



29 May 2026



Refs: OIA-2025/26-0680  
OIA-2025/26-0681

Tēnā koe 

### **Two Official Information Act requests relating to COVID-19 Vaccine Procurement**

Thank you for your requests made under the Official Information Act (the Act) both of which were received by the Department of the Prime Minister and Cabinet (DPMC) on 2 April 2026. Both requests related to the procurement of COVID-19 vaccines, including advance purchase agreements, indemnities, funding approvals, liability allocation, and strategic oversight.

Following consultations with you on 1 May 2026, you refined one of your requests twice, and the other once. This included refining the timeframe for both requests to be for material between 1 January 2020 to 31 December 2021.

The full text of the refined and originals of both your requests is included as Appendices 1 and 2. Also included as Appendix 3 are your two follow-up emails of 14 May 2026 and 15 May 2026.

On 13 May 2026, we notified you of our decision to partially transfer your requests to Manatū Hauora, Ministry of Health (MoH). In that letter, we also advised that we would usually have transferred the aspects of your requests that relate to financial matters to the Treasury. However, as you had already made a request to the Treasury directly, we noted that we would instead be referring you to the Treasury's forthcoming response.

The present response covers any information held by DPMC identified as in scope of your requests that would not be covered by the responses from MoH or The Treasury.

### ***Cabinet documents***

As noted in our transfer letter, DPMC holds all Cabinet and Cabinet Committee papers and Minutes as the Cabinet Office is a business unit within DPMC. Your requests included Cabinet documents, and I can confirm we have searched our records and not identified any Cabinet documents prepared by DPMC that are in scope of your requests. MoH and The Treasury will respond to you in relation to any Cabinet documents in scope of your request that are more closely connected to their functions.

### ***Information released as excerpts from briefings held by DPMC not covered by MoH or Treasury responses***

We have identified two DPMC briefings that would not be covered by the responses you receive from MoH and the Treasury, and which have some information relevant to your requests. I have decided to release the relevant parts of these briefings to you as excerpts as per section 16(1)(e) of the Act. These are set out in the table overleaf.

Table 1 – Excerpts of two briefings in scope of your requests

Date	Title	Comment	Excerpt of information from briefing in scope of your request
2/11/2020	Briefing to Incoming Minister COVID-19 Overview	<p>This briefing is published on DPMC's website at: <a href="http://www.dpmc.govt.nz/sites/default/files/2020-12/bim_2020-COVID-19-4318187.pdf">www.dpmc.govt.nz/sites/default/files/2020-12/bim_2020-COVID-19-4318187.pdf</a></p> <p>There is some information relating to vaccine procurement on pages 21 and 22 of the published document. At the time this briefing was published, some of this information was withheld. The withheld information is no longer sensitive, so I have decided to release the relevant information from this briefing to you in full as an excerpt.</p>	<p><b>Vaccines and treatments</b>            New Zealand has a vaccine strategy to secure access to a safe and effective COVID-19 vaccine. New Zealand is participating in the global COVAX facility, pursuing bilateral advance purchase arrangements with manufacturers and developing an immunisation programme to deliver a vaccine. A number of treatments for COVID-19 are currently being trialled internationally.</p> <p><b>Vaccines</b>            Clinical trials are being conducted on several vaccine candidates but there are many unknowns such as long-term effectiveness, effectiveness for the elderly and immuno-compromised, and the impacts on viral transmission. We should start seeing trial results from late November 2020 for vaccines currently in the last stage of clinical trials. These trial results will give us a greater understanding of potential efficacy.</p>
			<p>In May 2020, Cabinet agreed a vaccine strategy which aims to secure an adequate supply of a safe and effective vaccine against COVID-19. A multi-agency taskforce has been established to deliver the strategy. The taskforce is following international developments and assessing the trade-offs between getting access to a vaccine quickly and its longer-term effectiveness.</p> <p>Alongside many other countries, New Zealand has made a legally binding commitment and upfront payment to the COVAX Facility. The COVAX Facility is a global risk-sharing mechanism for pooled procurement and equitable distribution of eventual COVID-19 vaccines. With this, New Zealand seeks the option to purchase available vaccines with coverage for up to 50 percent of the population of the Realm of New Zealand (New Zealand, Tokelau, Cook Islands, and Niue). New Zealand has successfully advocated for access to vaccines for most Pacific Island countries through the COVAX Advance Market Commitment and is working with partner governments and other regional partners to support vaccine access</p>

Date	Title	Comment	Excerpt of information from briefing in scope of your request
3/08/2021	DPMC Briefing (DPMC-2021/22-268) to the Minister for COVID-19 Response. "Funding to Maintain COVID-19 Response Functions"	As only a small part of this briefing is relevant to your request, I have decided to release the relevant part to you as an excerpt.	<p>and successful immunisation campaigns, especially in Polynesia.</p> <p>The Government has signed an agreement to purchase 1.5 million COVID-19 vaccines – enough for 750,000 people – from Pfizer and BioNTech, subject to the vaccine successfully completing all clinical trials and passing regulatory approvals in New Zealand. Negotiations are underway with other pharmaceutical companies and further announcements are expected in November. The COVAX Facility and the agreements with pharmaceutical companies will form a portfolio of vaccines that will be sufficient for the whole population.</p> <p>Currently, national interests are dominating the global vaccine market. Producing enough doses of an effective vaccine will be an unprecedented global challenge, and New Zealand can play a role by developing its own domestic capability. MBIÉ has committed \$2.88 million to BioCell, a New Zealand based firm, to enhance its capabilities so that it can manufacture COVID-19 vaccines if they emerge.</p> <p>Medsafe is ensuring that the regulatory approval process is timely and of high quality, so that any vaccine approved for use in New Zealand meets domestic and internationally agreed criteria for quality, safety and efficacy. Environmental Protection Agency approval under the HSNO Act will also be required for some vaccines as they constitute new organisms into New Zealand.</p> <p><i>Continuing the COVID-19 Vaccine Immunisation Programme (CVIP)</i></p> <p>36. Funding provided for the COVID-19 Vaccine Immunisation Programme (CVIP) comprises \$637.037 million in 2020/21 and \$1,425.788 million in 2021/22, i.e. a total of \$2,062,825 million for vaccine purchase and the immunisation programme across the period to 30 June 2022, of which \$869 million is currently held in contingency.</p>

### ***Briefings withheld in full***

The only other information identified as relevant to your request that would not be covered by the responses from MoH and The Treasury are some briefings provided by the DPMC's Policy Advisory Group to the Prime Minister. These briefings are provided to the Prime Minister in confidence to support them in their role as leader of the Government and chair of Cabinet. These briefings are withheld in their entirety under the following sections of the Act:

- 9(2)(f)(ii), to maintain collective and individual ministerial responsibility
- 9(2)(f)(iv), to maintain the confidentiality of advice tendered by or to Ministers and officials
- 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinion.

I note that you have requested a schedule of documents for any documents identified as relevant to your request that have been withheld. For the briefing notes identified, all details, including dates and titles, have been withheld in full. This means a schedule cannot be provided.

In making my decision, I have considered the public interest considerations in section 9(1) of the Act. No public interest has been identified that would be sufficient to outweigh the reasons for withholding that information.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the DPMC website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Nāku noa, nā



Lisa Daniell  
**Acting Deputy Chief Executive  
Policy and Delivery Unit**

# APPENDIX 1 – DPMC OIA-2025/26-0681 – refined and original requests

## *Refinement of DPMC OIA-2025/26-0681 – received 1/05/2026*

“Thank you for your correspondence and the opportunity to refine the request. This email provides a refined and narrowed request for the purposes of section 18(f) of the Official Information Act 1982.

### **1. Timeframe**

This request is now limited to:

1 January 2020 – 31 December 2021

### **2. Scope — DPMC / Cabinet Office material only**

This request is confined strictly to information held by DPMC and/or the Cabinet Office, including material held in its administrative capacity.

### **3. Categories of information sought**

I now request only the following specific, high-level and authoritative document classes:

#### *A. Cabinet papers and minute extracts (final decisions only)*

Final Cabinet papers and corresponding Cabinet minute extracts (including CAB, CBC, DEV or equivalent committees) that relate to:

- Approval of COVID-19 vaccine procurement strategy
- Approval of advance purchase agreements
- Approval of indemnities for vaccine suppliers
- Approval of funding or tagged contingencies directly linked to procurement

Drafts and internal working papers are excluded.

#### *B. Formal briefings to the Prime Minister (final versions only)*

Final, formal briefings provided by DPMC to the Prime Minister concerning:

- Vaccine procurement strategy
- Indemnity or liability arrangements
- Fiscal exposure or funding approvals

Excludes informal communications, emails, and aide-memoires.

#### *C. Decision frameworks (if held by DPMC)*

Any finalised framework, matrix, or formal criteria document held by DPMC that was used to inform Cabinet decision-making on:

- Supplier selection
- Indemnity approval
- Risk balancing (including legal, fiscal, or public risk considerations)

#### *D. Liability and public risk (Cabinet-level consideration only)*

Final documents held by DPMC evidencing Cabinet-level consideration of:

- Allocation of liability for vaccine-related injury
- The role of ACC in that allocation
- Any identified public law or legal risk arising from indemnities

### **4. Exclusions**

To reduce collation:

- Internal emails and working-level communications are excluded

- Cross-agency material originating from other agencies is excluded unless held in final form by DPMC
- Operational, clinical, or rollout delivery matters are excluded

## 5. Transfers

Where any part of the refined request is more closely connected with another agency (e.g., Ministry of Health or Treasury), I confirm that transfer under section 14 is appropriate.

## 6. Withholding and schedule

Where any information is withheld, please provide a document schedule including:

- Title
- Date
- Description
- Statutory withholding ground relied upon

## 7. Clarification

This refinement is intended to enable the request to proceed without refusal under section 18(f).

If any further narrowing is considered necessary, please contact me before any decision to refuse.”

### **Original request – received 23/04/2026**

“I make this request under the Official Information Act 1982.

This request concerns Cabinet and central government decision-making in relation to COVID-19 vaccine procurement, advance purchase agreements, indemnities, funding approvals, liability allocation, and strategic oversight.

I seek the following recorded information.

### **1. Cabinet papers and minutes**

Please provide all Cabinet papers, Cabinet minutes, Cabinet minute extracts, appendices, and associated attachments relating to:

1. COVID-19 vaccine procurement strategy;
2. advance purchase agreements;
3. supplier selection;
4. vaccine portfolio decisions;
5. indemnities for vaccine suppliers;
6. tagged contingencies, funding approvals, and fiscal commitments;
7. rollout funding where connected with procurement decisions.

### **2. Briefings and advice to Ministers**

Please provide all briefings, aide-memoires, memoranda, reports, talking points, and advice provided to:

1. the Prime Minister;
2. the Minister of Finance;
3. the Minister of Health;
4. the Minister for COVID-19 Response;
5. any joint-Minister group or committee,

concerning procurement, pre-purchase, advance commitment, indemnity risk, public liability, or financial exposure.

### **3. Decision criteria and assessment frameworks**

Please provide all documents evidencing:

1. the criteria used to assess proposed vaccine suppliers;
2. the criteria used to approve advance purchase agreements;
3. the criteria used to approve indemnities;
4. any framework used to balance urgency against legal, fiscal, or safety uncertainty;
5. any framework used to assess public interest or public risk.

### **4. Cross-agency coordination**

Please provide all documents evidencing coordination or communication between DPMC/Cabinet Office and:

1. Treasury;
2. Ministry of Health;
3. Health New Zealand;
4. Pharmac;
5. MBIE;
6. MFAT;
7. Medsafe;
8. ACC,

where the subject matter concerned procurement, indemnities, liability, cost or strategic vaccine decision-making.

### **5. Liability, public risk, and communications**

Please provide all documents evidencing:

1. any discussion that the public would effectively bear vaccine injury costs through ACC;
2. any concern about public explanation, transparency, or communication regarding liability allocation;
3. any consideration of legal risk, judicial review risk, or public law challenge;
4. any communications strategy relating to how procurement and indemnity arrangements were to be presented publicly.

### **6. Format and administration**

Please provide the information electronically.

Where information is withheld in whole or in part, please provide a document schedule stating the title, date, description, and withholding ground relied upon.

If any part of the request is more closely connected with another agency's functions, please transfer that part under section 14 and identify what has been transferred.

If refinement is considered necessary, please contact me before any refusal under section 18(f) "

## **APPENDIX 2 – DPMC OIA-2025/26-0680 - original and refined requests**

### ***Second refinement of DPMC OIA-2025/26-0680 – received 1/05/2026***

“Thank you for your correspondence.

To assist your office to process this request without refusal under section 18(f), I refine the scope as follows.

#### **Refined Scope**

##### **Timeframe**

1 January 2020 – 31 December 2021

#### **1. Cabinet Material (Core Decisions Only)**

Please provide:

- Cabinet papers
- Cabinet minute extracts (including decisions and key discuss on points)

Limited strictly to matters concerning:

- vaccine procurement strategy
- advance purchase agreements
- indemnities or liability allocation
- funding approvals directly tied to procurement decisions

#### **2. Ministerial Briefings (Final Advice Only)**

Please provide:

- Final decision briefings or reports (excluding drafts, emails, or working material)

Provided to:

- Prime Minister
- Minister of Finance
- Minister of Health
- Minister for COVID-19 Response

Where the subject matter includes:

- indemnities
- liability allocation
- fiscal exposure
- legal or public law risk

#### **3. Decision Frameworks (Authoritative Documents Only)**

Please provide:

- Any formal frameworks, criteria, or structured assessments used to:
- approve vaccine suppliers
- approve advance purchase agreements
- approve indemnities
- assess public risk vs urgency

#### **4. Liability and Public Risk (High-Level Only)**

Please provide:

- Any formal advice, briefing, or report that records:
- consideration of ACC coverage for vaccine injury
- allocation of liability between Crown and suppliers
- legal risk, including judicial review risk

#### **Exclusions (to reduce scope)**

For clarity, I do not seek:

- emails or informal correspondence
- draft documents
- operational or implementation material
- inter-agency working communications
- technical or clinical assessments

#### **Agency Scope**

This request is limited to information held by DPMC and the Cabinet Office.

Where information is more closely connected with another agency I confirm that transfer under section 14 is appropriate, but request that:

- transfers are clearly itemised; and
- DPMC still provides any Cabinet-originated material it holds

#### **Format**

Please provide:

- documents electronically; and
- a schedule of documents where information is withheld (including grounds relied upon)

#### **Clarification**

This refinement is intended to:

- reduce collation burden
- focus on formal decision-making records
- retain the core public law and accountability issues

If further refinement is required, I am available to assist.”

#### ***First refinement of DPMC OIA-2025/26-0680 – received 1/05/2026***

“Thank you for your email regarding my request under the Official Information Act 1982.

I write to refine the request to assist with efficient processing and to avoid any refusal under section 18(f).

#### **1. Timeframe**

Please limit the request to the period:

1 January 2020 to 31 December 2021

## 2. Scope – DPMC-held information only

This request is now limited to information held by the Department of the Prime Minister and Cabinet (including the Cabinet Office).

## 3. Documents requested

### (a) Cabinet material

Please provide:

- Cabinet papers
- Cabinet minutes
- Cabinet minute extracts
- Appendices attached to Cabinet papers

Where the subject matter relates to:

- COVID-19 vaccine procurement strategy
- advance purchase agreements
- supplier selection at Cabinet level
- indemnities for vaccine suppliers
- funding approvals linked to procurement decisions

### (b) DPMC-originated briefings

Briefings, memoranda, aide-memoires, or reports produced by DPMC to:

- the Prime Minister; and/or
- Cabinet or Cabinet committees

Limited to:

- procurement strategy
- indemnity or liability considerations
- fiscal exposure

### (c) Decision frameworks

Any formal frameworks, criteria, or assessment documents used by Cabinet or DPMC to:

- assess or approve indemnities
- evaluate procurement risk
- balance urgency against legal, fiscal, or public risk

## 4. Exclusions

To reduce collation burden, this request excludes:

- internal email correspondence
- operational or technical material held by other agencies
- detailed supplier-level negotiations
- communications material not attached to Cabinet papers

## 5. Transfers

Where any part of the request is more closely connected with another agency's functions (including the Ministry of Health or the Department of Internal Affairs), I am content for transfer under section 14 of the Act.

However, I request that:

- DPMC retains and processes all Cabinet and DPMC-originated material; and
- any transfers are clearly identified by scope.

## 6. Schedule of documents

Where information is withheld in whole or in part, please provide a document schedule including:

- title

- date
- description
- withholding ground relied upon

Please confirm receipt of this refinement.”

**Original request – received 23/04/2026**

“I make this request under the Official Information Act 1982.

This request concerns information held by the Prime Minister’s Office relating to COVID-19 vaccine procurement, advance purchase arrangements, indemnities, liability allocation, fiscal exposure, and related strategic communications.

I seek the following recorded information.

**1. Briefings to the Prime Minister**

Please provide all briefings, briefing notes, talking points, reports, aide-memoires, and memoranda provided to the Prime Minister concerning:

1. vaccine procurement strategy;
2. advance purchase agreements;
3. supplier selection;
4. indemnities granted to vaccine suppliers;
5. funding approvals and fiscal exposure;
6. the role of ACC in bearing treatment injury liability.

**2. Communications**

Please provide all communications, including emails, letters, meeting notes, or records of calls, between the Prime Minister’s Office and:

1. DPMC;
2. Treasury;
3. Ministry of Health;
4. Health New Zealand;
5. Pharmac;
6. the Minister of Finance;
7. the Minister of Health;
8. the Minister for COVID-19 Response,

where the subject concerned vaccine purchasing, indemnities, financial exposure, rollout funding, or liability

**3. Risk and awareness**

Please provide all documents evidencing awareness within the Prime Minister’s Office of:

1. uncertainty as to long-term vaccine effects or efficacy at the time of procurement;
2. public financial exposure under procurement agreements or indemnities;
3. the possibility that ACC would bear much of the effective liability for treatment injury;
4. any concern that total exposure could not be quantified.

**4. Patents, suppliers, and interests**

Please provide all documents held by the Prime Minister’s Office evidencing:

1. discussion of supplier intellectual property rights, patents, exclusivity, or related leverage;
2. any meetings or communications with suppliers or their representatives concerning procurement terms;

3. any declarations of interest, conflict concerns, or recorded issues relating to supplier relationships.

**5. Public communications and messaging**

Please provide all documents evidencing:

1. messaging strategy on vaccine procurement;
2. messaging strategy on indemnities or liability;
3. any decision not to disclose pricing, liability, or contractual structure more fully to the public;
4. any talking points prepared for the Prime Minister concerning those matters.

**6. Format and administration**

Please provide the information electronically.

Where documents are withheld in whole or in part, please provide a schedule identifying the date, title, description, and withholding ground for each withheld item.

If any part of the request is more closely connected with another agency, please transfer that part under section 14 and identify clearly what has been transferred.

If refinement is considered necessary, please contact me before refusal under section 18(f)."

Proactively Released

## APPENDIX 3 – Responses to partial transfers

### ***Further follow-up confirming understanding of what would be included in DPMC's final response (15/05/2026)***

"Thank you for your clarification.

I acknowledge DPMC's confirmation that the transfers to other agencies do not replace or dispose of DPMC's own response, and that DPMC will provide a further response regarding information it holds that remains within scope of OIA-2025/26-0680 and OIA-2025/26-0681.

For clarity, I understand the present position to be:

1. the Ministry of Health and any other agencies will respond separately in relation to information more closely connected with their functions; and
2. DPMC will still issue its own decision in relation to any information held by DPMC and/or the Cabinet Office that remains within scope.

I also respectfully maintain my request that, where information is withheld in whole or in part, DPMC provide a document schedule or sufficient particulars identifying the nature of the record, date or approximate date, general description, and the Official Information Act withholding ground relied upon.

I will await DPMC's further response in due course.

### ***Follow-up request in response to part transfer to MOH and referral to TSY response (14/05/2026)***

"Thank you for your letter dated 13 May 2026 concerning OIA-2025/26-0680 and OIA-2025/26-0681.

I acknowledge DPMC's decision to transfer parts of the requests relating to Cabinet documents in the Health or COVID 19 Response portfolios to the Ministry of Health under section 14(b)(ii) of the Official Information Act 1982.

For clarity, I do not treat the transfer as resolving the parts of the refined requests that remain properly within DPMC and Cabinet Office responsibility.

My refined requests were expressly confined to high-level, final, authoritative records held by DPMC and/or the Cabinet Office, including material held in its administrative capacity. The requests also sought DPMC-originated briefings, formal decision frameworks, Cabinet Office records and any final DPMC-held material evidencing Cabinet-level consideration of procurement, indemnity, liability, ACC allocation, fiscal exposure, and public law risk.

Please therefore confirm:

1. precisely which parts of OIA-2025/26-0680 and OIA-2025/26-0681 have been transferred to the Ministry of Health;
2. which parts DPMC is retaining and processing;
3. whether DPMC is retaining responsibility for any DPMC-originated briefings, memoranda, reports, decision frameworks, schedules, or Cabinet Office administrative records;
4. whether DPMC is retaining and processing any records held by Cabinet Office that are not more closely connected with another agency's functions;
5. whether any part of the requests has been treated as covered by my separate Treasury request, rather than transferred or processed by DPMC; and

6. whether DPMC will provide a document schedule for any information withheld in whole or in part, including title, date, description, and the statutory withholding ground relied upon.

I also note DPMC's statement that it will respond again shortly on additional information held by DPMC not covered by the transfer to the Ministry of Health or by Treasury's response. Please confirm the expected timeframe for that further DPMC decision.

This reply is intended to preserve the refined scope and avoid any misunderstanding that the transfer to the Ministry of Health disposes of the DPMC/Cabinet Office-held elements of the requests.”

Proactively Released