

15 May 2020

9(2)(a)

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Dear 9(2)(a),

Official Information Act (1982) Request

I write in response to your Official Information Act request, received by us on 07 May 2020. You requested the following information.

- 1. Detail on your organisation's use of requisitioning powers authorised under the state of emergency, or under the epidemic notice. I would like to know what:**
 - Sorts of goods have been requisitioned,
 - How frequently this has happened,
 - And what compensation has been offered.

Note that I am making the same request of the Ministry of Health, the District Health Boards, and Civil Defence.

- 2. I would like copies of any requisition orders provided under 90(3) of the Civil Defence Emergency Management Act, as well as copies of any requisition orders produced under 90(5) of the same Act.**

I also request detail of any compensation provided.

- 3. I would also like copies of any requisition orders produced under 71 (1) of the Public Health Act,**
also with detail of any compensation provided.

In this request the term requisition means any exercise of a power or purported power to take or use property temporarily or permanently in connection with the Covid emergency by the Crown or a public agency or for a public purpose, which is not on arm's length consensual terms. In other words the request is not confined solely to requisitions made under the provisions mentioned above, or solely if they were described to the owner or occupier as requisitions.

- 4. Please also provide any background papers, policies, guidelines, advice, or related documents on the use of requisitioning powers.**

As context, Counties Manukau Health (CM Health) provides health and support services to people living in the Counties Manukau region (approx. 569,400 people). Our services are delivered via hospital, outpatient/ ambulatory and community-based models of care.

The Counties Manukau DHB has not used the requisition powers provided under s90 of the Civil Defence Emergency Management Act, or those available under s70 of the Public Health Act.

In broad terms, the Operational Policy Framework from the Ministry of Health (MoH) requires every DHB to have a Health Emergency Plan (HEP). The HEP has been developed to provide a consistent approach to coordination, cooperation and communication across the health sector, when responding to an incident. A copy is publicly available on the CM Health website.

- <https://countiesmanukau.health.nz/about-us/performance-and-planning/planning-documents/>

I trust this information satisfactorily answers your query. If you are not satisfied with this response you are entitled to seek a review of the response by the Ombudsman under section 28(3) of the Official Information Act.

Please note that this response or an edited version of this may be published on the Counties Manukau DHB website.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'F. Apa', is positioned above a faint blue horizontal line.

Fepulea'i Margie Apa
Chief Executive Officer
Counties Manukau Health