



29 July 2022

Ref: DOIA 2223-0137



Thank you for your email of 20 July 2022 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the OIA), the following information:

*All records in the possession, custody or control of the The New Zealand Ministry of Business, Innovation & Employment that scientifically proves the existence of SARS-COV-2 virus [...]*

MBIE relies upon the expertise of the international science community and the wider New Zealand public service, such as the Ministry of Health, to understand that SARS-COV-2 (also known as COVID-19) exists. Per any stated quarantinable disease as set out in Part 3 of the Health Act 1952, MBIE is responsible for undertaking its role as a government agency to address the impacts of COVID-19 on Aotearoa New Zealand and those people living and working here.

There are other public agencies such as the Ministry of Health that may be better placed to address your request and provide you with some specific information. However, MBIE has not transferred this request to the Ministry of Health per your request for us not to do so.

MBIE is not an institution that is used for scientific experiments or testing, and has not generated information along the lines of what you request. While MBIE will hold information that relates to scientific work that has been undertaken about COVID-19, identifying which of these records relate specifically to the existence of COVID-19 per the parameters you set out would require a considerable amount of work to collate. Your request is therefore subject to a technical refusal in reliance on section 18(f) of the OIA, as the information requested cannot be made available without substantial collation or research.

Information about the existence of COVID-19 is available through publicly available resources. Your request is therefore also subject to refusal in reliance on section 18(d) of the Act, as the information requested is publicly available. Please note that MBIE is not required to create information in order to respond to a request under the Act, per your request for MBIE to identify and list where to access specific publicly available records.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely

Ministerial Services

**Labour, Science and Enterprise**

**Ministry of Business, Innovation and Employment**



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## Response to DOIA 2223-0137 [UNCLASSIFIED]

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Fri, Jul 29, 2022 at 4:12 PM

[REDACTED]  
To: \*OIA <OIA@mbie.govt.nz>

Greetings,

I am submitting a formal complaint for the official information response I received from MBIE.

MBIE wrote:

"Information about the existence of COVID-19 is available through publicly available resources. Your request is therefore also subject to refusal in reliance on section 18(d) of the Act, as the information requested is publicly available."

By using the 18(d) refusal, MBIE is claiming the records that I have requested are available somewhere in the public domain.

As an outcome from my complaint I expect MBIE to either

- 1) Provide at least 1 record that they claim is publically available that proves SARS-COV-2 scientifically exists as I have described in my original request.
- 2) Retract their 18(d) refusal as there are no records on this planet that proves SARS-COV-2 scientifically exists.

I am attaching ESR's response to the same request. They do not hold any records nor do they know of any records where SARS-COV-2 has been scientifically proven to exist.

MBIE also made the following claim:

"MBIE relies upon the expertise of the international science community and the wider New Zealand public service, such as the Ministry of Health, to understand that SARS-COV-2 (also known as COVID-19) exists."

The records that I seek is for proof that SARS-COV-2 (the virus) exists in the real world. I expect MBIE to rectify their unsubstantiated claim by either:

- 1) Provide me with the records that prove SARS-COV-2 exists using the scientific method as I have described in my original request.
- 2) Retract their claim that SARS-COV-2 exists as MBIE cannot provide scientific records to support this claim.

I expect MBIE to address my complaint as is outlined in the Official Information Act in a timely manner.

Thank you

[Quoted text hidden]

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