



CABINET OFFICE

16 May 2023

Requestor
fyi-request-22664-178ccbc2@requests.fyi.org.nz

Ref: OIA-2022/23-0870

Tēnā koe Requestor

Official Information Act request: Questions regarding constitutional arrangements following the demise of the Crown

Thank you for your Official Information Act request received on 3 May 2023. You requested:

"[...] 1. Are the Queen's Justices/Judges now referred to as the King's Justices/Judges?"

2. Have Executive Council, Ministries, Departments and Agencies made adjustments reflecting the aforesaid points? eg. 'His Majesty the King in right of New Zealand'

3. Is the Executive Council, Ministries, Departments and Agencies still in the practice of using references to 'The Queen...', or the like, in any of its business undertakings, activities, acts or transactions, both within and outside New Zealand?

4. If 'yes' to any of the activities listed at no. 3 hereinabove, what are those activities and what entity name is being used?"

Section 5 of 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 Sovereign 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). Actions taken by or in name of Queen Elizabeth II remain valid. Actions taken or to be taken by or in the name of the Sovereign after Queen Elizabeth II's death now need to refer to King Charles III.

More information regarding changes to references to the Sovereign following the death of Queen Elizabeth II are available in Cabinet Office circular CO (22) 1 which is publicly

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DEPARTMENT OF THE PRIME MINISTER AND CABINET

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available through the following link: <https://www.dPMC.govt.nz/sites/default/files/2022-09/co-22-1-death-of-the-queen.pdf>.

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
Secretary of Cabinet