



Cabinet Legislation Committee

Minute of Decision

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Medicines Amendment 2022: Approval for Introduction

Portfolios **COVID-19 Response / Health**

On 2 June 2022, the Cabinet Legislation Committee:

- 1 **noted** that the Medicines Amendment Bill (No 2) (the Bill) amends the Medicines Act 1981 to enable the Director-General to authorise the administration of a consented COVID-19 vaccine otherwise than in accordance with the approved data sheet for the applicable vaccine if the Director General is satisfied that this is an appropriate measure in order to manage the risks associated with an outbreak or spread of COVID-19;
- 2 **noted** it is anticipated that the new provision may be utilised to enable fourth doses of the Pfizer/BioNTech COVID-19 vaccine (Pfizer vaccine) to be administered without a prescription but that this will be a decision for the Director-General once the amendment comes into force, this will not preclude further ability to enable other COVID-19 vaccines via the usual consenting process under the Act;
- 3 **noted** that the Bill gives effect to decisions made by Vaccine Ministers;
- 4 **noted** that this change does not affect the ability for prescribers to continue to be able to give “off-label” doses of COVID-19 vaccines in individual circumstances;
- 5 **noted** the intention that the Medicines Amendment Bill (No 2) be introduced 7 June 2022 and not be referred to a Select Committee;
- 6 **noted** that the Acting Leader of the House is seeking approval from all parties at Business Committee on 31 May for the Bill to move through all stages without urgency; if not agreed, it will be passed under urgency;
- 7 **noted** that the amendments to the Medicines Act 1981 will come into force on the day after Royal Assent;
- 8 **noted** that once the Medicines Amendment Bill comes into the force the current Epidemic Preparedness (COVID-19 –Medicines Act 1981) Immediate Modification Order will be revoked;
- 9 **approved** the policy behind this Bill as set out in this paper to address the equity and access issues to provide fourth COVID-19 doses, noting the amendment to the Act will provide an enduring and secure legal basis for the provision of third and fourth doses, and any further COVID-19 vaccine doses that may be required in the future;

- 10 **noted** Ministers will continue to receive advice to support key decisions relating to COVID-19 vaccination options based on the latest scientific and technical advice;
- 11 **approved** the Medicines Amendment Bill (No 2) [PCO 24788/18.0] for introduction, subject to the final approval of the government caucus and sufficient support in the House of Representatives.

Rebecca Davies
Committee Secretary

Present:

Hon Andrew Little
Hon David Parker
Hon Nanaia Mahuta
Hon Poto Williams
Hon Kris Faafoi
Hon Michael Wood (Chair)
Hon Dr David Clark
Keiran McNulty, MP (Senior Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG