



133 Molesworth Street
PO Box 5013
Wellington 6140
New Zealand
T+64 4 496 2000

5 May 2026

John Armstrong

By email: fyi-request-34027-93325e6a@requests.fyi.org.nz
Ref: H2026081123

Tēnā koe John

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) transferred to the Ministry of Health – Manatū Hauora (the Ministry) from the Ministry of Business, Innovation and Employment (MBIE) on 7 April 2026, for information regarding contractual provisions within agreements between the New Zealand Government and Pfizer. You requested:

“Copies of contractual provisions within agreements between the New Zealand Government and Pfizer relating to:

- *indemnity provisions*
- *liability limitation clauses*
- *confidentiality provisions.”*

In 2023 the Ministry considered similar requests made under the Act, as well as a petition delivered to Parliament, seeking release of the Pfizer/BioNTech COVID-19 vaccine contract. On each occasion, the decision was made to withhold the contract under the following sections of the Act:

- 9(2)(b)(ii) where release of the requested information would likely unreasonably prejudice the commercial position of the person who supplied the information,
- 9(2)(ba)(ii) to protect information that is subject to an obligation of confidence and making it available would likely damage the public interest, and;
- 9(2)(c) to avoid prejudice to measures to protect the health or safety of the public.

The Ombudsman considered complaints on the decision(s) to withhold the contract and concluded that withholding the full contract was justified under these grounds, however recommended publication of high-level summary information in order to meet the public interest. You can find the summary here: www.health.govt.nz/information-releases/summary-statement-of-new-zealand-covid-19-vaccine-procurement-process-and-contracts-with-suppliers.

In response to the petition submitted to Parliament, the Government maintained it would continue to withhold the contract in line with the Ombudsman's guidance. A copy of the petition, as well as the Government's response, is publicly available via the New Zealand Parliament website: petitions.parliament.nz/8890fa1e-7b77-4b3b-7cdb-08dcb057b576?lang=en.

You can find a copy of the Ombudsman's opinion here:

www.ombudsman.parliament.nz/resources/chief-ombudsmans-opinion-oia-complaints-about-refusal-covid-19-vaccine-contracts.

The requested information continues to be withheld on those grounds as previously set out. This is also currently the subject of proceedings before the Court, that the Ministry understands you have been involved with.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: oiagr@health.govt.nz.

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 or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā



Alison Cossar
**Manager Health Services and Treatments Policy
Strategy and Policy | Te Pou Rautaki**