

Our Ref DOIA 23-034

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2 September 2022

██████████  
██████████@businessdesk.co.nz

Dear ██████████

**Response to your official information request**

Thank you for your official information request received on 15 August 2022 for a copy of:

|  |  |
|--|--|
| 201410049 Qinq Ye / 201410050 GMP Pharmaceuticals Ltd                                  | relevant assessment report and compliance letters  |
| 201520049 Elviti Finance Ltd   | relevant assessment report and compliance letters  |
| 201900270 Metlifecare Ltd  | <ul style="list-style-type: none"> <li>• relevant assessment report and compliance letters</li> <li>• application to vary milestone conditions</li> <li>• assessment report relating to this</li> <li>• any other documents which prove Metlifecare have so far complied with extended timeframes</li> </ul> |
| Case 202100783 - NZ Healthcare Bidco Limited   | relevant assessment report   |
| Case 202100807 - Mercury Medical Holdings Limited                                      | relevant assessment report   |
| Case 202100727 - I-MED New Zealand Bidco Limited                                       | relevant assessment report   |
| Case 202100733 - ICG Asia Pacific Fund IV SF (No.1) SCSp                               | relevant assessment report   |
| Case 202000458 - NZ Healthcare Investments Limited                                     | relevant assessment report   |
| Case 201900631 - Adams NZ Bidco Limited, 2719970 Ontario Limited                       | relevant assessment report   |
| Case 201810210 - Aspen Pharmacare Holdings Limited                                     | relevant assessment report   |
| Case 201810128 - InterOperability Bidco, Inc. and Healthier Populations Holdco Limited | relevant assessment report   |
| Case 201620106 - Mercury Medical Holdings Limited                                      | relevant assessment report   |

and our tranche one response of 16 August 2022.

We are now able to release the second tranche of documents being the assessment reports for Cases:

- Case 201620106 - Mercury Medical Holdings Limited
- Case 201810128 - InterOperability Bidco, Inc. and Healthier Populations Holdco Limited
- Case 202100727 - I-MED New Zealand Bidco Limited

which are released in part with some information withheld under sections 9(2)(a) - to protect personal privacy and/or 9(2)(b)(ii) - where the release would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

We are of the view that the withholding of the information is not outweighed by other considerations which render it desirable in the public interest to make that information available.

In relation to the assessment report for Case 201810128 the applicant has requested that we advise you of a factual inaccuracy in paragraphs 18-22 of Appendix 3 of the report. They advise:

*This text is incorrect. The applicant never had an equity interest in Concordia, but did own a legacy business which was sold to a party who merged it with an existing business that combined business being sold Concordia (i.e the applicant and its legacy business has at least two steps removed from Concordia) and that the following amended text ensures factual accuracy:*

*" 18. HgCapital LLP (HgCapital) was a previous owner of Mercury Pharma, a business acquired by Concordia, a pharmaceutical company that is presently being investigated by the UK Competition and Markets Authority regarding monopolistic behaviour which resulted in the price of a thyroid drug being increased by 6000%.*

*19. The Applicants informed us that Mercury Pharma was a business which HgCapital invested in from 2009 until 2012 when it stopped investing in the healthcare sector. The Applicants stated that HgCapital no longer has a healthcare investment team."*

Also, in relation to paragraphs 24-26 of Appendix 3 of the report the applicant has advised:

*That the "investigation" referred to is plainly irrelevant, given that the applicant did not proceed with the takeover (and there was no formal adverse finding from the regulators).*

*The text in the report has the potential to create some misunderstandings as to relevance of the issues reported.*

If you wish to discuss this decision with us, please feel free to contact Pete Hill.

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, this response letter outlining our decision on your request, **with your personal details withheld**, and any attached documentation will be published on the Toitū Te Whenua Land Information New Zealand's website. This is likely to be published late September/early October

Yours sincerely



Pete Hill  
Principal Advisor  
Ministerial Support and Official Correspondence

Proactive Release