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22 December 2022

§ 9(2)(a)

Email: § 9(2)(a)
Ref: H2022018104

Tēnā koe § 9(2)(a)

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health) on 4 December 2022 for an update on therapeutic and natural health products. Parts of your request have been responded to below:

"I request under the Official Information Act 1982 the following:

- 1. For a proposed bill of this magnitude and in planning this, there will be a time frame and date decided for the opening of submissions by the public can you please provide these dates, beginning and ending.*

The information you have requested is publicly available on parliament's website on the link provided here [Therapeutic Products and Medicines Bill - New Zealand Parliament \(www.parliament.nz\)](http://www.parliament.nz)

- 2. Please advise the applicable qualifications and experience of each deciding member of the select committee.*

The information you have requested is publicly available on parliament's website here: <https://www.parliament.nz/en/pb/sc/scl/health/>

- 3. Please advise which other ethnic groups and cultural minorities you have included in your consultation and policy forming process?*
- 4. Please advise which other ethnic groups and cultural minorities you have excluded in your consultation and policy forming process?*

The Bill has been through a long period of extensive consultation and development. There was considerable consultation and engagement on the Natural Health and Supplementary Products Bill, which lapsed in 2017. This Bill builds on the significant work done then, taking into consideration previous contentious issues.

In 2018 an exposure draft of the Bill, which did not include natural health products, was released for public consultation.

All these consultations were open to all ethnic groups and cultural minorities. No ethnic groups and cultural minorities have been excluded from consultation or policy forming.

5. *Please advise which forms (disciplines) of non-western medicine you have allowed to be included in the consultation and policy forming process?*
6. *Please advise which forms (disciplines) of non-western medicine you have excluded from inclusion in the consultation and policy forming process?*

While natural health products have not always been a part of the Therapeutics Products Bill, no forms (disciplines) of non-western medicine have been excluded from relevant consultation and/or policy forming.

7. *Will this proposed legislation change comply with the New Zealand Bill of Rights Act 1990?*
8. *Will this proposed legislation change comply with the New Zealand Human Rights Act 1993?*

The legislation changes are consistent with the New Zealand Bill of Rights Act 1990 and the New Zealand Human Rights Act 1993. Advice on this matter is publicly available at: [20221201-Therapeutic-Products-Bill.pdf \(justice.govt.nz\)](https://www.justice.govt.nz/assets/Uploads/20221201-Therapeutic-Products-Bill.pdf)

9. *Please provide full and complete documentation, decisions, and minutes as to which treaties and sections this proposed legislation is promoting / complying with as defined by the World Health Organisation (WHO)*
10. *Please provide full and complete documentation, decisions, and minutes as to which treaties and sections this proposed legislation is promoting / complying with as defined by the World Economic Forum (WEF)*
11. *Please provide full and complete documentation, decisions, and minutes as to which treaties and sections this proposed legislation is promoting / complying with as defined by the United Nations Organisation (UN)*
12. *Please provide full and complete documentation, decisions, and minutes as to which treaties and sections this proposed legislation is promoting / complying with that have NOT been covered by <https://www.who.int/our-work/access-to-medicines-and-health-products/controlled-substances> i.e., falling outside this definition. Please provide full and complete documentation, decisions, and minutes as to which treaties and sections this proposed legislation is promoting / complying with EMA European regulations - <https://www.ema.europa.eu/en/human-medicines-regulatory-information>*

The Bill does carry over some existing requirements regarding data protection and international obligations from the Medicines Act 1981. Commentary on this can be found in the Disclosure Statement¹ for the Bill under section 2.2.

It is possible that secondary legislation enacted under the Bill may interact with some of the instruments you suggest.

13. *Is the Therapeutic Products health team, advisors, consultants, and medical practitioners prepared to act, and agree to act in a transparent, fair, and respectful way to the inclusion of other proven therapeutic disciplines besides 'Rongoa'?"*

This Bill, including secondary legislation, will be developed and administered in a manner consistent with good regulatory practice and consistently with the values of the public service set out in the Public Service Act 2020.

I trust this information fulfils your request. 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 Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'S Waldegrave', with a horizontal line extending to the right.

Steve Waldegrave
Associate Deputy Director-General
Strategy, Policy and Legislation | Te Pou Rautaki