



133 Molesworth Street  
PO Box 5013  
Wellington 6140  
New Zealand  
T+64 4 496 2000

27 May 2024

s 9(2)(a)

By email: s 9(2)(a)  
Ref: H2024040456

Tēnā koe Joanne

### **Response to your request for official information**

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health – Manatū Hauora (the Ministry) on 30 April 2024 for information regarding the recently appointed Pharmac board Chairperson. You requested:

*“Please provide copies of all briefings, papers, advice provided to any Minister (including the Associate Minister of Health David Seymour) and APH regarding the appointment of a new Chair for PHARMAC Board.”*

The Ministry supports Ministers and the Governor-General to make appointments to over 600 statutory health roles. We undertake a tailored approach for each recruitment depending on the requirements and needs of any particular role. Our general appointments process incorporates best practice guidance where possible and includes the following steps.

- Identifying vacancies, followed by advertising and/or seeking nominations.
- Assessment of candidates and preparation of advice for Ministers, including creating a shortlist of candidates alongside appointment recommendations.
- Consideration and selection of candidates by the appointing Minister.
- Completion of due diligence checks, including interviews amongst other checks.
- Consideration and noting of selected candidates by the Cabinet Appointments and Honours Committee (APH).
- Appointment by letter from the appointing Minister with public notification through the *New Zealand Gazette* or through a notice to the House.

Documents identified within scope of your request are itemised in Appendix 1, with copies enclosed. Where information is withheld under section 9 of the Act, I have considered the countervailing public interest in releasing information and consider that it does not outweigh the need to withhold at this time. Information deemed out of scope of your request has been excluded.

For completeness, the press release from the Associate Minister of Health (Pharmac), Hon David Seymour regarding Hon Paula Bennett’s appointment as a member and Chair of the Pharmac Board is publicly available here: [www.beehive.govt.nz/release/pharmac-chair-appointed](http://www.beehive.govt.nz/release/pharmac-chair-appointed).

You may also be interested to know that the Ministry is preparing the proactive release of a document regarding this appointment process. Once available, the document will be available to access via the following link: [www.health.govt.nz/about-ministry/information-releases/general-information-releases](http://www.health.govt.nz/about-ministry/information-releases/general-information-releases).

I trust this information fulfils your request. If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: [oiagr@health.govt.nz](mailto:oiagr@health.govt.nz).

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: [www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'S. Turner', is positioned above the typed name.

Sarah Turner  
**Deputy Director-General**  
**Government and Executive Services | Te Pou Whakatere Kāwanatanga**

## Appendix 1: List of documents for release

#	Date	Document details	Decision on release
1	18 January 2024	Extract for Hon David Seymour from the Minister of Health 18 January 2024 Weekly Report – statutory appointments overview	Released with some information withheld under section 9(2)(a) of the Act to protect the privacy of natural persons.  Information deemed out of scope of request has been excluded.
2	2 February 2024	Process briefing to appoint permanent Chair to Pharmac H2024034842	Refused in full under section 18(d) as information requested will soon be publicly available here: <a href="http://www.health.govt.nz/about-ministry/information-releases/release-ministerial-decision-making-documents">www.health.govt.nz/about-ministry/information-releases/release-ministerial-decision-making-documents</a>
3	15 March 2024	Pharmac Chair Candidate Selection Paper H2024037117	Some information withheld under the following sections of the Act: <ul style="list-style-type: none"> <li>• section 9(2)(a); and</li> <li>• section 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers and officers and employees of any public service agency.</li> </ul>
4	5 April 2024	Pharmac Chair Appointment (CBC cover briefing) H2024038110	Some information withheld under the following sections of the Act: <ul style="list-style-type: none"> <li>• section 9(2)(a); and</li> <li>• section 9(2)(g)(i) of the Act to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers and officers and employees of any public service agency.</li> </ul>
		Appendix A: APH memo, organisation form and candidate CV	
		Appendix B: Talking Points for APH	Released in full
		Appendix C: Letter of Appointment	
		Appendix D: Letter of thanks to Acting Chair	Some information withheld under section 9(2)(a) of the Act
		Appendix E: Letters of thanks to candidates	
		Appendix F: New Zealand Gazette notice	Refused in full under section 18(d) as information requested is publicly available here: <a href="http://gazette.govt.nz/notice/id/2024-go1958">gazette.govt.nz/notice/id/2024-go1958</a>

Extract from the 18 January 2024 Minister of Health Weekly Report

## 14.1 Hon David Seymour

### 14.1.1 Statutory Appointments Overview

This item provides you with an initial brief overview of what the statutory appointments process usually entails.

On 12 December 2023, the Minister of Health delegated the following statutory appointments to you as Associate Minister of Health (Pharmac):

- Pharmac
- Pharmacy Council
- Medicines Adverse Reactions Committee
- Medicines Assessment Advisory Committee
- Medicines Classification Committee
- Medicines Review Committee
- Psychoactive Substances Expert Advisory Committee
- End of Life Choice Review Committee.

The recruitment and appointments process for statutory health roles is robust to ensure that a range of appropriately skilled and qualified candidates are put forward for ministerial consideration. The standard process is outlined in the Public Service Commission - Te Kawa Mataaho *Board Appointment and Induction Guidelines*, and the key steps involve:

- providing you with advice on the current composition and skills of the relevant board, and seeking your input into the skills matrix and position profile to be used for recruitment
- recruitment of appropriate candidates, which includes opportunities for Ministers and ministerial colleagues to put forward nominees
- evaluation of candidates, including shortlisting
- ministerial confirmation of preferred candidates
- completion of due diligence checks
- preparation of papers for the Appointments and Honours (APH) Committee, including ministerial consultation
- consideration of appointments by APH and confirmation by Cabinet
- notification of appointees and publication of appointments in the New Zealand Gazette.

#### Out of scope



**Next steps**

The Ministry is well-placed to support you and your office through the statutory appointment process for the various entities within your portfolio. We will provide more detailed advice by the end of January 2024 on the process and timeframes to appoint a permanent Chair to the Pharmac Board. This advice will also seek your input into the proposed skills matrix for the Board and the Chair position description.

<b>Deputy Director-General</b>	Sarah Turner, Deputy Director-General, Government and Executive Services – Te Pou Whakaterere Kāwanatanga, <b>s 9(2)(a)</b>
--------------------------------	---

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

# Briefing

## Chair of Pharmac | Te Pātaka Whaioranga: Candidate Selection Paper

<b>Date due to MO:</b>	15 March 2024	<b>Action required by:</b>	22 March 2024
<b>Security level:</b>	IN CONFIDENCE	<b>Health Report number:</b>	H2024037117
<b>To:</b>	Hon David Seymour, Associate Minister of Health (Pharmac)		
<b>Consulted:</b>	Health New Zealand: <input type="checkbox"/> Māori Health Authority: <input type="checkbox"/>		

### Contact for telephone discussion

Name	Position	Telephone
<b>Sarah Turner</b>	Deputy Director-General, Government and Executive Services   Te Pou Whakaterere Kāwanatanga	§ 9(2)(a)
<b>Stasha Mason</b>	Manager, Statutory Appointments and Integrity Services, Government and Executive Services   Te Pou Whakaterere Kāwanatanga	§ 9(2)(a)

### Minister's office to complete:

- |   |                                    |  |
|---|------------------------------------|--|
| <input type="checkbox"/> Approved             | <input type="checkbox"/> Decline   | <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 |  |

Comment:

# Chair of Pharmac | Te Pātaka Whaioranga: Candidate Selection Paper

---

**Security level:** IN CONFIDENCE      **Date:** 15 March 2024

---

**To:** Hon David Seymour, Associate Minister of Health (Pharmac)

---

## Purpose of report

1. This report invites you to indicate your preferred candidate for appointment as Chair of the Board of Pharmac | Te Pātaka Whaioranga (the Board).

## Background

2. Pharmac was established under the New Zealand Public Health and Disability Act 2000, and is a Crown entity for the purpose of section 7 of the Crown Entities Act 2004 (the CE Act). Section 67(1) of the Pae Ora (Healthy Futures) Act 2022 (the Pae Ora Act) enables the continuation of Pharmac.
3. Pharmac's primary objective under section 68 of the Pae Ora Act is to secure for eligible people in need of pharmaceuticals, the best health outcomes that are reasonably achievable from pharmaceutical treatment and from within the amount of funding provided.
4. Pharmac Board members are involved in a wide range of governance activities. Their duties are set out in Section 69 of the Pae Ora Act and Section 14 of the CE Act, which includes requirements to act in good faith, with reasonable care, diligence and skill, and with honesty and integrity.
5. Section 73 of the Pae Ora Act states that the Board consists of up to 6 members appointed under section 28 of the CE Act. Members are appointed for terms of 3 years or any shorter term as specified in the notice of appointment.
6. At the end of their term, section 32(3) of the CE Act allows for members to continue in office until they are reappointed, replaced, or are informed by the responsible Minister that they will not be reappointed.
7. The current Board consists of 5 members including the Acting Chair, Dr Peter Bramley. There are 2 members, Dr Anthony Jordan and Talia Anderson-Town, whose terms will expire in December 2024.
8. The Ministry sought candidates for the Chair position by publicly advertising, and seeking nominations from the Ministry for Women | Manatū Wāhine, Ministry for Ethnic Communities, Ministry of Disabled People | Whaikaha, Ministry of Māori Development | Te Puni Kōkiri, and the Ministry for Pacific Peoples. A total of 6 applications were received.



## Comment

9. In 2021 – 2022 there was an independent review conducted by the Pharmac Review Committee, appointed by the Minister of Health. The review focussed on the following two areas.
- a. How well Pharmac performs against its current objectives and whether and how its performance against these could be improved.
  - b. Whether Pharmac's current objectives maximise its potential to improve health outcomes for all New Zealanders as part of the wider health system, and whether and how these objectives should be changed.
10. One of the key findings of the review highlighted the importance of communication and engagement with both health professionals and the wider community (especially those who are or should be prescribed medicines). It was noted in the final report that stakeholders were of the view that Pharmac was not meeting its obligations in this respect.
11. s 9(2)(g)(i)

## Board Chair requirements

12. A skills matrix for the current and proposed Board composition is attached at **Appendix B**. The role of the Chair is to provide leadership and direction to Pharmac and the Board, and to ensure the Board effectively governs Pharmac to deliver against legal requirements and ministerial expectations within the budget that has been made available to it.
13. The Board appoints and holds the Chief Executive to account and makes specific decisions for which it has statutory independence. The Board is also responsible for monitoring and reporting on Pharmac's performance and its use of funds, and is accountable to you, as the Associate Minister of Health (Pharmac), and Parliament.
14. In briefing H2024034842 you agreed to the following key skills and expertise requirements for the Chair role.
- a. Extensive chair level board governance experience in public sector and/or private sector entities (particularly ones with significant media profiles), including an understanding of public sector accountability and the role of a Crown entity, and demonstrated ability to lead robust decision-making processes.
  - b. Proven ability to drive meaningful and good faith engagement with stakeholder and consumer groups.
  - c. Significant financial governance expertise and understanding of the private sector market that Pharmac operates in given its role in purchasing pharmaceuticals.
  - d. Significant experience with government processes (including select committee processes, and proven experience in implementing government initiatives).
15. In addition to the key skills, other desirable expertise that it would be beneficial for the Chair to have includes the following.



- a. Knowledge of and/or experience with the health system.
- b. The ability to lead and govern significant organisational culture change.

## Next steps

16. The Ministry has provided recommended and shortlisted candidates at **Appendix A**.
17. To assist with your decision making, a skills matrix for the current and proposed Board composition is attached at **Appendix B**.
18. Full CVs for candidates are attached at **Appendix C**.
19. Candidates have already provided completed conflicts of interest declaration forms, which have been assessed by the Ministry. The Ministry has also undertaken online presence searches for all candidates.
20. Once you have selected your preferred candidate, an appropriate due diligence process (including Ministry of Justice criminal conviction check, qualification checks, interview, and referee checks) will be completed for your preferred candidate and Cabinet documentation prepared, provided no concerns are raised through these checks.
21. The table below sets out the next steps in the appointments process. Note that once you have selected your preferred candidate, we will provide you with an appointment paper for you to take to the Cabinet Appointments and Honours Committee.

Steps	Timing
You confirm your preferred candidates for appointment	By 22 March 2024
Background checks are completed on selected candidate and candidate is interviewed	Late March 2024 (within 2 weeks after confirmation of preferred candidate)
Ministry of Health provides APH paperwork	Early April 2024 (within 1 week after due diligence completed)
Ministerial consultation on the draft APH paper	Early April 2024 (2 weeks)
APH considers paper and minute is confirmed at the following Cabinet meeting	Late April 2024 (3 weeks after APH papers received by Minister's office)
Minister's office sends letter of appointment to successful candidate	Post Cabinet consideration
Ministry of Health informs unsuccessful candidates	Post Cabinet consideration
Induction of new member.	Within 1-2 weeks of appointment

## Recommendations

We recommend you:

a) **indicate** your preferred candidate for appointment as Chair to the Board of Pharmac at **Appendix A** **Yes/No**

**and/or**

b) **request** the Ministry to source further candidates for your consideration. **Yes/No**



Sarah Turner  
Deputy-Director General  
**Government and Executive Services | Te  
Pou Whakare Kāwanatanga**  
Date: 13 March 2024

Hon David Seymour  
**Associate Minister of Health (Pharmac)**  
Date:

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

## Appendix A: Candidate biographies and recommendations

- The Ministry received 6 applications for the Chair role.
- The Ministry has consulted with your office regarding key skills required for the Chair of the Board, and has assessed the candidates against these. All candidates are of a high calibre and could perform well in the Chair role.
- The Ministry recommends the appointment of Hon Paula Bennett as Chair as she has significant government, stakeholder management and governance experience, and has previous experience in leading significant reform and system changes within the public sector. Her skills and previous experience will be valuable to the Pharmac Board while the organisation works to engage more meaningfully with its stakeholders and the community, and to deliver on the Government's expectations.
- To assist in your decision-making process, information on the recommended and shortlisted candidates is provided below for your consideration.

### Candidate biographies

#### *Recommended candidate*

1. **Hon Paula Bennett** is a former Member of Parliament and senior Government Minister whose political career spanned 15 years. She has significant experience in governance, government process, financial governance, leading significant organisational and system change, and stakeholder engagement. She served as the Deputy Leader of the National Party from 2016 – 2020, and Deputy Prime Minister of New Zealand between 2016 – 2017. During her 9 years as a Cabinet Minister she held a range of portfolios including associate Finance, State Services, Social Housing, Police, Local Government, and Tourism. She chaired the Social Services Cabinet Committee and was a member of the Appointments and Honours, Foreign Policy and National Security, Economic Development, Strategy and Expenditure and Regulatory Review Cabinet Committees. As the Minister for Social Development, she led significant reforms to the national welfare system and was responsible for recommending appointments of many State service Chief Executives as the Minister of State Services. Hon Paula Bennett currently holds the position of National Director of Customer Engagement and Advisory at Bayleys Realty Group, where she leads engagement with select corporate, government, large developers, and private stakeholders.

#### *Shortlisted candidates*

2. s 9(2)(a)

3.

s 9(2)(a)

4.

5.

R

6.

s 9(2)(a)



**Candidate selection**

- Please indicate your preferred candidate for appointment as the Chair below. Alternatively, you may invite officials to source more candidates.

Candidate	Select for appointment	Length of term (years)	Source more candidates?
Hon Paula Bennett <b>(recommended candidate)</b>	<input checked="" type="radio"/> Yes / No	<input checked="" type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 <b>3 (recommended)</b>	<input checked="" type="radio"/> Yes / No
s 9(2)(a)	Yes / No	<input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3	Yes / No
s 9(2)(a)	Yes / No	<input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3	Yes / No
s 9(2)(a)	Yes / No	<input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3	Yes / No
s 9(2)(a)	Yes / No	<input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3	Yes / No

**Appendix B1: Skills matrix of current Board composition**

Pharmac Board		First Appointed	Term expiry
Current Members	VACANT (Chair)	N/A	N/A
	Dr Peter Bramley (Deputy Chair and current Acting Chair)	10 April 2023	9 April 2026
	Dr Anthony Jordan	4 Dec 2021	3 Dec 2024
	Dr Diana Siew	23 Mar 2022	22 Mar 2025
	Talia Anderson-Town	4 Dec 2021	3 Dec 2024
	Dr Margaret Wilsher	3 July 2023	2 July 2026

s 9(2)(g)(i) s 9(2)(a)

\*The assessment of these skills is based on member's senior governance-level experience rather than executive management experience in these areas.

RELEASED UNDER THE

Appendix B2: Skills matrix of Chair candidates

		First Appointed	Term expiry	Governance*	Finance*	Organisational culture change experience*	Leading reform and system changes*	Significant Government process experience*	Stakeholder/consu-mer group engagement*	Health system experience	Health professional	Business management	Other	Ethnicity	Iwi (if applicable)	Location	Gender	Age range
Chair Candidates	Hon Paula Bennett (recommended candidate)	s 9(2)(g)(i) s 9(2)(a)																
	s 9(2)(a)																	

\*The assessment of these skills is based on candidates' senior governance-level experience rather than executive management experience in these areas

RELEASED UNDER



# Briefing

## Pharmac | Te Pātaka Whaioranga: Chair Appointment

<b>Date due to MO:</b>	5 April 2024	<b>Action required by:</b>	9 April 2024
<b>Security level:</b>	IN CONFIDENCE	<b>Health Report number:</b>	H2024038110
<b>To:</b>	Hon David Seymour, Associate Minister of Health (Pharmac)		
<b>Consulted:</b>	Health New Zealand: <input type="checkbox"/> Māori Health Authority: <input type="checkbox"/>		

### Contact for telephone discussion

Name	Position	Telephone
<b>Sarah Turner</b>	Deputy Director-General, Government and Executive Services   Te Pou Whakaterere Kāwanatanga	s 9(2)(a)
<b>Stasha Mason</b>	Manager, Statutory Appointments and Integrity Services, Government and Executive Services   Te Pou Whakaterere Kāwanatanga	s 9(2)(a)

### Minister's office to complete:

- |   |                                    |  |
|---|------------------------------------|--|
| <input type="checkbox"/> Approved             | <input type="checkbox"/> Decline   | <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 |  |

Comment:

# Pharmac | Te Pātaka Whaioranga: Chair Appointment

---

**Security level:** IN CONFIDENCE

**Date:** 5 April 2024

---

**To:** Hon David Seymour, Associate Minister of Health (Pharmac)

---

## Purpose of report

1. This report provides the papers required for the Cabinet Appointments and Honours Committee (APH) to note the appointment of Hon Paula Bennett as Chair of the Board of Pharmac | Te Pātaka Whaioranga (Pharmac).

## Summary

2. In briefing H2024037117 you approved the appointment of Hon Paula Bennett as Chair of the Board of Pharmac (the Board) for a 3-year term
3. The Ministry of Health | Manatū Hauora (the Ministry) has completed all of its due diligence processes. s 9(2)(ba)(i) [REDACTED]  
[REDACTED] No other potential conflicts were identified, and no concerns were raised that would preclude her appointment.
4. This appointment is scheduled for consideration at the 30 April 2024 APH meeting.
5. The papers for APH and associated documents for the appointment are attached for your approval at **Appendix A**.
6. Talking points are attached at **Appendix B**.
7. A letter of appointment is attached for your approval and signature following Cabinet agreement at **Appendix C**.
8. A letter of thanks to the Acting Chair Dr Peter Bramley is attached for your approval and signature at **Appendix D**.
9. Letters of thanks to candidates s 9(2)(a) [REDACTED] are attached for your approval and signature at **Appendix E**.
10. A *New Zealand Gazette* notice is attached at **Appendix F** for your approval and signature.

## Next Steps

Steps	Timing
Ministerial consultation commences (two weeks)	9 April 2024
Minister's office lodges paper with Cabinet office	25 April 2024
Paper considered by APH	30 April 2024
Paper confirmed by Cabinet and minute published	6 May 2024

## Recommendations

We recommend you:

- a) **approve** the appointment papers for APH consideration at **Appendix A** **Yes/No**
- b) **note** that the papers at **Appendix A** will be lodged in time for the APH meeting on **30 April 2024**.

On noting your intent to APH and following confirmation by Cabinet:

- c) **sign and send** the letter of appointment at **Appendix C** **Yes/No**
- d) **sign and send** the letter of thanks to the Acting Chair Dr Bramley at **Appendix D** **Yes/No**
- e) **sign and send** the letters of thanks to candidates **s 9(2)(a)** at **Appendix E** **Yes/No**
- f) **sign** the *New Zealand Gazette* notice attached at **Appendix F** and return it to the Ministry for processing. **Yes/No**



Sarah Turner  
Deputy Director-General  
**Government and Executive Services |**  
**Te Pou Whakatere Kāwanatanga**  
Date: 5 April 2024

Hon David Seymour  
**Associate Minister of Health (Pharmac)**  
Date:

**Appendix A: APH memo, organisation form and candidate CV**

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

In Confidence

Office of the Associate Minister of Health (Pharmac)  
Chair, Cabinet Appointments and Honours Committee

## PHARMAC | TE PĀTAKA WHAIORANGA: CHAIR APPOINTMENT

### Proposal

- 1 This paper outlines my intention to appoint Hon Paula Bennett as a member and Chair of the Board of Pharmac | Te Pātaka Whaioranga (the Board) for a three-year term of office commencing on 13 May 2024 and ending on 12 May 2027.

### Background

- 2 Pharmac was established under the New Zealand Public Health and Disability Act 2000 and is a Crown entity for the purpose of section 7 of the Crown Entities Act 2004 (the CE Act). Section 67 of the Pae Ora (Healthy Futures) Act 2022 (the Pae Ora Act) enables the continuation of Pharmac.
- 3 Pharmac's primary objective under section 68 of the Pae Ora Act is to secure for eligible people in need of pharmaceuticals, the best health outcomes that are reasonably achievable from pharmaceutical treatment and from within the amount of funding provided.
- 4 Board members are involved in a wide range of governance activities. The entity's functions are set out in section 14 of the CE Act and section 69 of the Pae Ora Act, which includes maintaining and managing a pharmaceutical schedule along with related incidental matters, engaging in research to meet its objectives, and promoting the responsible use of pharmaceuticals.
- 5 Pursuant to sections 54 to 56 of the CE Act, members have a duty to act in good faith, and with honesty, integrity, reasonable care, diligence and skill.
- 6 Section 73 of the Pae Ora Act states that the Board consists of up to six members appointed under section 28 of the CE Act.
- 7 Board member appointments are made to help ensure a good balance of skills, experience, and diversity on the Board. Members are appointed for terms of three years, or any shorter term as specified in the notice of appointment.
- 8 The current Board consists of five members including the Acting Chair.

### Comment

- 9 I intend to appoint **Hon Paula Bennett** as a member and Chair of the Board. She is a former Member of Parliament and senior Government Minister whose political career spanned 15 years. She has significant experience in governance, government process, financial governance, leading significant organisational and system change, and stakeholder engagement. She served as the Deputy Leader of the National Party from 2016 to 2020, and Deputy Prime Minister of New Zealand from 2016 to 2017.

During her nine years as a Cabinet Minister, she held a range of portfolios including associate Finance, State Services, Social Housing, Police, Local Government, and Tourism. She chaired the Social Services Cabinet Committee and was a member of the Appointments and Honours, Foreign Policy and National Security, Economic Development, Strategy and Expenditure, and Regulatory Review Cabinet Committees. As the Minister for Social Development, she led significant reforms to the national welfare system and was responsible for recommending appointments of many State service Chief Executives as the Minister of State Services. Hon Paula Bennett currently holds the position of National Director of Customer Engagement and Advisory at Bayleys Realty Group, where she leads engagement with select corporate, government, large developers, and private stakeholders.

### Representativeness of appointment

- 10 This appointment will result in the Board having two European (New Zealand European) members, three Māori members, and one Asian (Chinese) member; four female and two male members; and five members residing in the North Island and one member residing in the South Island.
- 11 I am satisfied that the appointment of Hon Paula Bennett will provide for a well-balanced Board in terms of ethnicity, gender, age and an appropriate mix of skills and experience.

### Remuneration

- 12 Fees consistent with the Cabinet Office Circular CO (22) 2, *Revised Fees Framework for members appointed to bodies in which the Crown has an interest* are payable to Pharmac Board members and the Chair. Pharmac is a Level 3, Group 3a body and fees have been determined at \$48,000 per year for the Chair. Fees are met from the existing Pharmac budget.

### Appointment process and consultation

- 13 I can confirm that an appropriate process has been followed in selecting the proposed appointee, in accordance with Public Service Commission | Te Kawa Mataaho *Board Appointment and Induction Guidelines*.
- 14 In summary, that process comprised public advertising, calls for nominations, appropriate review of candidate CVs against the key skills identified, interviewing the preferred candidate, referee and Ministry of Justice conviction checks, and other due diligence checks.

### Conflicts of interest

- 15 I can confirm that appropriate enquiries concerning conflicts of interest have been carried out in accordance with the *Board Appointment and Induction Guidelines* to identify any potential conflict of interest that can reasonably be identified.

16 s 9(2)(ba)(i)

- 17 No other potential conflicts of interest that would preclude this appointment were identified.

## **Communications**

- 18 This appointment will be published in the *New Zealand Gazette*, and may be announced via a media release once the appointee has accepted their appointment.

## **Recommendation**

- 19 It is recommended the Committee notes my intention to appoint Hon Paula Bennett as a member and Chair of the Board of Pharmac | Te Pātaka Whaioranga for a three-year term commencing on 13 May 2024 and ending on 12 May 2027.

Authorised for lodgement

Hon David Seymour  
**Associate Minister of Health (Pharmac)**

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



# APH Organisation Form

## Organisation and Responsible Portfolio

Pharmac | Te Pātaka Whaioranga – Health

## Brief Outline of the Functions and Responsibilities of the Organisation

Pharmac is specified as a Crown agent in the Crown Entities Act 2004. It was established by the New Zealand Public Health and Disability Act 2000 and its continuation enabled by section 67 of the Pae Ora (Healthy Futures) Act 2022 (Pae Ora Act).

Pharmac’s primary objective under section 68 of the Pae Ora Act is to secure for eligible people in need of pharmaceuticals, the best health outcomes that are reasonably achievable from pharmaceutical treatment and from within the amount of funding provided.

## Current Membership

Name	Gender Identity	Region	Ethnicities (and Iwi if applicable)	Date of original appointment	Expiry date of present term
Vacant (Chair)					
Dr Peter Bramley (Deputy Chair)	s 9(2)(a)			10 April 2023	9 April 2026
Dr Anthony Jordan				4 December 2021	3 December 2024
Dr Diana Siew				23 March 2022	22 March 2025
Talia Anderson-Town				4 December 2021	3 December 2024
Dr Margaret Wilsher					3 July 2023

## Candidate CV Form

<b>Name</b>	HON BENNETT, Paula
-------------	--------------------

### The Position

<b>Organisation/Entity</b>	Pharmac   Te Pātaka Whaioranga
<b>Position</b>	Board member and Chair
<b>Term</b>	Three-year term of office commencing on 13 May 2024 ending on 12 May 2027
<b>Payment</b>	\$48,000 per year

### How the Candidate Meets the Needs of the Position

<b>Skills and attributes the candidate will bring to the position</b>	Hon Paula Bennett is a former Member of Parliament and senior Government Minister whose political career spanned 15 years. She has significant experience in governance, government process, financial governance, leading significant organisational and system change, and stakeholder engagement. She served as the Deputy Leader of the National Party from 2016 to 2020, and Deputy Prime Minister of New Zealand from 2016 to 2017. During her nine years as a Cabinet Minister she held a range of portfolios including associate Finance, State Services, Social Housing, Police, Local Government, and Tourism. She chaired the Social Services Cabinet Committee and was a member of the Appointments and Honours, Foreign Policy and National Security, Economic Development, Strategy and Expenditure and Regulatory Review Cabinet Committees. As the Minister for Social Development, she led significant reforms to the national welfare system and was responsible for recommending appointments of many State service Chief Executives as the Minister of State Services. Hon Paula Bennett currently holds the position of National Director of Customer Engagement and Advisory at Bayleys Realty Group, where she leads engagement with select corporate, government, large developers, and private stakeholders.
<b>Possible conflicts of interest</b>	No conflicts of interest have been identified that would preclude this appointment. s 9(2)(ba)(i) [REDACTED]
<b>Proposals for conflict management</b>	Any conflicts of interest will be managed in accordance with the Board's conflict of interest procedures and the provisions set out in the Crown Entities Act 2004.

The Candidate

<b>Name</b>	HON BENNETT, Paula
<b>Address</b>	s 9(2)(a)
<b>Ethnicity(s)</b>	
<b>Age range</b>	
<b>Gender</b>	
<b>Current or most recent Employment</b>	2020 – present, National Director, Customer Engagement and Advisory <u>Bayleys Real Estate Limited</u>
<b>Government board appointments held</b>	N/A
<b>Private and/or voluntary sector board appointments held</b>	2023 – present, Board member <u>The New Zealand Green Building Council (NZGBC)</u>
<b>Qualifications and experience</b>	<p><b>Experience</b></p> <p>2016 – 2017, Deputy Prime Minister 2008 – 2017, Cabinet Minister <u>New Zealand Parliament</u></p> <p>Present, Ambassador <u>Graeme Dingle Foundation</u></p> <p>2020 – present, Self employed <u>What About Lunch Limited</u></p> <p>2005 – 2020, Member of Parliament <u>New Zealand Parliament</u></p> <p>1999 – 2005, Auckland Manager <u>Chandler McLeod Recruitment</u></p> <p><b>Education</b></p> <p>1997, Bachelor of Arts (Social Policy) <u>Massey University</u></p>

Date: 05/04/2024

## Appendix B: Talking points for APH

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

# Talking Points

## PHARMAC | TE PĀTAKA WHAIORANGA: CHAIR APPOINTMENT

- I recommend the Committee notes my intention to appoint the Honourable Paula Bennett as a member and Chair of the Board of Pharmac for a three-year term commencing on 13 May 2024 and ending on 12 May 2027.
- She is a former Member of Parliament and senior Government Minister whose political career spanned 15 years. She has significant experience in governance, government process, financial governance, leading significant organisational and system change, and stakeholder engagement. She served as the Deputy Leader of the National Party from 2016 to 2020 and Deputy Prime Minister between 2016 to 2017. During her nine years as a Cabinet Minister she held a range of portfolios including associate Finance, State Services, Social Housing, Police, Local Government, and Tourism. Currently, she holds the position of National Director of Customer Engagement and Advisory at Bayleys Realty Group, where she leads engagement with select corporate, government, large developers, and private stakeholders.
- This appointment will result in the Board having two New Zealand European members, three Māori members, and one Chinese member; four female and two male members; and five members residing in the North Island and one member residing in the South Island.
- I am satisfied that the appointment of the Honourable Paula Bennett will contribute to a well-balanced board in terms of ethnicity, gender, age, and an appropriate mix of skills and experience.
- An appropriate appointment process has been followed, which was in line with the Public Service Commission's *Board Appointment and Induction Guidelines*.
- Appropriate enquiries concerning conflicts of interest have been carried out.  
s 9(2)(ba)(i) [REDACTED]  
s 9(2)(ba)(i) [REDACTED].
- No other conflicts were identified by the Honourable Paula Bennett or the Ministry of Health which would preclude her appointment.

## Appendix C: Letter of appointment

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



Hon Paula Bennett  
Paula.Bennett@bayleys.co.nz

Dear Paula

## Appointment as a member and Chair of the Board of Pharmac | Te Pātaka Whaioranga

Thank you for your interest in being appointed as a member of the Board of Pharmac | Te Pātaka Whaioranga (the Board).

I hereby appoint you as a member and Chair of the Board under section 73 of the Pae Ora (Healthy Futures) Act 2022, and section 28(1)(a) and clause 1(1) of Schedule 5 of the Crown Entities Act 2004 for a three-year term. Your term of appointment will commence on 13 May 2024 and end on 12 May 2027.

The Board has an important role to uphold public service principles and values. Board members are bound by the Code of Conduct for Crown Entity Board Members (the Code) issued under the Public Service Act 2020. Consistent application of the Code is critical to ensure Boards, and Board members, conduct themselves in a way that maintains public trust and confidence. The Code can be found on Public Service Commission | Te Kawa Mataaho website ([www.publicservice.govt.nz](http://www.publicservice.govt.nz)).

My specific expectations of you in this role are set out in the Terms and Conditions and the roles and responsibilities documents attached to this letter.

Please formally acknowledge your appointment by signing the attached form, scanning and emailing this to [appointments@health.govt.nz](mailto:appointments@health.govt.nz).

Thank you again and let me be the first to congratulate you on your appointment.

Kind regards,

Hon David Seymour  
*For Minister of Health*

cc Sarah Fitt, Chief Executive, Pharmac  
[sarah.fitt@pharmac.govt.nz](mailto:sarah.fitt@pharmac.govt.nz)

Statutory Appointments and Integrity Services, Ministry of Health  
[appointments@health.govt.nz](mailto:appointments@health.govt.nz)



## **ATTACHMENT: TERMS AND CONDITIONS OF APPOINTMENT**

I am pleased to appoint you as a member and Chair of the Board of Pharmac, and look forward to working with you to improve the health and wellbeing of New Zealanders.

I have received your consent to being a member and Chair of the Board, your declaration that you are not disqualified from these positions and your declaration as to your interests.

These terms and conditions may be varied by me, as the responsible Minister, at any time during the period of your appointment. It is important that you read this attachment carefully and in its entirety, and retain it for future reference.

### **Performance expectations**

As the Chair of Pharmac, you are directly accountable to me, as the responsible Minister, for Pharmac's performance. I expect you to deliver on the Government's expectations set out in the letter of appointment, and on any specific expectations that I may advise you of in relation to your particular entity.

### **'No surprises'**

The 'no surprises' policy is a critical component of maintaining ministerial trust and confidence in Pharmac. To this end, I require early warning of any issues before they arise, both to the Ministry of Health and, when appropriate, to my office.

A 'no surprises' way of working is not intended to interfere with your independent functions or the Board's operational responsibilities. Rather, it covers circumstances where it is prudent for Pharmac to disclose to me issues that may require a ministerial response, are possibly considered contentious, or which attract wide public interest (be it positive or negative). Open and effective communication between the Board, Ministry of Health and the responsible Minister is vital to building strong relationships, while maintaining clear lines of accountability.

### **Statutory basis for appointment**

Your appointment as a member is made pursuant to section 73 of the Pae Ora (Healthy Futures) Act 2022 (the Pae Ora Act) and section 28(1)(a) of the Crown Entities Act 2004 (the CE Act). Your appointment as Chair is made pursuant to clause 1(1) of Schedule 5 to the CE Act.

This appointment does not create any contract of service or contract for services between you and me as Minister, or between you and Pharmac. Reappointment at the completion of your current term is not automatic, nor should it be expected. Reappointments are only made after a careful consideration of the performance of Pharmac and the particular skills and experience needed by the Board going forward.

You may resign as Chair, without resigning as a member, at any time by written notice to the responsible Minister. Your resignation letter must state the date on which the resignation takes effect and be copied to the Board (clause 3, Schedule 5, CE Act). You may resign as a member at any time by written notice to the responsible Minister, signed by you, with a copy to Pharmac. The resignation is effective on receipt of the notice by the responsible Minister, or at any later specified time (section 44, CE Act).

Your services as a member or as Chair may be terminated by the responsible Minister at any time during the period of your appointment. In the case of your membership, this may be done at any time during the period of your appointment (section 36, CE Act), and with as little formality and technicality, and as much expedition, as is permitted by the principles of

natural justice and a proper consideration of the matter (section 41, CE Act). In the case of your role as Chair, such removal may be done after consultation with you, and afterwards by written notice to you and Pharmac (clause 4(1), Schedule 5, CE Act).

You are not entitled to any compensation or other payment or benefit relating to your ceasing, for any reason, to hold office (section 43, CE Act).

### **Expectations of the Board**

New Zealanders have high expectations in relation to the healthcare they receive. They want hospital services they can rely on. They want a smarter public health system that provides maximum value for each tax dollar.

These expectations, and the challenging fiscal environment New Zealand continues to face, reinforce the need to ensure the different parts of the health system are working in unison. I expect Pharmac to think as part of the system and work in co-operation and co-ordination with the Ministry of Health, and other Crown entities and agencies.

I expect the Board to maintain a high level of public confidence in the services it delivers. The Board is expected to find an appropriate balance in the provision and purchase of services at all necessary levels. Services also need to represent good value-for-money and be delivered in a timely manner.

It is my strong expectation that the Board operates within its allocated funding. This is particularly important given that we operate in a resource-constrained environment. You continue to have operational flexibility to re-prioritise efforts and costs internally to achieve Pharmac's objectives.

### **Role of the Chair**

The Pharmac Chair is directly accountable to me for the performance of Pharmac. I require the Pharmac Chair to:

- provide effective leadership and direction to the Board, consistent with my expectations
- ensure the effective accountability and governance of Pharmac, consistent with requirements in the Pae Ora Act, the CE Act and other relevant legislation
- ensure that the Board's governance practices and risk management policies are continually reviewed and updated to reflect current best practice
- provide the necessary guidance and support to Board members to ensure that they contribute effectively to the governance of Pharmac (with particular regard to the induction and mentoring of new members), and to Pharmac's Chief Executive and their senior management team as appropriate (to ensure Pharmac is managed effectively)
- ensure a process is in place to undertake a regular (preferably annual) performance review of the Board as a whole, as well as of the Chair and members individually
- maintain an ongoing review of the Board's membership profile and that of its committees, with regard to the skills needed for Pharmac's successful governance and succession to Chair, Deputy Chair and member roles
- develop and maintain sound relationships with the responsible Minister, other Health Ministers (as required), Minister's offices, the Ministry of Health, fellow health Crown entity Chairs and other stakeholders, and actively observe the 'no surprises' policy described above.
- All Board members are also expected to conduct themselves in line with the Code of Conduct for Crown Entity Board Members (the Code) issued under the Public Services

Act 2020. Consistent application of the Code is critical to ensure that public trust and confidence in entities can be maintained. The Code can be found on Public Service Commission | Te Kawa Mataaho website ([www.publicservice.govt.nz](http://www.publicservice.govt.nz)).

### **Relevant legislation and duties**

You must ensure that you are familiar with both the CE Act and Pae Ora Act. In particular, I draw your attention to sections 25-26 and 49-60 of the CE Act. These provisions describe the Board's role, members' accountability to myself and the collective and individual duties of Board members.

It is also important that you read and understand Schedule 5 to the CE Act. This schedule details Board procedure. You must keep yourself fully familiar with the duties and obligations of your position at all times. At present, these duties require members to:

- comply with the Pae Ora Act and the CE Act
- act with honesty and integrity
- act in good faith and not at the expense of Pharmac's interests
- act with reasonable care, diligence and skill
- not disclose information gained in their capacity as a member (see also the 'Conflicts of interest' section below).

(sections 53-57, CE Act)

In addition, the Board is also subject to several collective duties. Under these, the Board must ensure that Pharmac:

- acts consistently with its objectives, functions, current Statement of Intent and Output Agreement
- performs its functions efficiently and effectively and in a manner consistent with the spirit of service to the public
- operates in a financially sustainable manner (ie, that it prudently manages its assets and liabilities, and endeavours to ensure its long-term financial viability and that it acts as a successful going concern).

(sections 49-51, CE Act)

### **Conflicts of interest and the duty not to disclose information**

I draw your attention to the disclosure of interest provisions in section 62 of the CE Act. It is important for all members, and particularly the Chair, to have a thorough working knowledge of these provisions.

You must ensure that any relevant change in your circumstances is entered into the Board's interest register as soon as practicable after the change occurs. Should you become interested in any transaction of Pharmac in the future, you must disclose the details of the interest as soon as is practicable and in accordance with section 64, CE Act.

In undertaking the appointment process for this role, I also expect you to have fully evaluated the extent of your conflicts of interest (if any) and considered how you intend to manage them in a legal, ethical and good practice sense. It is important that any conflicts of interest you may have are not so great that they compromise the confidence placed in you, or prevent you from making an effective contribution to the Board.

It is absolutely essential that conflicts of interest are appropriately declared and managed. Simply declaring a conflict of interest in itself does not amount to the effective and appropriate management of that conflict. I expect you to ensure an environment exists around the Board table where conflicts of interest can be discussed and managed both transparently and effectively. Failing to manage conflicts of interest in this way reduces New Zealanders' trust and confidence in the health system. This is unacceptable to me as the responsible Minister.

Conflicts of interest (either real or perceived) can be exacerbated by the inappropriate use of information. A member who wrongly uses or discloses information, that they have access to through their position on the Board, jeopardises my confidence in the Board and ultimately the confidence of the public. As outlined earlier, the duty not to disclose information is one of the individual duties owed by members (section 57, CE Act). Members who fail to comply with their duties may be removed from office.

### **Indemnity**

There is an exclusion of liability provision in section 121 of the CE Act that applies to you where you have acted in good faith and with reasonable care in pursuance of your duties as a board member. To the extent that you consider it necessary in light of section 121, you should make your own arrangements for professional indemnity insurance to cover your work as a member of the Board.

### **Remuneration and time commitment**

The fee payable to you as Chair is \$48,000 per annum, payment of which will be arranged through the office of Pharmac's Chief Executive. Taxation matters depend on your personal circumstances. Inland Revenue's general article 21/01 provides guidance on fees paid to a member of a board.

You are also entitled to be reimbursed by Pharmac for actual and reasonable travelling and other expenses incurred while carrying out your duties (section 48, CE Act). Such reimbursement is to be in accordance with the Cabinet-approved Fees Framework (Cabinet Office Circular CO (22) 2, *Revised Fees Framework for Members Appointed to Bodies in which the Crown has an Interest*).

All public sector employees appointed to statutory and other public bodies must be able to do their primary job unhindered and without detriment to the public interest. They must not be double paid for their job and their membership of a body covered by the Framework.

For those it applies to and their employers should be aware of the principles in the Public Servants on Boards Guidance when considering fees. Where there are out of pocket expenses such as airfares or accommodation, these should be reimbursed to the employee on the same basis as for other members of the board.

# Pharmac | Te Pātaka Whaioranga

## Chair – Roles and Responsibilities

As at April 2024

### About Pharmac

Pharmac | Te Pātaka Whaioranga (Pharmac) was established to ensure for eligible people in need of pharmaceuticals, the best health outcomes that are reasonably achievable from pharmaceutical treatment from within the amount of funding provided.

### Pharmac as a Crown entity

Pharmac was established under the New Zealand Public Health and Disability Act 2000, and is a Crown entity for the purposes of section 7 of the Crown Entities Act 2004 (the CE Act). It is classified as a Crown agent in Schedule 1 of the CE Act. Section 67 of the [Pae Ora \(Healthy Futures\) Act 2022](#) (the Pae Ora Act) enables the continuation of Pharmac.

The Crown Entities Act provides a framework for Crown entity governance and accountability, including responsibilities of board members, disclosure of interests, and the role of Ministers. It is available online: [Crown Entities Act 2004](#)

The Minister of Health or their delegate, in this case the Associate Minister of Health (Pharmac), is the responsible Minister for Pharmac. Under the CE Act, the responsible Minister has powers in relation to all entities on matters of strategic direction, indicators, funding, performance, reporting and reviews.

### Pharmac Board

Under section 73 of the Pae Ora Act, the Board of Pharmac (the Board) consists of up to 6 members appointed under section 28 of the CE Act.

The Board is involved in a wide range of governance activities. The entity's functions are set out in section 14 of the CE Act and section 69 of the Pae Ora Act, which includes maintaining and managing a pharmaceutical schedule along with related incidental matters, engaging in research to meet its objectives, and promoting the responsible use of pharmaceuticals.

Pursuant to sections 54-56 of the CE Act, members have a duty to act in good faith, and with honesty, integrity, reasonable care, diligence and skill.

Further information on Pharmac and the Board can be found on its website: [Pharmac Board](#)

### Role of the Chair

Board members are subject to the collective and individual duties of members set out in sections 49-57 the CE Act.

The Chair of the Board is directly accountable to the Associate Minister of Health (Pharmac) for the performance of Pharmac. The Chair role requires:

- providing effective leadership and direction to the Board, consistent with the responsible Minister's expectations

- ensuring the effective accountability and governance of Pharmac, consistent with requirements in the Pae Ora Act, the CE Act, and other relevant legislation
- ensuring that the Board's governance practices and risk management policies are continually reviewed and updated to reflect current best practice
- providing the necessary guidance and support to Board members to ensure that they contribute effectively to the governance of Pharmac (with particular regard to the induction and mentoring of new members), and to Pharmac's Chief Executive and their senior management team as appropriate (to ensure Pharmac is managed effectively)
- ensuring a process is in place to undertake a regular (preferably annual) performance review of the Board as a whole, as well as of the Chair and members individually
- maintaining an ongoing review of the Board's membership profile and that of its committees, with regard to the skills needed for Pharmac's successful governance and succession to Chair, Deputy Chair and member roles
- developing and maintaining sound relationships with the responsible Minister, other Health Ministers (as required), Minister's offices, the Ministry of Health, fellow health Crown entity Chairs and other stakeholders, and actively observing the 'no surprises' policy.

Board members are bound by the *Code of Conduct for Crown Entity Board Members* issued under the [Public Service Act 2020](#). The Code of Conduct can be found on Public Service Commission | Te Kawa Mataaho website: [PSC Code of Conduct](#)

### **Specific skills and attributes relevant to the Chair of Pharmac**

The key skills and attributes of the Chair include:

- extensive chair level board governance experience in public sector and/or private sector entities, including an understanding of public sector accountability and the role of a Crown entity, and demonstrated ability to lead robust decision-making processes
- proven ability to drive meaningful and good faith engagement with stakeholder and consumer groups
- significant financial governance expertise and understanding of the private sector market that Pharmac operates in given its role in purchasing pharmaceuticals
- significant experience with government processes.

In addition to these key skills, other desirable expertise that would be beneficial for the Chair to have include:

- knowledge of and/or experience with the health system
- the ability to lead and govern significant organisational culture change.

### **Term of appointment**

The term of appointment of a member may be for up to 3 years or any shorter period as determined by the responsible Minister.

Section 32(3) of the CE Act states that a member continues in office despite the expiry of their term, until either reappointed, or a successor is appointed, or the member is informed in



writing by the responsible Minister that they are not to be reappointed and that no successor is to be appointed at that time.

While there is provision for reappointment, there should be no expectation that a member will be offered a subsequent term of office on the expiry of their term.

## **Remuneration**

Actual and reasonable travel and other expenses incurred in the performance of the role will be paid in accordance with Cabinet Office Circular [CO \(22\) 2: Revised Fees Framework for members appointed to bodies in which the Crown has an interest](#).

The current remuneration for the Chair of Pharmac is \$48,000 per annum.

All public service employees (including those employed by a Crown entity) appointed to statutory and other public bodies must be able to do their primary job unhindered and without detriment to the public interest. They will not be double paid for their job and their membership of a body covered by the Fees Framework.

Board members who are public service employees, and their employers, are expected to be familiar with the provisions in the Fees Framework. Where there are other actual and reasonable expenses such as airfares or accommodation, these will be reimbursed on the same basis as for other members.

The Board will meet as often as is necessary to carry out its role. Board members are expected to attend and participate regularly in meetings consistent with general fiduciary standards and the governance requirements under the CE Act 2004.

## **Criteria for appointment**

Under section 29 of the CE Act, a responsible Minister:

- may only appoint a person who, in the responsible Minister's opinion, has the appropriate knowledge, skills, and experience to assist the statutory entity to achieve its objectives and perform its functions
- subject to the above, in making an appointment, must consider the desirability of promoting diversity in the membership of Crown entities.

The following people are disqualified from being a member under section 30 of the CE Act:

- a person who is an undischarged bankrupt
- a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, or the Financial Markets Conduct Act 2013, or the Takeovers Act 1993
- a person who is subject to a property order under the Protection of Personal and Property Rights Act 1988 (PPPR Act)
- a person in respect of whom a personal order has been made under the PPPR Act that reflects adversely on the person's competence to manage his or her own affairs in relation to his or her property; or capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care and welfare
- a person who has been convicted of an offence punishable by imprisonment for a term of two years or more, or who has been sentenced to imprisonment for any other offence, unless that person has obtained a pardon, served the sentence, or otherwise suffered the penalty imposed on the person

- a member of Parliament
- a person disqualified under another Act.

### **Appointment process**

The process for an appointment to the Board of Pharmac consists of the following stages.

- Recruitment. Upon application, candidates will be required to complete and sign a conflict of interest and Privacy Act 2020 declaration. This also includes commentary on how the candidates intend to manage any conflicts of interest identified if they are successful in their application.
- Evaluation and shortlisting of candidates.
- Detailed background checks, which will include:
  - Ministry of Justice criminal record checks
  - verification of education/qualifications on publicly available registers
  - public profile and online presence and social media checks
  - conflict of interest checks
  - disqualified or banned directors on the Companies Register checks
  - referee checks.
- Candidate interview(s).
- Minister selection of the candidate who they consider best meets the needs of the Board, and consultation with their ministerial colleagues as appropriate.
- Consideration of the appointment by the Cabinet Appointments and Honours (APH) Committee and Cabinet
- Letter of appointment sent to the successful candidate.
- Public notification of appointment.

### **Disclosure of interest**

Section 31 of the CE Act requires that before a person is appointed as a member of a Crown entity, the person must:

- consent in writing to being a member
- certify that they are not disqualified from being a member under section 30(2) of the Act; and
- disclose to the responsible Minister the nature and extent (including monetary value, if quantifiable) of all interests that the person has at that time, or is likely to have, in matters relating to the entity.

As part of the appointment process, candidates are required to complete a disclosure form (the conflict of interest and Privacy Act 2020 declaration noted above). This form meets the requirements set out above, and the information that is disclosed by candidates enables the responsible Minister to know the relevant interests and any conflicts that a person may have in relation to an appointment to an entity. The information is used to assess whether a candidate would be able to contribute effectively to the entity's affairs, and where conflicts are identified, to ensure that these can be managed appropriately.



## MEMORANDUM

To: Stasha Mason  
Manager, Statutory Appointments and Integrity Services  
Ministry of Health | Manatū Hauora  
PO Box 5013  
WELLINGTON 6140

Email: appointments@health.govt.nz

Subject: **Appointment as Chair to the Board of Pharmac | Te Pātaka Whaioranga**

From: Hon Paula Bennett

---

1. I acknowledge my appointment as member and Chair of the Board of Pharmac | Te Pātaka Whaioranga pursuant to section 73 of the Pae Ora (Healthy Futures) Act 2022, and section 28(1)(a) and clause 1(1) of Schedule 5 of the Crown Entities Act 2004, for a three-year term commencing on 13 May 2024 and ending on 12 May 2027.
2. I have read, understand, and agree to abide by the Code of Conduct for Crown Entity Board Members issued under the Public Service Act 2020.
3. I have read, understand, and accept the terms and conditions of my appointment.

---

Signed

---

Date

## Appendix D: Letter of thanks to Acting Chair

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

# Hon David Seymour



MP for Epsom

Deputy Prime Minister (from 31 May 2025)

Minister for Regulation

Associate Minister of Education (Partnership Schools)

Associate Minister of Finance

Associate Minister of Health (Pharmac)

Dr Peter Bramley

s 9(2)(a)

Dear Dr Bramley

I am writing to give my thanks to you for acting as Chair of the Board of Pharmac | Te Pātaka Whaioranga (the Board). s 9(2)(a)

s 9(2)(a)

You have provided valuable leadership throughout your time on the Board, and your willingness to act as Chair while the process to appoint a permanent Chair was undertaken is much appreciated.

Your work has supported Pharmac to continue to contribute meaningfully to the health system and to the health of New Zealanders. On behalf of the Government, I extend my sincere appreciation for your service to date.

Once again, thank you for your contribution as Acting Chair. I wish you all the very best for the remainder of your time on the Board.

Kind regards,

Hon David Seymour

**Associate Minister of Health (Pharmac)**

cc Statutory Appointments and Integrity Services, Ministry of Health  
appointments@health.govt.nz

## Appendix E: Letters of thanks to candidates

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

# Hon David Seymour

MP for Epsom

Deputy Prime Minister (from 31 May 2025)

Minister for Regulation

Associate Minister of Education (Partnership Schools)

Associate Minister of Finance

Associate Minister of Health (Pharmac)



s 9(2)(a)

Thank you for your interest and application for the Chair role on the Board of Pharmac | Te Pātaka Whaioranga (the Board). The appointment of a Chair to the Board was recently finalised, and in this instance your application was not successful.

However, I wanted to reach out directly to thank you, and let you know that I was very impressed with your application. I would also like to let you know that the Ministry of Health | Manatū Hauora will be opening recruitment for member roles for the Board in the coming months. I strongly encourage you to apply when recruitment commences if you are interested.

Kind regards,

Hon David Seymour  
**Associate Minister of Health (Pharmac)**

cc Statutory Appointments and Integrity Services, Ministry of Health  
appointments@health.govt.nz

# Hon David Seymour

MP for Epsom

Deputy Prime Minister (from 31 May 2025)

Minister for Regulation

Associate Minister of Education (Partnership Schools)

Associate Minister of Finance

Associate Minister of Health (Pharmac)



s 9(2)(a)

Thank you for your interest and application for Chair role on the Board of Pharmac | Te Pātaka Whaioranga (the Board). The appointment of a Chair to the Board was recently finalised, and in this instance your application was not successful.

However, I wanted to reach out directly to thank you, and let you know that was very impressed with your application. I would also like to let you know that the Ministry of Health | Manatū Hauora will be opening recruitment for member roles for the Board in the coming months. I strongly encourage you to apply when recruitment commences if you are interested.

Kind regards,

Hon David Seymour  
**Associate Minister of Health (Pharmac)**

cc Statutory Appointments and Integrity Services, Ministry of Health  
appointments@health.govt.nz

**Appendix F: *New Zealand Gazette* notice**

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

## Minister's Notes

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982