

OIR: 2223/501

13 April 2023



**Request for Information under the Local Government and Official Information and Meetings Act 1987 (the Act) (the LGOIMA)**

We refer to your complaint to the Office of the Ombudsman on 14 March 2023 and your request to Council on 23 December 2022, which we do not appear to have received. Further to correspondence with the Ombudsman, we agreed to accept your request as a new LGOIMA request on Monday 20 March 2023.

Please see our response to your request below:

***1. I ask for information, evidence and reports as to why the Kapiti Coast District Council/ Officials are in breach of the Health Act 1956 23 General powers and duties of local authorities in respect of public health.***

We do not accept that Council is in breach of the Health Act 1956 and in particular section 23 as a result of issues you raise relating to the Covid-19 vaccine. We accept that local authorities have general powers and duties in respect of public health under section 23 of the Health Act 1955; however, in our view this does not extend to an evaluation of the suitability of Covid-19 vaccines. This is the role of Te Whatu Ora - Health New Zealand, as such, we do not hold information, evidence and reports identifying a breach of the Health Act 1956 in respect of the concerns you raise in your request.

Given this is not a function of Council, we must refuse your request for the above information under section 17(g) of the LGOIMA on the basis that the information requested is not held by our organisation and we have no grounds for believing that the information is either held by another local authority or a department or Minister of the Crown or organisation.

***Further, I have follow up OIA questions for you please concerning the failure of Council/ Officials in respect of the dangerous novel immune damaging mRNA gene therapy injections, particularly in light of the latest MEDSAFE Safety Report (Ref: <https://www.medsafe.govt.nz/COVID-19/safety-report-46.asp>) issued by Officials 15 December 2022, and these are:***

- 2. Can you (or your Officials) provide evidence, reports and data please as to how many of the 3,709 citizens who have been seriously injured by the vaccine (or of the four who have died as a result of the vaccine) reside in the Kapiti Council bailiwick. These grave "harms" in the community ought to be the subject of sincere and genuine examination by Council health managers as a matter of considerable public urgency;**

We do not hold this information; however, we consider this information may be held by Te Whatu Ora - Health New Zealand, as such, we have transferred this part of your request to this agency.

- 3. As provided for under the Act (S23 (b)), by way of OIA can your Officials ascertain relevant data/evidence, disclosure concerning mRNA vaccine injuries which could have been, but have not been reported to the Government's CARM system;**

We do not hold this information; however, we consider this information may be held by Te Whatu Ora - Health New Zealand, as such, we have transferred this part of your request to this agency.

- 4. Disclose and verify that Council, and its appointed health Officials abide by the non-binding United Nations Universal Declaration on Bioethics and Human Rights (UDBHR) to guide its work and assessment processes; and**

The non-binding United Nations Universal Declaration on Bioethics and Human Rights (UDBHR) is not directly relevant to the functions that our Council undertakes in relation to public health. As such, this isn't relevant to regulatory decision-making under the Health Act 1956.


- 5. Can Council please provide evidence that the serious harms arising from the mRNA injections are being managed as public health crisis or alternatively that the Kapiti Coast District Council continues to publicly condoned the maiming and injuring (or worse) of citizens during the Government's egregious Covid-19 "vaccine" campaign.**

This is not the function of Council and therefore we are unable to provide the information you request above. we consider this information may be held by Te Whatu Ora - Health New Zealand, as such, we have transferred this part of your request to this agency.

You will hear from Te Whatu Ora directly regarding your request.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz), by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



**Sarah Wattie**

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Te Kaiwhakahaere Ratonga Kāwanatanga me te Ture