



EXECUTIVE COUNCIL CHAMBERS

3 February 2022

Luke
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Ref: OIA-2021/22-0822

Dear Luke

Official Information Act request: Plans in the event of the Queen's death

Thank you for your Official Information Act request received on 12 January 2022. You requested:

- "1. Please release any plans that New Zealand has in marking the death of the Queen of New Zealand.*
- 2. Does New Zealand intend to create, or further review its plans in the future? Assuming the Queen remains healthy."*

I understand the New Zealand Defence Force and Ministry for Culture and Heritage have received similar requests for information on this subject from you.

In New Zealand, preparations for the transition period in the event of the Monarch's passing are the responsibility of the Cabinet Office under my role as the Clerk of the Executive Council. Preparations are ongoing, and the subject of regular review.

Summary of planned response

The following is a summary of the planned response to the death of Her Majesty Queen Elizabeth II. It covers established constitutional, legal and ceremonial matters.

Notification

One of the Cabinet Office's first responsibilities will be verifying the accuracy of any notification or reporting of Her Majesty's death, and informing the Governor-General and the Prime Minister. Established communication channels between Buckingham Palace and the New Zealand government will be used for notification and verification.

The Cabinet Office will notify key agencies in order that they can put their own agency plans into operation.

Succession

Succession is automatic. On the death of the Queen, the person first in line to the Throne will immediately and automatically become Sovereign in accordance with the laws of

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succession, and therefore Head of State of New Zealand. At present, this means His Royal Highness The Prince of Wales will become King of New Zealand. There is no interregnum, and no formal actions required to confirm the new Sovereign.

In New Zealand law, the Constitution Act 1986 provides that on the death of the Sovereign, all the functions and powers of the Crown transfer to the Sovereign's successor. The death of the Queen has no other effects in New Zealand law, and every reference to the Sovereign in any document or instrument in force is read to include a reference to the Sovereign's heirs and successors (unless the context otherwise requires) - *Constitution Act 1986, section 5*.

Marking the death of the Queen of New Zealand

An important part of New Zealand's response to the death of the Queen will be creating opportunities for New Zealanders to pay their respects to Her Majesty, and participate in memorial events and other traditional mourning observances, if they wish.

Decisions on events and protocols following the death of the Queen will be made by the Prime Minister of the day, but current planning includes the elements set out below.

The Governor-General's [website](#) will be the main source of information for the public about events in New Zealand. It will be updated regularly over the period.

Flags

Clause 4 of the New Zealand Flag Notice 1986 provides that in the case of the death of the Sovereign, the New Zealand flag will be flown at half-mast from the announcement of the death up to and including the day of the funeral, except on Proclamation Day. That is the day that the new Sovereign is announced officially (see further below), when flags are to be flown from the top of the mast.

Current planning is that flags will be flown at half-mast beyond the day of the funeral in the United Kingdom, until after the New Zealand State Memorial Service.

Proclamation Ceremony

There is likely to be a ceremony to proclaim the accession of the new King, held a day or two after the Queen's death.

In 1952 a proclamation was read aloud on the steps of Parliament by the then Governor-General, in the presence of the Acting Prime Minister and a "concourse" of citizens. The proclamation was published in the [New Zealand Gazette](#)

As noted above, flags will be flown from the top of the mast on that day.

Period of national mourning

A period of national mourning starts immediately following the announcement of the Queen's death and will continue until after the New Zealand State Memorial Service. Condolence books will likely be opened at Parliament and the National Library, as they were following the death of HRH The Duke of Edinburgh, and by local councils around the country. There will be gun salutes as appropriate. Places will be designated for members of the public to leave flowers.

State Memorial

There will be a State Memorial Service, likely to be held at the Wellington Cathedral of St Paul's. The service will be held after the funeral service in the United Kingdom. Decisions on the content of the service will be a matter for the Prime Minister of the day.

Other information

I am withholding other information captured by your request under the following grounds of the Act:

- section 6(a), where the making available of the information would be likely to prejudice the international relations of the Government of New Zealand;
- section 9(2)(ba)(ii), where the withholding of the information is necessary to protect information which is subject to an obligation of confidence where the making available of the information would be likely otherwise to damage the public interest;
- section 9(2)(f)(i), where the withholding of the information is necessary to maintain the constitutional conventions for the time being which protect the confidentiality of communications by or with the Sovereign or her representative; and
- section 9(2)(g)(i), where the withholding of the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

We do not intend to publish this response on the Department of the Prime Minister and Cabinet's website.

Yours sincerely



Michael Webster
Clerk of the Executive Council