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Thank you for your email of 16 December 2025, in which you request the following under the Official Information Act 1982 (OIA):

"The Institute is in the process of preparing a third edition of COVID-19 Nation Dates. As part of our research into New Zealand's position on the WHO Pandemic Treaty, we came across the term 'National Interest Test' (said by Foreign Minister RT Hon Winston Peters here).

Can you please answer the following questions:

Q1: Is a 'National Interest Test' a type of formal test undertaken by the New Zealand Government? If yes, please provide more detail on what the test is and when it has been applied in the past? Note: We are aware of the term being used in respect of the upcoming bill that relates to overseas investment (see here), but could not find any other mention in broader public policy.

Q2: Please describe what this would entail for the Treaty, in particular:

- 1. Who is responsible for conducting this test of the Treaty,*
- 2. When is the test expected to be completed against the Treaty,*
- 3. What characteristics/principles/experts will be consulted on this test?*
- 4. Whether the public will be consulted on the test?*
- 5. Whether the results of the National Interest Test would be made public when finalised?."*

We have interpreted 'National Interest Test' as referring to the National Interest Analysis. This is a formal test completed in accordance with New Zealand's treaty making process.

Response to your request

Your request is refused under section 18(d) of the OIA because the information requested is publicly available via the links provided below.

Regarding questions 1 and 2.1 of your request. Who is responsible for conducting a National Interest Analysis in relation to the WHO Pandemic Treaty is set out in the Cabinet Paper titled, 'Negotiating Mandate for Amendments to the International Health

Regulations 2005 and the Pandemic Treaty', which can be found on the Ministry of Foreign Affairs and Trade (the Ministry) website at: www.mfat.govt.nz/en/media-and-resources/negotiating-mandate-for-the-amendments-to-the-international-health-regulations-2005-and-the-pandemic-treaty.

Please note, on 19 February 2024, Cabinet noted that any decision to be bound by the Pandemic Treaty would be subject to the full treaty making process including Cabinet approval, a National Interest Analysis, and Parliamentary Treaty Examination.

The remaining questions in your request are addressed in the Parliamentary Standing Orders and the Cabinet Manual. The criteria for the National Interest Analysis are available in Standing Order 406:

www.parliament.nz/en/pb/parliamentary-rules/standing-orders-2020-by-chapter/chapter-7-non-legislative-procedures/.

It can also be found in the Cabinet Manual (sections 7.130 and 7.131):

www.dpmc.govt.nz/our-business-units/cabinet-office/supporting-work-cabinet/cabinet-manual.

Further information on the drafting of a National Interest Analysis is available in New Zealand's International Treaty Making Guide:

www.mfat.govt.nz/assets/About-us-Corporate/Treaties-Model-instruments/International-Treaty-Making-Guide-2021.pdf.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website:

www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/.

If you have any questions about this decision, you can contact us by email at:

DM-ESD@mfat.govt.nz. You have the right to seek an investigation and review by the Ombudsman of this decision by contacting www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Sarah Corbett
for Secretary of Foreign Affairs and Trade