provide specific numbers due to defence and/or commercial reasons. (See Attachment 4)
 5. On 23 July 2024 we asked for the summary of recommendations that the National Reserve Supply Technical Advisory Group, as this was mentioned in the terms of reference of the review (rather than an official report, as one was not produced). (See Attachment 5)
 6. On 2 August 2024 MOH advised that these recommendations detail the composition, quantities, and storage of national reserve supplies, and that they are unable to provide the recommendations due to defence and/or commercial reasons for non-disclosure. (See Attachment 6)

In our view the *National Reserve Supply* is a public asset. This is particularly relevant considering all the issues over masks, both supply and poor quantity that pursued in the early stages of the pandemic. Importantly, we are not interested in where products are located or any specific manufacturing information on each product (i.e. who made it or where it was made). However we are interested in the products being included in the NRS and the quantities kept (we consider this should be public information).

The NRS was public on the MOH website before the pandemic. During the pandemic, the NRS was updated and published in the public arena three times:

- 28 Jan 2020 First national reserve supply composition updated
- 26 Aug 2020 Second national reserve supply composition published
- 13 Aug 2021 Third national reserve supply composition published

Many thanks for considering this request. Please do not hesitate to contact me if you have any specific questions. We very rarely have needed to go to the Ombudsman, hence I may not be fully aware of all the additional information that you might require.

Thank you, Wendy

McGuinness Institute Te Hononga Waka

Level 1, 15 Allen Street, Wellington 6011 | PO Box 24-222 Wellington 6142
+64 4 499 8888 | www.mcguinnessinstitute.org

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PS: This is our response today to the MOH response attached:

From: Wendy McGuinness [REDACTED]

Date: Monday, 5 August 2024 at 9:41 AM

To: [REDACTED]

Cc: [REDACTED]

Subject: Response to your official information request ref: H2024047249
CRM:0294598 continued

Dear OIA Services team,

National Reserve Supply Technical Advisory Group recommendations and processes (our OIA 2024/09)

Thank you for your email. In response to the attached email, can you answer the following additional questions:

Q1: Can you provide a list of all relevant stakeholders? (being those that will be communicated with as part of considering the recommendations and determining next steps)?

Q2: Please advise when the relevant stakeholders were/will be communicated with? (For example, what date in July or August, or are they planning to be communicated with in September or October 2024?)

Q3: Could you expand on the range of possible next steps? Your letter mentions determining next steps.

Q4: Is there any consideration in the next steps of inviting public consultation on the NRS or on making the contents of the NRS public?

Q5: Can you advise whether Hon Dr Shane Reti has received a copy of the recommendations? I consider this matter is of public importance and would like to meet with him to discuss this matter further.

Please be aware we will take the OIA request to the Ombudsman as we consider it would be easy for you to redact commercial information from the recommendations. We note your reasons are related to the security or defence of New Zealand and that its release might unreasonably prejudice the commercial position of the person who supplied the information.

Thank you,

Wendy

From: [REDACTED]

Date: Friday, 2 August 2024 at 3:54 PM

To: Wendy McGuinness [REDACTED]

Subject: Response to your official information request ref: H2024047249 CRM:0294598

Kia ora Wendy,

Please find attached our response to your official information request.

Ngā mihi

OIA Services Team

Manatū Hauora | Ministry of Health



[Ministry of Health information releases](#)
[Unite against COVID-19](#)

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