



26 May 2026

§ 9(2)(a)

### Official information request

Our ref: R001474

Tēnā koe § 9(2)(a)

Thank you for your Official Information Act 1982 (OIA) request, which the Ministry for Regulation (the Ministry) received on 11 May 2026. We have itemised your request as follows:

1. *A2025-403 RSA exclusions: MfR to revisit RSA exclusion categories*
2. *MFR2026-007 Further decisions to exclusions to the RSA*
3. *MFR2026-017 Annual Review 2024-25: Response to at- and post-hearing questions*
4. *MFR2026-015 Vote Regulation: March Baseline Update*
5. *MFR2025-331 Budget 2026 Savings Initiative*
6. *MFR2025-331 Budget 2026 Ministerial Submission Letter*
7. *MFR2025-313 Product Labelling Review Final Report*
8. *MFR2025-315 Delivering medicine using click-and-collect lockers*
9. *MFR2026-025 RSA Implementation - Initial Exclusion Notice Draft Cabinet Paper*
10. *MFR2026-037 RSA Implementation - Summary of underpinning analysis Document*
11. *MFR2026-038 RSA Implementation: Further decisions on initial exclusion notice and draft Cabinet paper for ministerial consultation*

### Information partially released

I have decided to grant your request by releasing the following papers to you, with some information withheld under the OIA. Copies of these papers are attached as **Appendix A**.

3. **MFR2026-017** *Annual Review 2024-25: Response to at- and post-hearing questions.*
  - Note the Ministry's response to the Select Committee questions are publicly available on the Parliament website: [https://www3.parliament.nz/resource/en-NZ/54SCFIN\\_EVI\\_1b9bf43c-1ef9-4163-a236-08de0f7c473e\\_FIN176961/3a6bafcb9f2ed9051bec9bc46334162f048dedf](https://www3.parliament.nz/resource/en-NZ/54SCFIN_EVI_1b9bf43c-1ef9-4163-a236-08de0f7c473e_FIN176961/3a6bafcb9f2ed9051bec9bc46334162f048dedf)
8. **MFR2025-315** *Delivering medicine using click-and-collect lockers.*

### Information soon to be publicly available

The papers listed below are currently being prepared for proactive release. Copies of these papers will be published on the Ministry's website once consultation and reviews are completed.

In accordance with section 18(d) of the OIA, I am refusing this part of your request as the information will soon be publicly available.

2. **MFR2026-007** *Further decisions to exclusions to the RSA*
4. **MFR2026-015** *Vote Regulation: March Baseline Update*
9. **MFR2026-025** *RSA Implementation - Initial Exclusion Notice Draft Cabinet Paper*
10. **MFR2026-037** *RSA Implementation - Summary of underpinning analysis Document*
11. **MFR2026-038** *RSA Implementation: Further decisions on initial exclusion notice and draft Cabinet paper for ministerial consultation.*

### Information withheld under active consideration

I am withholding copies of the papers listed below, under section 9(2)(f)(iv) of the OIA, to maintain the current constitutional conventions for the time being which protect the confidentiality of advice tendered by ministers and officials. These papers relate to matters that are still awaiting final decisions from the Minister and/or Cabinet.

Papers 5 and 6 relate to Budget information, which is normally prepared in-confidence prior to Budget Day, to protect the integrity of Government decision-making. Following Budget Day, the Government and the Treasury will proactively release a wide range of Budget documents, including advice and Cabinet materials, which were previously held in confidence.

Regarding paper 7, in accordance with our standard procedures for regulatory sector reviews, recommendations and findings are released after Cabinet decisions. The Product Labelling Review Final Report will be published at an appropriate time, following consideration by the Minister and Cabinet of the Review's recommendations.

5. **MFR2025-331** *Budget 2026 Savings Initiative*
6. **MFR2025-331** *Budget 2026 Ministerial Submission Letter*
7. **MFR2025-313** *Product Labelling Review Final Report*

As required by section 9(1) of the OIA, I have considered whether the grounds for withholding the information requested is outweighed by the public interest. In this instance, I do not consider that to be the case.

This consideration applies equally to information that has been withheld in Appendix A under section 9(2)(a), to protect the privacy of natural persons.

### Information on item 1

In item 1 of your request, you sought information relating to "A2025-403 RSA exclusions: MfR to revisit RSA exclusion categories". This action item relates to feedback from the Minister on a draft framework for identifying categories of legislation that may be excluded from the requirements of the Regulatory Standards Act 2025 (the Act). This work supports the implementation of Section 7 of the Act, which empowers the Minister, with the approval of the House of Representatives, to issue a notice excluding specified Bills and legislation from the Act's provisions.

The proposed exclusion categories were initially provided to the Minister in briefing **MFR2025-332: Update and further decisions on exclusions to the Regulatory Standards Act (11/12/2025)**. Following the Minister's request for further clarification on these categories, the Ministry provided additional advice in **MFR2026-011: Update on approach to exclusions to the Regulatory Standards Act (22/01/2026)** and **MFR2026-007: Regulatory Standards Act Implementation - Further decisions for considering exclusions to the Regulatory Standards Act 2025 (29/01/2026)**. Note these three briefing papers are currently being prepared for proactive release and will be published on the Ministry's website, subject to completion of external review and consultation.

### **Right of review**

If you wish to discuss this decision with us, please contact [hello@regulation.govt.nz](mailto:hello@regulation.govt.nz).

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.

Please note that we may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi

s 9(2)(a)



Elisa Eckford

**Acting Head of Ministerial and Strategic Services**  
**Ministry for Regulation**

# Memo

MFR2026-017



Ministry for Regulation  
Te Manatū Waeture

## Annual Review 2024-25: Responses to at- and post-hearing questions

|                                |                                                                                    |                        |             |
|--------------------------------|------------------------------------------------------------------------------------|------------------------|-------------|
| <b>Date</b>                    | 5 February 2026                                                                    | <b>Priority</b>        | Low         |
| <b>Security classification</b> | In confidence                                                                      | <b>Tracking number</b> | MFR2026-017 |
| <b>Attachments</b>             | Annex 1: Response to questions received from the Finance and Expenditure Committee |                        |             |

### Action sought

| Required from | Action                                                                                                           |
|---------------|------------------------------------------------------------------------------------------------------------------|
| Peter Clark   | <b>Note</b> the enclosed information being provided to the Finance and Expenditure Committee on 10 February 2026 |

### Contact for discussion if required

| Name           | Position                                   | Phone number | 1 <sup>st</sup> contact             |
|----------------|--------------------------------------------|--------------|-------------------------------------|
| Nikki Bidlake  | Senior Advisor, Ministerial Services       | s 9(2)(a)    | <input type="checkbox"/>            |
| Aisling Risdon | Head of Ministerial and Strategic Services | s 9(2)(a)    | <input checked="" type="checkbox"/> |

### Minister's office to complete

- |                                         |                                            |
|-----------------------------------------|--------------------------------------------|
| <input type="checkbox"/> Noted          | <input type="checkbox"/> Needs change      |
| <input type="checkbox"/> For discussion | <input type="checkbox"/> No further action |

### Comments

Annex 1 is publicly available on the Parliament website: [https://www3.parliament.nz/resource/en-NZ/54SCFIN\\_EVI\\_1b9bf43c-1ef9-4163-a236-08de0f7c473e\\_FIN176961/3a6bafcb9f2ed9051bec9bc46334162f048dedf~](https://www3.parliament.nz/resource/en-NZ/54SCFIN_EVI_1b9bf43c-1ef9-4163-a236-08de0f7c473e_FIN176961/3a6bafcb9f2ed9051bec9bc46334162f048dedf~)



## **Annual Review 2024-25: Responses to at- and post-hearing questions**

|                                |                 |                        |             |
|--------------------------------|-----------------|------------------------|-------------|
| <b>Date</b>                    | 5 February 2026 | <b>Priority</b>        | Low         |
| <b>Security classification</b> | In confidence   | <b>Tracking number</b> | MFR2026-017 |

### **Purpose**

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This memo provides you with our responses to questions received from the Finance and Expenditure Committee (the Committee) on a no-surprises basis.

### **Background**

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1. The Committee held a 90-minute hearing with the Ministry for Regulation on 2 December.
2. During the hearing, the Committee made certain requests for information. Following the hearing, further questions were delivered to us for response.
3. Enclosed are the final responses we have prepared, which are due to be delivered to the Committee no later than 10am on 10 February 2026.

### **Other relevant information**

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4. Information provided to the Committee will be published on the Parliament website.
5. Information contained in Annexes B and C have previously been released publicly under the OIA.

### **Next steps**

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6. We intend to provide our responses to the Committee no later than 10am on 10 February 2026.



## **Annex 1: Annual Review 2024-25: Response to at- and post-hearing questions**

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Annex 1 is publicly available on the Parliament website: [https://www3.parliament.nz/resource/en-NZ/54SCFIN\\_EVI\\_1b9bf43c-1ef9-4163-a236-08de0f7c473e\\_FIN176961/3a6bafcb9f2ed9051bec9bc46334162f048dedf~](https://www3.parliament.nz/resource/en-NZ/54SCFIN_EVI_1b9bf43c-1ef9-4163-a236-08de0f7c473e_FIN176961/3a6bafcb9f2ed9051bec9bc46334162f048dedf~)



## Delivering medicine using click-and-collect lockers

|                                 |                  |                         |             |
|---------------------------------|------------------|-------------------------|-------------|
| <b>Date:</b>                    | 14 November 2025 | <b>Priority:</b>        | Medium      |
| <b>Security classification:</b> | In confidence    | <b>Tracking number:</b> | MFR2025-315 |
| <b>Attachments</b>              | N/A              |                         |             |

### Action sought

| Required from                                       | Action                                 | Deadline         |
|-----------------------------------------------------|----------------------------------------|------------------|
| Hon David Seymour<br><b>Minister for Regulation</b> | <b>Note</b> the contents of this paper | 21 November 2025 |

### Contact for telephone discussion (if required)

| Name         | Position                             | Phone number | 1 <sup>st</sup> contact             |
|--------------|--------------------------------------|--------------|-------------------------------------|
| Adam Jackson | Chief Advisor to the Chief Executive | s 9(2)(a)    | <input checked="" type="checkbox"/> |

### Minister's office to complete:

- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Approved             | <input type="checkbox"/> Declined            |
| <input type="checkbox"/> Noted                | <input type="checkbox"/> Needs change        |
| <input type="checkbox"/> Seen                 | <input type="checkbox"/> Overtaken by events |
| <input type="checkbox"/> See Minister's notes | <input type="checkbox"/> Withdrawn           |

### Comments



## Purpose of Paper

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1. We understand that you recently met with members of the public exploring the possibility of pharmacy-dispensed medicines being able to be delivered to customers using click-and-collect lockers.
2. In connection with this, on 12 November 2025, your office commissioned urgent and “succinct, high-level responses to the following questions:
  - a. What is the barrier to pharmacies being able to utilise lockers, and are there any expected benefits of enabling this?
  - b. What regulation/s would need to change to enable this?
  - c. Is there (based on public information) a relevant vehicle that could be used to progress these changes?
3. This paper provides our answers to those questions.

## Questions and answers

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*What is the barrier to pharmacies being able to utilise lockers, and are there any expected benefits of enabling this?*

4. The barrier to this idea is section 47(4) of the Medicines Act 1981, which imposes strict requirements for delivery of medicines on retail sale. It requires that the medicine be handed to the person, or another person reasonably acting on that person’s behalf, or delivered by post. No other form of delivery is permitted. This is a clear regulatory barrier.
5. Although the use of a locker could be seen as equivalent to posting the medicine, the wording in the statute leaves little room for this interpretation and it is an offence to breach the requirements. Therefore, it is unlikely a pharmacist would take this approach.
6. Our view is that there would certainly be a benefit from allowing the use of lockers. People who would otherwise find it difficult to get to the pharmacist during opening hours would be able to collect the medicines at their convenience. This would mean they were less inconvenienced and could start taking the medicine more promptly than if they had to wait for a postal delivery or the opportunity to visit the pharmacy during opening hours.
7. The size of the benefit is hard to quantify without data about how much people are currently inconvenienced. However, e-lockers are widely used in other countries, which suggests the convenience is valued by consumers and there is therefore a material benefit.
8. Our view is there would be little or no detriment from allowing them because they are a more secure way of ensuring medicines are delivered to the right person than posting those medicines (which is already currently allowed).

*What regulation/s would need to change to enable this?*

9. Our initial view is that the Medicines Act 1981 would need to be amended to enable the use of lockers. That amendment could take a range of approaches, but in substance would need to broaden the delivery methods allowed under section 47(4).
10. Although the Medicines Act includes broad regulation-making powers, it is doubtful that they could be used to create an exception to the strict delivery requirements in section 47(4) by



regulation. On that basis, primary legislation (an amendment to the Medicines Act) would be needed rather than secondary legislation.

*Is there (based on public information) a relevant vehicle that could be used to progress these changes?*

11. The most obvious choice of legislative vehicle for any change is the planned Medical Products Bill. Our understanding is that this is intended to be introduced and passed in 2026. Although the changes to be made through that bill are not intended to come into effect until 2028, a change to the delivery requirements could become immediately effective.
12. We looked at a number of quicker options, but the only one that is really viable is to use the Medicines Amendment Bill. However, that bill is already at the Third Reading Stage. Accordingly, to use that bill as a legislative vehicle, the House would need to refer the bill back to the Committee of the Whole House so an Amendment Paper could be introduced. In addition, the Office of the Clerk would need to determine whether the scope of that bill was sufficiently wide to accommodate the change, although it looks as if it probably is.

## Qualification

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13. In the time available, we have only done relatively limited research into these issues. Our understanding is that this is appropriate for your needs at this stage and that our approach has been consistent with the intent of the commission.
14. However, it is possible that with more thorough research and analysis we could uncover some issues that affect our advice. For example, the scope of the regulation-making power in the Medicines Act is a complex issue and it is possible that a more thorough analysis may affect our initial view that it the power is not broad enough to use here. If you do would like us to undertake a more extensive analysis of these issues, we would be happy to do so.

s 9(2)(a)



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Adam Jackson  
**Chief Advisor to the Chief Executive**  
Ministry for Regulation