

15 March 2016

Via email: fyi-request-3536-f3aa36f5@requests.fyi.org.nz

Dear Anita

REQUEST FOR INFORMATION

Thank you for your request dated 11 January 2016 under the Official Information Act 1982 (OIA) for information relating to dexamfetamine. Further to the information provided to you on 15 February 2016, this letter deals with the remainder of our response.

You asked for all the information PHARMAC holds on the current supply management issue for dexamfetamine, particularly the cause, management, mitigation and resolution of this issue.

PHARMAC is releasing emails between our contract manager, the Ministry of Health and API (suppliers of dexamphetamine), which provide details around how the dexamphetamine stock situation was caused, managed, mitigated and resolved.

I note that some content within the material provided to you has been redacted. We make these judgments carefully and have determined the redactions necessary to:

- protect the privacy of natural persons (section 9(2)(a));
- protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (section 9(2)(b)(ii));
- 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 (section 9(2)(ba)(i));
- 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 (section 9(2)(ba)(ii));
- enable PHARMAC to carry out, without prejudice or disadvantage, commercial activities (section 9(2)(i)); and/or
- enable PHARMAC to carry on, without prejudice or disadvantage, negotiations, including commercial negotiations (section 9(2)(j)).

As required under the OIA, we also considered whether, in the circumstances, the withholding of this information was outweighed by other considerations which render it desirable, in the public interest, to make this information available. In this case we did not consider that the public interest outweighed the reasons for withholding the information. Please note you have the right, by way of complaint under section 28(3) of the OIA to an Ombudsman, to seek an investigation and review of our decision.

We trust that the provision of these documents answers your queries. Please feel free to contact PHARMAC again if you have any further queries.

Yours sincerely

Peter Alsop
Director, Engagement and Implementation