

12 AUG 2016

s 9(2)(a)

Ref: H201602927

Dear s 9(2)(a)

Response to your request for official information

Thank you for your request of 15 July 2016 under the Official Information Act 1982 (the Act) for a copy of all submissions made relating to the meeting? (*The 56th Medicines Classification Committee meeting, to consider the reclassification of medicines that are also considered Natural Health Products*).

The Medicines Classification Committee (MCC) is an independent, statutory committee that advises the Minister of Health regarding medicine classifications. This year, the MCC will hold an extraordinary meeting to consider the restrictions on access to a number of vitamins and minerals.

The 56th meeting has been postponed as the Natural Health Products Bill has not had its third reading.

I am refusing your request for the key points of the comments received under section 18(d) of the Act because this information will soon be publicly available. The key points from the comments received will be included in the minutes of the meeting and will be published approximately seven weeks after the meeting.

I am also withholding the comments provided under section 9(2)(f)(iv) of the Act to maintain the constitutional conventions for the time being, which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

The MCC meeting has been deferred and the members have not yet been provided with copies of the comments. I therefore consider it inappropriate to release information to you which has not yet been considered by the MCC.

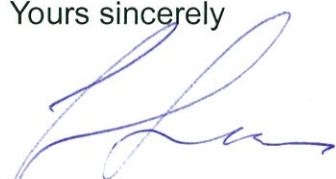
I do not consider that withholding the information is outweighed by the public interest in open and transparent decision making by Government officials. This is because the MCC has not yet made a recommendation, which will be publicly notified and

there will be a period in which objections to that recommendation can be made prior to a decision on the classification of the substances being reached.

Withholding this information also does not prevent you from adding to the comments you have already provided to the MCC, if you consider that there is a matter which has not been adequately canvassed concerning the safety profile of the substances proposed for reclassification.

I trust this information fulfils your request. You have the right, under section 28 of the Act, to ask the Ombudsman to review my decision to withhold information under this request.

Yours sincerely



Chris James
Acting Group Manager
Medsafe

PROACTIVELY RELEASED