



EXECUTIVE COUNCIL CHAMBERS

9 August 2023

S Smith
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Ref: OIA-2022/23-1033

Tēnā koe S Smith

Official Information Act request: [Smith] Communications/advice regarding creating a personal flag for the King and a new Seal of NZ

Thank you for your Official Information Act request received on 20 June 2023. You requested:

"I wish to receive any communications or advice around the following:

- 1. The creation or issuance of a personal flag for the King, and 2. The creation of a new Seal of New Zealand following the death of Queen Elizabeth II"*

Following the death of the Queen, the Cabinet Office released a Cabinet Office Circular *Death of The Queen: Information* (CO (22) 1), a copy of which is enclosed. Cabinet Office advice about the Seal of New Zealand and the Queen's personal flag for New Zealand appears at paragraph 13 of that circular:

State Emblems

The demise of the Crown has no impact on the New Zealand Coat of Arms, the New Zealand Flag, or the Seal of New Zealand (the latter of which will be replaced in due course and established by Proclamation). The Queen's personal flag for New Zealand will cease to be used. New Zealand currency stamps and New Zealand Royal Honours will remain unchanged for the time being.

Further advice is set out on the Governor-General's website at <https://gg.govt.nz/office-governor-general/death-her-majesty-queen/what-does-death-queen-mean-new-zealand>:

Is there any impact on our flag or coat of arms with a new King?

The New Zealand Flag will not change. The Queen's personal flag for New Zealand will no longer be used. It will be up to the King to decide whether to adopt a personal flag for New Zealand. The current coat of arms will continue unchanged.

Will there be any changes to state emblems?

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No changes need to be made to the New Zealand Coat of Arms, New Zealand flag or the Seal of New Zealand.

Section 3(3) of the Seal of New Zealand Act 1977 provides:

'The Seal of New Zealand in being at the time of the death of the Sovereign shall continue and be made use of until provision for a new Seal of New Zealand is made by Proclamation'.

The Seal of New Zealand remains valid and continues to be used following the death of the Queen. In due course it will be replaced, and a new Seal established by proclamation.

Please find attached documents and communications which fall within scope of your request. I have decided to withhold a document in full and some information from the attached under the following sections of the Act:

- section 9(2)(a), to protect the privacy of individuals.
- section 9(2)(ba)(i), to protect information which is subject to an obligation of confidence, where the making available of the information would likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.
- 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 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.

Nāku noa, nā



Rachel Hayward
Clerk of the Executive Council