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8 July 2022

s 9(2)(a)

By email: s 9(2)(a)  
Ref: H202207773

Tēnā koe s 9(2)(a)

### **Response to your request for official information**

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health (the Ministry) on 10 June 2022 for information relating to appointments to the Chinese Medical Council, specifically:

*“Please pass the evidences according our Law Evidence Act 2006.  
In order to show nominations were sought from the Labour Party caucus and nominating  
agencies and institutions including the Ministry for Women, Ministry for Ethnic  
Communities, Office for Disability Issues and Te Puni Kōkiri etc.”*

Four items have been found within scope of your request. These are itemised in Appendix 1 of this letter with copies of the documents enclosed.

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](mailto: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](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Nāku noa, nā



Sarah Turner  
**Deputy Director-General**  
**Government and Executive Services**

## Appendix 1: Documents for release

#	Date	Title	Decision on release
1	27 September 2021	Email correspondence: caucus nominations for the establishment for a new RA	Released in full
2	27 September 2021	Letter for caucus nominations for the Chinese Medicine Council	
3	27 September 2021	Appointments Declaration/ Consent Form	
4	28 September 2021	Email correspondence: Call for nominations to the Chinese Medicine Council of New Zealand	

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**From:** Cherish Low <Cherish.Low@health.govt.nz> on behalf of Appointments <appointments@health.govt.nz>  
**Sent:** Monday, 27 September 2021 4:40 pm  
**To:** Lu Avia-Parliament  
**Cc:** Freya Morris-Cole  
**Subject:** Re: caucus nominations for the establishment for a new RA  
**Attachments:** Letter for caucus nominations for the Chinese Medicine Council.docx; Declaration Form - blank.docx

Tēnā koe Lu,

Please see attached letter for caucus nominations and declaration form for nominees. Below are also a links to the advertisement for your information.

[https://careers.health.govt.nz/jobtools/jncustomsearch.viewFullSingle?in\\_jnCounter=224832084&in\\_organid=18372&in\\_site=OTHER](https://careers.health.govt.nz/jobtools/jncustomsearch.viewFullSingle?in_jnCounter=224832084&in_organid=18372&in_site=OTHER)

and

<https://jobs.govt.nz/jobs/MOH-1569514>

Please let me know if you require anything further.

Ngā mihi,

**Appointments Team**  
Ministry of Health



<http://www.health.govt.nz>

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**From:** Lu Avia <Lu.Avia@parliament.govt.nz>  
**Sent:** Thursday, 23 September 2021 1:37 PM  
**To:** Appointments <appointments@health.govt.nz>  
**Subject:** RE: caucus nominations for the establishment for a new RA

Thanks Cherish! Yes given it's a new one it is probably a good idea to do a caucus call for nominations. (Other than that we have previously just had caucus letters go out calling for nominations for a group of upcoming appointments - the last one went out in about April so some time ago).

Are you able to send me some information on it and I can get the Minister to take this to caucus?

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**From:** Cherish Low <[Cherish.Low@health.govt.nz](mailto:Cherish.Low@health.govt.nz)> on behalf of: Appointments <[appointments@health.govt.nz](mailto:appointments@health.govt.nz)>  
**Date:** Thursday, 23 Sep 2021, 1:23 PM  
**To:** Lu Avia <[Lu.Avia@parliament.govt.nz](mailto:Lu.Avia@parliament.govt.nz)>

**Subject:** caucus nominations for the establishment for a new RA

Kia ora Lu,

We are currently advertising for the Chinese Medicine Council. The Order in Council to establish the Council comes into effect on 1 November 2021. I was advised that Minister Sio doesn't usually do a call for caucus nominations but I wanted to double check that is still the case given that we are establishing a new RA?

Ngā mihi,

**Appointments Team**  
Ministry of Health



<http://www.health.govt.nz>

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Statement of confidentiality: This e-mail message and any accompanying attachments may contain information that is IN-CONFIDENCE and subject to legal privilege.

If you are not the intended recipient, do not read, use, disseminate, distribute or copy this message or attachments.

If you have received this message in error, please notify the sender immediately and delete this message.

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This e-mail message has been scanned for Viruses and Content and cleared by the Ministry of Health's Content and Virus Filtering Gateway

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**Hon Aupito William Sio**

MP for Māngere

Minister for Pacific Peoples

Minister for Courts

Associate Minister of Foreign Affairs

Associate Minister of Education (Pacific Peoples)

Associate Minister of Justice

Associate Minister of Health (Pacific Peoples)



Caucus Colleagues  
New Zealand Labour Party  
Parliament Buildings  
Wellington

Talofa lava

### NOTIFICATION OF UPCOMING BOARD APPOINTMENTS FOR MINISTRY OF HEALTH

I am writing to seek nominations for appointments to the Chinese Medicine Council of New Zealand (the Council) to be established under the Health Practitioners Competence Assurance Act 2003 (the HPCA Act) on 1 November 2021. The Council's purpose is to protect the health and safety of members of the public by ensuring that Chinese Medicine practitioners are competent to practise.

At this time, I am seeking candidates interested in being considered for **six health practitioner members**, specifically practitioners who practise Chinese medicine, such as acupuncture, herbal medicine, and Tui na massage, and **three layperson members**. As this is a new body, candidates with strong governance experience would be beneficial. Laypeople who are serving or who have previously served on another responsible authority would be strong candidates.

Section 5(1) of the HPCA Act defines the term "health practitioner" as a person who is, or is deemed to be, registered with an authority as a practitioner of a particular health profession" This Section of the HPCA Act also defines the term "layperson" to be a person who is neither registered nor qualified to be a registered health practitioner.

Any nominations should be provided to the Ministry of Health appointments team at [appointments@health.govt.nz](mailto:appointments@health.govt.nz) by **15 October 2021**.

I would be grateful if you could inform your networks of this opportunity and invite nominations of candidates with diverse backgrounds, so that we may ensure representation of all Aotearoa New Zealand on our boards. When nominating candidates, please be sure to notify them of the nomination and check if they are prepared to submit an application.

Thank you again. I look forward to seeing your nominations.

Ma le fa'aaloalo lava

A handwritten signature in blue ink, appearing to read 'Aupito Sio'.

Hon Aupito William Sio  
**Associate Minister of Health**

# Appointments Declaration/Consent Form

The Ministry of Health assists the Minister of Health with appointments to health and disability committees, other groups and to committees/groups it has itself established. The Ministry also assists the Minister to make appointments to Crown entities.

As part of the appointment process, the Ministry asks candidates to provide certain information and to make declarations. This helps to ensure that good practice appointment processes are met, and when necessary, that legislative requirements of the Crown Entities Act 2004 (CE Act) are complied with.

Information obtained through this process is held and used in accordance with the Privacy Act 2020 and the attached Privacy Policy. If you have any questions you can contact the Appointments Team:  
[appointments@health.govt.nz](mailto:appointments@health.govt.nz)

This form is in five sections:

<b>Section One</b>	Personal / Professional Information
<b>Section Two</b>	Qualifications for Membership
<b>Section Three</b>	Disclosure of Interests
<b>Section Four</b>	Other Matters and Referees
<b>Section Five</b>	Consent / Declaration

Please carefully read and complete **all sections** and attach to your application.

**Note:** Background checks aim to detect and prevent fraud and ensure the integrity of appointments to public sector boards. These checks will be conducted for shortlisted candidates, however, if you have completed these for any other board appointments in the past six months, you may share the findings with the Ministry of Health.

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## Section 1: Personal / Professional Information

<b>Title</b>	
<b>First name/s</b>	
<b>Preferred name</b>	
<b>Family name</b>	
<b>Date of Birth</b>	
<b>Gender</b>	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Another gender – please state: <input type="checkbox"/> Prefer not to say
<b>Address</b>	
<b>Which ethnic group do you belong to?</b>	Choose an item. If other, please state:
<b>Current profession</b>	
<b>Iwi (if applicable)</b>	
<b>List all committees/groups you are applying for</b>	
<b>Which position are you applying for?</b>	Choose an item.

<b>Current employer/s</b> (Please state your role, employer, and date appointed)	<b>Role and Employer</b>	<b>Date Appointed</b>
<b>Appointments held</b> (Board or committee memberships, directorships or trusteeships.)  Please state your role, the entity, and date appointed)	<b>Government Appointments</b>	<b>Date Appointed</b>
	<b>Directorships and Private/Voluntary Sector Appointments</b>	<b>Date Appointed</b>

<b>Qualifications</b> (Please state the certificate, discipline, institution and year)	<b>Qualification</b>	<b>Institution</b>	<b>Date</b>

## Section 2: Qualifications for Membership

The CE Act contains grounds that disqualify certain persons from membership. These grounds, contained in [section 30](#) of the CE Act, are reflected in the following questions. If you are unsure how to answer, or require further clarification of any of the grounds, please contact the Appointments Team:

	Yes/No
Are you an undischarged bankrupt? The Insolvency Act 1967 sets out bankruptcy and discharge procedures	
Are you prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, or the Securities Act 1978, or the Securities Markets Act 1988, or the Takeovers Act 1993?	
Are you subject to a property order under the Protection of Personal and Property Rights (PPPR) Act 1988?	
Are you someone in respect of whom a personal order has been made under the PPPR Act that reflects adversely on your competence to manage your own affairs in relation to your property, or your capacity to make or to communicate decisions relating to any particular aspect or aspects of your personal care and welfare?	
Have you been convicted of an offence punishable by imprisonment for a term of 2 years or more (or been sentenced to imprisonment for any other offence), and have not obtained a pardon, served the sentence, or otherwise suffered the penalty imposed?	
Are you a member of Parliament?	
Are you disqualified under another Act?	

If your answers to all of the above questions are **'No'**, then you are not disqualified from being a member of a statutory entity. If you answered **'Yes'** to any of the above questions, or if you have reason to believe that any of the criteria might affect you in the foreseeable future, please provide details below.

I wish to provide further information as follows:



## CONFIDENTIAL

### Section 3: Disclosure of Interests

Before a candidate can be appointed, they must disclose the nature and extent (including monetary value, if quantifiable) of all interests that they have at that time, or are likely to have, in matters relating to the committee/group/board. The following information will help ascertain whether you are interested in a matter relating to the committee/group/board that you wish to be appointed to.

A matter relating to a committee/group/board means:

- a) a committee/group/board's performance of its functions or exercise of its powers; or
- b) an arrangement, agreement, or contract made or entered into, or proposed to be entered into, by the committee/group/board.

You are *interested* in a matter relating to a committee/group/board if you:

- a) may derive a financial benefit from the matter; or
- b) are the spouse, civil union partner, de facto partner, child, or parent of a person who may derive a financial benefit from the matter; or
- c) may have a financial interest in a person to whom the matter relates; or
- d) are a partner, director, officer, board member, or trustee of a person who may have a financial interest in a person to whom the matter relates; or
- e) are otherwise directly or indirectly interested in the matter.

You are not interested in a matter related to the committee/group/board:

- a) only because you are a member or an officer of a subcommittee of the committee/group/board; or
- b) because you receive an indemnity, insurance cover, remuneration, or other benefits authorised under legislation or the committee/group/board's terms of reference; or
- c) if your interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence you in carrying out your responsibilities under the committee/group/board's terms of reference; or
- d) only because you have past or current involvement in the relevant sector, industry, or practice; or
- e) if the committee/group/board's terms of reference provides that you are not interested, despite the above indicating that you are.

Having read the above, I make the following disclosure as to the nature and extent (including monetary value, if quantifiable) of all interests that I have at this time, or are likely to have, in matters relating to the committee/group/board (if none, please write '**Nil**')

I intend to manage any conflicts of interest that arise out of these declared interests in the following manner (mandatory, if any interests are listed above):

**CONFIDENTIAL****Section 4: Other Matters and Referees**

Please list any matters which the Minister should be aware of in considering your suitability for appointment (e.g. anything which could be seen as influencing your judgement, or which might cast doubt on your ability to act with honesty and integrity, such as previous convictions, bankruptcy, etc.).

I would like the Minister to be aware of the following other matters:  
(if none, please write 'Nil')

If this will be your first appointment to this committee/group/board, please provide the names and contact details of two referees who will be able to discuss your suitability for appointment.

**Referee One**

Name

Occupation

Home phone

Mobile phone

Work phone

Email

**Referee Two**

Name

Occupation

Home phone

Mobile phone

Work phone

Email

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## Section 5: Consent / Declaration

I acknowledge that providing false information will likely result in my removal from office if I am appointed, as would a failure to include information pertinent to the consideration of my suitability for appointment.

Yes/No

Do you consent to the Ministry of Health retaining your Curriculum Vitae and Declaration Form to be considered for future governance roles?

Yes/No

If you are shortlisted, do you give the Ministry of Health permission to conduct background checks?

Yes/No

### Please sign and date the consent/declaration:

In relation to my potential appointment to the committee/group/board:

- I consent to being a member of the committee/group/board, should the Minister wish to appoint me.
- I have declared all of the interests that I currently have, or am likely to have, in matters relating to the committee/group/board, in Section 2 of this form (if applicable).
- I have declared any other matters that the Minister should be aware of in considering me for appointment, in Section 3 of this form.
- I declare that the information provided in this form is true and complete to the best of my belief.

**Name / Signature or  
e-signature:**

**Date:**

Please retain a copy of this completed declaration form for your records.

**CONFIDENTIAL****Privacy Policy**

1. The Ministry of Health uses the information collected on this form to ensure that good practice appointment processes are met, including advising the Minister of Health on the appointment of members to committees/groups/boards.

**Storage and security of personal information**

2. The Ministry of Health, and the Office of the Minister of Health and/or the Offices of Associate Ministers of Health (the agencies), will ensure that:
  - (a) the personal information the agencies hold on you shall be protected by such security safeguards as it is reasonable in the circumstances to take, against:
    - (i) loss
    - (ii) access, use, modification or disclosure, except with the authority of the agencies
    - (iii) other misuse
  - (b) if it is necessary for the information to be given to a person in connection with the provision of a service to the agencies, everything reasonably within the power of the agencies is done to prevent unauthorised use or unauthorised disclosure of the information
  - (c) if the agencies are required by law to disclose any personal information about you, the agencies will do everything reasonably within their power to consult you before making such disclosure.<sup>1</sup>

**Access to personal information**

3. Where the agencies hold personal information in such a way that it can readily be retrieved, you are entitled:
  - (a) to obtain from the agency in question confirmation of whether or not the agency holds such personal information
  - (b) to have access to that information.
4. Where, in accordance with the above clause, you are given access to personal information, you will be advised that you may request the correction of that information.
5. The agencies will not hold your personal information longer than is required for the purposes for which the information may lawfully be used.

**Contact**

For questions regarding this privacy policy, please contact the Appointments Team:  
[appointments@health.govt.nz](mailto:appointments@health.govt.nz)

**6. Retention / destruction of information**

7. If you do not consent to the Ministry of Health retaining your declaration form, we will safely destroy it:
  - within 1 week if you are not appointed
  - within 1 month if you are appointed.

<sup>1</sup> For example, pursuant to a request made under the Official Information Act 1982.

**From:** Cherish Low <Cherish.Low@health.govt.nz> on behalf of Appointments <appointments@health.govt.nz>  
**Sent:** Tuesday, 28 September 2021 4:29 pm  
**Subject:** Call for nominations to the Chinese Medicine Council of New Zealand

Kia ora,

Te Manatū Hauora (the Ministry) is currently seeking nominations for appointments to the **Chinese Medicine Council of New Zealand** (the Council), to be established under the Health Practitioners Competence Assurance Act 2003 (the HPCA Act) on 1 November 2021. The Council's purpose is to protect the health and safety of members of the public by ensuring that Chinese Medicine practitioners are competent to practise.

At this time, we are seeking candidates interested in being considered for **health practitioner members**, specifically practitioners who practise Chinese medicine, such as acupuncture, herbal medicine, and Tui na massage, and **layperson members**.

Section 5(1) of the HPCA Act defines the terms "health practitioner" as a person who is, or is deemed to be registered with an authority as a practitioner of a particular health profession, and; "layperson" as a person who is neither registered nor qualified to be registered as a health practitioner.

The advertisement can be found at :

[https://careers.health.govt.nz/jobtools/jncustomsearch.viewFullSingle?in\\_jnCounter=224832084&in\\_organid=18372&in\\_site=OTHER](https://careers.health.govt.nz/jobtools/jncustomsearch.viewFullSingle?in_jnCounter=224832084&in_organid=18372&in_site=OTHER)

and

<https://jobs.govt.nz/jobs/MOH-1569514>

Please forward this email onto the relevant person or department within your organisation if you are not the correct contact. Any nominations or pātai (questions) can be forwarded to the Ministry's appointments team at appointments@health.govt.nz by **Tuesday 12 October 2021**.

We would be grateful if you could inform your networks of this opportunity and invite nominations of candidates with diverse backgrounds, so that we may ensure representation of all Aotearoa on our boards. When nominating candidates, please be sure to notify them of the nomination and check if they are prepared to submit an application.

Ngā mihi nui me noho ora mai,

**Appointments Team**  
Ministry of Health



<http://www.health.govt.nz>