Global Center for Good Governance in Tobacco Control

STOP. A GLOBAL TOBACCO INDUSTRY WATCHDOG

New Zealand

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SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

Between March 2023 and March 2025, several smokefree policy changes in New Zealand appeared to align with the tobacco industry (TI)'s priorities or rhetoric. Most notably, the coalition government's repeal of the tobacco endgame measures in the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act (SERPA) in early 2024 was supported by arguments consistent with the TI's opposition to the measures and contrary to the advice of health officials.

2. Industry CSR Activities

The New Zealand government did not endorse corporate social responsibility (CSR) activities, provide support, or form partnerships with the TI.

3. Benefits to the Industry

In 2024, the government cut the excise tax on heated tobacco products (HTPs) by 50 percent and set aside a contingency fund to cover the reduction. This went against Ministry of Health and Treasury advice that there was no evidence to support HTPs as smoking cessation tools and that Philip Morris New Zealand (PMNZ), the sole supplier of HTPs in the country, would likely be the biggest beneficiary.

4. Unnecessary Interaction

Significant examples of unnecessary interactions occurred during this period. Most notably, a lobbyist for PMNZ was pictured at the swearing-in event of the new government.

5. Transparency

The Ministry of Health and New Zealand Customs Service publish records of their meetings with the TI on their websites, although minutes and outcomes are not included, and there is evidence that these agencies under-report meetings. Other government departments do not disclose such interactions at all. Engagement between public officials and the TI is guided only by general conflict of interest rules.

6. Conflict of Interest

There is no legislation specifically prohibiting the TI from donating to political parties, candidates, campaigns, or lobbyists, although contributors and donations over a certain amount must be declared. An examination of donation records has not revealed any contributions from the TI.

A large number of connections between the TI and current government officials were identified, including between the current Associate Health Minister responsible for tobacco policy and a lobby group that has received TI funding.

7. Preventive Measures

The Ministry of Health and New Zealand Customs Service report meetings with the TI on their websites, although minutes and outcomes are not published. There is some evidence that these agencies under-report meetings. Other government agencies do not report meetings at all. Interaction between public officials and the TI is governed only by general conflict of interest guidelines.

There is no comprehensive set of rules to guide public officials in their interactions with the TI. Nor is there a specific policy prohibiting financial contributions from the TI to political parties, although such interactions are covered by broader anti-corruption regulation.

The Ministry of Health publishes annual tobacco returns filed by manufacturers and importers, and financial statements are required to be declared publicly under company law. However, the government does not ensure that the public has access to a wide range of information on TI activities. The TI is not required to provide information on marketing, lobbying, philanthropy, political contributions, or other activities. Nor does the government have a systematic strategy for raising awareness within government departments on policies relating to Article 5.3 of the WHO FCTC.

RECOMMENDATIONS

1. Implement a whole-of-government program to increase awareness of and compliance with Article 5.3 of the WHO FCTC across all departments and agencies, supported by robust monitoring and public reporting.
2. Increase transparency by collecting and publishing TI data on revenue, political donations, profits, taxes, marketing expenditure, philanthropy, research, and CSR in a single public repository such as the Ministry of Health website. Publish all communications between the TI and government agencies.
3. Prohibit any government department or government-funded agency from participating in activities that constitute, or could reasonably be assumed to constitute, a CSR initiative of the TI or its associates.
4. Create a government-wide register of lobbyists with a legal requirement for all tobacco companies, affiliated organisations, and individuals acting on their behalf to register before undertaking any lobbying.
5. Update the code of conduct for all public officials, in line with Article 5.3 of the WHO FCTC, prescribing standards for interactions with the TI. This includes the Standards of Integrity and Conduct issued by the State Services Commissioner under the State Sector Act 1988, section 57. Departments should ensure all state employees understand these obligations when they commence public service employment.