



29 July 2024

Ref: DOIA 2324-0164

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Tēnā koe Wendy

Thank you for your request for information under the Official Information Act 1982 (the Act), which the Ministry of Business, Innovation and Employment (MBIE) received on 12 July 2024.

In reviewing the MBIE Rapid Assessment of MIQ FINAL REPORT (9 April 2021), authored by Murray Jack and Katherine Corich (see here), we noticed multiple mentions of: 'COVID- 19 Health System Response Act'. We have not been able to find any evidence of this Act in legislation, or in any other publications (other than the mentions in MBIE's 2021 report).

To this end, can you answer the following two questions:

Question 1: Can you confirm whether this was a mistake? If yes, was the report intending to refer to another piece of legislation?

Question 2: If not, can you tell us more about this Act? Ideally with a link?

I cannot comment on whether this was a 'mistake' or intended to refer to another piece of legislation. However, I can confirm that there is no 'COVID- 19 Health System Response Act' and no Bill of that name was ever drafted.

I note that Recommendation 8 in the *Rapid Assessment of MIQ FINAL REPORT* was "Formalise MIQ's information gathering powers in the COVID-19 Health System Response Act and complete and operationalise the Information Sharing MoUs". In MBIE's 8 June 2021 briefing *Update on Rapid Assessment* to the Minister for COVID-19 Response the following advice was provided about this recommendation:

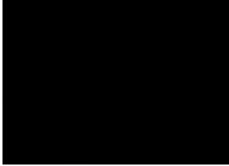
This recommendation has been overtaken by events. Crown Law advice is that it is unnecessary to create primary legislation due to suitable provisions already being available under the Privacy Act. MIQ will address this recommendation by continuing to pursue Memoranda of Understanding with government agencies to enable data sharing, as well as utilising the data ownership map to determine ownership of data, as well as data needs across operational functions.

You can find this document at: <https://www.mbie.govt.nz/dmsdocument/27508-update-on-rapid-assessment-pdf>

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact [REDACTED]

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Head of the Office of the Deputy Secretary
Labour, Science, and Enterprise