

Hon Barbara Edmonds, Minister of Internal Affairs

Proactive release of Cabinet papers and associated documents related to the Royal Commission of Inquiry into COVID-19 Lessons extension of time.

16 October 2023

The following documents have been proactively released:

Cabinet paper: Royal Commission of Inquiry into COVID-19 Lessons – Extension of Time, 17 August 2023

Cabinet paper: Royal Commission of Inquiry into COVID-19 Lessons Amendment Order 2023, 31 August 2023

Cabinet Minute of Decision: GOV-23-MIN-0041, 17 August 2023

Cabinet Minute of Decision: CAB-23-MIN-0388, 21 August 2023

Cabinet Minute of Decision: LEG-23-MIN-0183, 31 August 2023

Cabinet Minute of Decision: CAB-23-MIN-0418, 4 September 2023

Some parts of this information would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act). Where this is the case, the relevant sections of the Act that would apply have been identified.

Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to Redaction Codes:

- 9(2)(f)(iv) – release would contradict the constitutional conventions which protect the confidentiality of advice given by Ministers and public service employees.
- 18(d) – the information requested is publicly available.

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[In Confidence]

Office of the Minister of Internal Affairs

Chair, Cabinet Government Administration and Expenditure Review Committee

Royal Commission of Inquiry into COVID-19 Lessons – Extension of Time

Proposal

- 1 This paper seeks agreement to extend the final reporting date for the Royal Commission of Inquiry into COVID-19 Lessons (the Royal Commission), and to the corresponding financial implications.

Relation to government priorities

- 2 This paper relates to the COVID-19 pandemic response and ensuring our preparedness for any future pandemics. It also contributes to the broader priority of laying the foundations for the future.

Executive Summary

- 3 On 5 December 2022, Cabinet agreed to the Royal Commission's terms of reference. The purpose of the Royal Commission is to strengthen Aotearoa New Zealand's preparedness for, and response to, any future pandemic by identifying those lessons learned from New Zealand's response to COVID-19 that should be applied in preparation for any future pandemic. The Royal Commission is currently required to deliver a report with recommendations by 26 June 2024.
- 4 In May 2023, the Royal Commission requested a five-month extension to its reporting deadline and sought additional funding of \$3.902 million to cover the proposed extension. Due to the current economic and fiscal environments, the Royal Commission was asked to revise its extension request. It is now proposing a three-month extension and a final reporting date of 30 September 2024. The additional funding of \$1.300 million associated with the extension will be made available through reprioritisation within the 2023/24 Vote Internal Affairs baselines.
- 5 The Royal Commission's extension request is driven by its preference to carry out an optimal engagement process. The timing of the pre-election period, during which the Royal Commission intends to exercise care and caution in relation to any engagement activities, limits its ability to carry out such a process.
- 6 I seek agreement to extend the date by which the Royal Commission must deliver its final report from 26 June 2024 to 30 September 2024. This three-month extension will enable the Royal Commission to conduct an inclusive and equitable engagement process and develop recommendations that will better prepare New Zealand for a future pandemic.
- 7 The Department of Internal Affairs (the Department) has committed to identifying reprioritisation opportunities of \$1.300 million within Vote Internal Affairs 2023/24

baselines. Accordingly, to cover these costs related to the Royal Commission's proposed extension to its final reporting deadline, I seek authorisation for the Minister of Internal Affairs, the Minister of Finance and any other applicable appropriation Minister(s) to make final reprioritisation decisions and approve associated fiscally neutral appropriation changes across Vote Internal Affairs and the fiscal forecast period of \$1.300 million.

- 8 9(2)(f)(iv) [REDACTED]
- 9 This paper also seeks agreement to provide an exemption from the Publicity expenses provisions of CO (18) 2 *Proposals with Financial Implications and Financial Authorities* to enable the Royal Commission to make autonomous decisions regarding its advertising expenditure without recourse to Cabinet or Ministers.
- 10 I seek agreement for the Parliamentary Counsel Office (PCO) to draft an Amendment Order to give effect to the proposed extension, which only affects the date of the final report. No other changes to the Royal Commission's terms of reference are required. I also seek agreement to authorise the Attorney-General and the Minister of Internal Affairs to have Power to Act to authorise the submission to the Executive Council of the Amendment Order in Council once it has been finalised by PCO.

Background

- 11 On 5 December 2022, Cabinet agreed to the Royal Commission's terms of reference, and to appoint Professor Antony Blakely as the Chair, and Hon Hekia Parata and John Whitehead as members. It also agreed to provide \$15.470 million in funding to cover the costs of the Royal Commission [CAB-22-MIN-0552 refers].
- 12 The purpose of the Royal Commission is to strengthen Aotearoa New Zealand's preparedness for, and response to, any future pandemic by identifying those lessons learned from New Zealand's response to COVID-19 that should be applied in preparation for any future pandemic. The Royal Commission is currently required to deliver a report with recommendations by 26 June 2024.
- 13 On 5 December 2022, Cabinet noted that DPMC proposed to establish and host an all-of-government coordination team for the duration of the Royal Commission [CAB-22-MIN-0552]. Cabinet agreed to fund the all-of-government coordination team from unspent funding from the COVID-19 All of Government Response appropriation within Vote Prime Minister and Cabinet for 2022/23 and 2023/24.

The Royal Commission has requested an extension to its final reporting date

- 14 In May 2023, the Royal Commission requested a five-month extension to its reporting deadline and sought additional funding of \$3.902 million to cover the proposed extension. Due to the current economic and fiscal environments, the Royal Commission was asked to revise its extension request. It is now proposing a three-month extension and a final reporting date of 30 September 2024. The additional

funding of \$1.300 million associated with the extension will be made available through reprioritisation within 2023/24 Vote Internal Affairs baselines.

- 15 The Royal Commission's original extension request was largely based on what it considered to be an optimal engagement process and the limitations on that process posed by the timing of the pre-election period, and then the summer holiday period. While the duration of the proposed extension has been scaled back, an additional three-months will enable the Royal Commission to conduct a more robust engagement process than its current final reporting timeframe would allow.
- 16 The Royal Commission's preference is to exercise a cautious engagement approach during the pre-election period. The timing of the pre-election period, and the summer period following it, would likely only give the Royal Commission four to six weeks prior to Christmas to effectively seek wide public input. This poses a significant risk to its ability to capture the breadth and depth of the lessons to be learned from our experience of COVID-19 and then present robust recommendations that will best prepare New Zealand for a future pandemic.
- 17 The Royal Commission considers that a three-month extension will enable it to:
 - 17.1 build public trust and acceptance for its recommendations through a more inclusive and equitable engagement process;
 - 17.2 engage with groups and communities to capture lessons that would be missed by limiting its inquiry to existing and/or written information; and
 - 17.3 improve the quality of its recommendations, which will enable New Zealand to be better prepared ahead of a future pandemic.
- 18 To fully understand the complex impact of the pandemic on our social and economic wellbeing, and accordingly, the lessons to be learned, the Royal Commission rightly considers that there is a need to engage authentically with a wide range of groups and communities. The Royal Commission does not intend to hold 'town-hall' style meetings or public events – meetings would be by invitation only. The engagement will be targeted and constructive, with specific communities, stakeholders and groups, particularly for those whose voices were likely least heard during the pandemic. These include:
 - 18.1 people most affected by the pandemic and those least likely to be heard, such as the most vulnerable groups, essential workers, disabled people, children and young people, who may prefer to engage through methods other than a formal written submission process;
 - 18.2 rural communities, which will be best engaged with in their local areas, to ensure the lessons the Inquiry is capturing are not limited to the voices of those able to travel to Wellington;

- 18.3 Iwi, Māori, Pacific communities, and ethnic communities, who will engage more effectively in person about their experience of the pandemic, a process that takes time if carried out appropriately; and
- 18.4 people, communities and businesses operators, with whom it will be important to test findings, to ensure recommendations are appropriately and pragmatically designed.
- 19 The Royal Commission acknowledges that it is neither possible nor necessary for everyone in New Zealand to be consulted. However, its firm view is that everyone needs to feel that 'someone like them' has had the opportunity to be heard.
- 20 The Royal Commission's terms of reference are silent on the matter of public engagement. It is for the Royal Commission to determine its approach to public engagement, based on what it considers necessary to gather information or views that will inform its recommendations, within the parameters of the Inquiries Act 2013 and its terms of reference. I note that the latter does specify a timeframe for when those recommendations must be delivered.
- 21 The Royal Commission acknowledges that it could deliver a final report that meets its terms of reference by June 2024. However, its strong preference is to deliver an outcome that best meets the intentions of its terms of reference and better prepares New Zealand for the next pandemic. A three-month extension will enable the Royal Commission to do that.

I seek agreement to extend the Royal Commission's reporting timeframe

- 22 There will be future pandemics, and it is a matter of public importance that New Zealand is prepared for them. I support the rationale behind the Royal Commission's extension request. On balance, the benefits of a three-month extension, as outlined above, outweigh the short delay in enabling the Government to commence consideration of how it needs to prepare for a future pandemic.
- 23 There can only be uncertainty about when the next pandemic might strike, and there are good reasons to ensure our preparation can progress with a sense of relative urgency. In the context of this extension request, the question arises as to whether it is better to be prepared sooner or to be better prepared by enabling a short extension to develop the most optimal report and recommendations possible.
- 24 My view is that stronger weighting should be given to the option that will result in the Government's receipt of more robust recommendations. I therefore seek agreement to extend the date by which the Royal Commission must deliver its final report from 26 June 2024 to 30 September 2024.

Financial Implications

- 25 As noted above, on 5 December 2022, Cabinet agreed \$15.470 million funding to cover the costs of the Royal Commission [CAB-22-MIN-0552 refers]. This amount supports costs associated with members' fees and a secretariat, as well as legal,

administrative support and other operating costs. However, it does not include any costs that agencies might incur during their engagement with, or response to, the Royal Commission, or for the all-of-government coordination team hosted by DPMC.

- 26 The Royal Commission's request for an extension at this stage of its inquiry presents a rare case; normally such requests come later when insurmountable or significant challenges to delivering on the terms of reference become apparent. However, the timing of the Royal Commission's request demonstrates robust planning and a proactive approach to enable an optimal outcome. It also provides Cabinet with options, whereas extension requests during the latter stages of a statutory inquiry may constrain consideration of more than one viable option.
- 27 Cabinet has previously agreed that statutory inquiries were an all of government responsibility and should be adequately funded [CAB-18-MIN-0352 refers]. Cabinet has also previously agreed that statutory inquiries should not compromise other functions [CAB-18-MIN-0352 refers].
- 28 The Department does not have standing baseline funding to support active statutory inquiries. In addition, the Department operates in a fiscally constrained environment and faces significant cost pressures in 2023/24 and outyears. However, given the current economic and fiscal environments, I agreed that the Department should carefully assess reprioritisation options. As the lead government agency for statutory inquiries, the Department will identify reprioritisation of \$1.300 million from within the Vote Internal Affairs 2023/24 baselines.
- 29 Subject to decisions, this would bring the total funding allocated to the Royal Commission to \$16.770 million. The table below sets out a summary of the forecast costs for the Royal Commission based on a 30 September 2024 final reporting date.

Table 1: The Royal Commission's forecast cost summary for the proposed extension


Cost category	Original Forecast cost (\$ million) to June 2024	Revised Forecast cost (\$ million) to September 2024	Change (\$ million)
Secretariat Personnel	6.741	7.793	1.052
Operating & Support	6.058	7.103	1.045
Legal Counsel	0.500	0.511	0.011
Commissioner Fees	2.171	1.363	(0.808)
TOTAL	15.470	16.770	1.300

- 30 At present, the Department is still to confirm from which appropriation(s) and portfolio(s) the reprioritisation may come. Accordingly, to cover the costs of the Royal Commission's proposed extension to its final reporting deadline, I seek authorisation for the Minister of Internal Affairs, the Minister of Finance and any other applicable appropriation Minister(s) to make final reprioritisation decisions

and approve associated fiscally neutral appropriation changes across Vote Internal Affairs and across the fiscal forecast period of up to \$1.300 million.

- 31 The Royal Commission's ability to plan its work programme and engagement activities will be adversely impacted if there is any further delay to decisions about its final reporting deadline. In particular, a further delay would pose a significant risk to the Royal Commission's proposed approach of carrying out an inclusive and equitable engagement process, in order to develop more robust recommendations and better prepare New Zealand for a future pandemic.

DPMC's all-of-government coordination function

- 32 Cabinet agreed to fund the all-of-government coordination team, hosted by DPMC, from unspent funding from the COVID-19 All of Government Response appropriation within Vote Prime Minister and Cabinet for 2022/23 and 2023/24. ^{9(2)(f)(iv)}
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Approval for the Royal Commission's forecast publicity budget

- 33 The Royal Commission's proposed approach includes a programme of direct engagement with a large number of organisations and communities of interest. This is designed to increase the likelihood that the Royal Commission can consider the experiences of communities who might not otherwise engage with the inquiry. This will be complemented by a broad, public input process – primarily through digital submission – to allow people to share their experiences.
- 34 A modest public awareness campaign using key media (such as social media and radio, but not television), and a targeted presence in the community will alert people to the opportunity and encourage them to have their say. The media component of this work includes forecast expenditure of up to \$0.500 million.
- 35 Cabinet Office Circular (CO (18) 2) regarding financial authorities requires the appropriate Minister's approval for publicity expenses in excess of \$150,000. However, I am proposing to follow the approach that was agreed for the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions, as part of its establishment process in November 2018 [CAB-18-MIN-0572.01 refers].
- 36 Accordingly, I seek agreement to provide an exemption from the Publicity expenses provisions of CO (18) 2 *Proposals with Financial Implications and Financial Authorities* to enable the Royal Commission to make autonomous decisions regarding its advertising expenditure without recourse to Cabinet or Ministers.
- 37 The Royal Commission has advised that any information communicated through mainstream or social media will have a direct call to action and would occur after the general election on 14 October 2023.

Legislative Implications: drafting and submission of Amendment Order

- 38 Subject to Cabinet decisions, an Amendment Order is required to give effect to the proposed extension to the Royal Commission's final reporting date. I seek agreement for PCO to draft an Amendment Order to extend the date by which the Royal Commission must deliver its final report from 26 June 2024 to 30 September 2024. As noted above, the proposed extension only affects the date of the final report. No other changes to the terms of reference are required.
- 39 I also seek agreement to authorise the Attorney-General and the Minister of Internal Affairs to have Power to Act to authorise the submission to the Executive Council of an Amendment Order in Council extending the Royal Commission's final reporting date, once that Amendment Order in Council has been finalised by PCO.
- 40 As the Amendment Order will only deal with a change to the Royal Commission's final reporting date, I consider there to be no risks with the Amendment Order complying with:
- 40.1 the principles of the Treaty of Waitangi;
 - 40.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990; and the Human Rights Act 1993;
 - 40.3 the principles and guidelines set out in the Privacy Act 1993; and relevant international standards and obligations; and
 - 40.4 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 41 Similarly, I consider there to be no risks that there would be any grounds on which the Amendment Order should be drawn to the attention of the House of Representatives under Standing Order 327 'Drawing attention to regulation'.

Impact Analysis

- 42 The impact analysis requirements do not apply for this paper as it does not propose anything that involves the potential introduction of new legislation or changes to or the repeal of existing legislation.

Population Implications

- 43 The Royal Commission's terms of reference include consideration of the interests of Māori in the context of a pandemic, consistent with the Te Tiriti relationship; and the impact on, and differential support for, essential workers and populations and communities that may be disproportionately impacted by a pandemic.

Human Rights

- 44 The proposals in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Consultation

- 45 The following departments were consulted: Ministry of Business, Innovation and Employment; Department of Corrections; New Zealand Customs Service; Ministry of Defence; New Zealand Defence Force; Ministry of Education; National Emergency Management Agency; Ministry for Ethnic Communities; Ministry of Foreign Affairs and Trade; Ministry of Health; Ministry of Justice; Office for Māori Crown Relations: Te Arawhiti; Ministry for Pacific Peoples; New Zealand Police; Ministry for Primary Industries; the Department of the Prime Minister and Cabinet; Public Service Commission; Ministry of Social Development; Ministry of Transport; Whaikaha – Ministry of Disabled People; Ministry for Women; and the Treasury. Crown Law Office and Parliamentary Counsel Office were also consulted.

Communications

- 46 Subject to decisions, I intend to issue a media statement about the extension to the Royal Commission's final reporting date.

Proactive Release

- 47 I intend to proactively release this paper within 30 business days, subject to redaction as appropriate under the Official Information Act 1982.

Recommendations

The Minister of Internal Affairs recommends that the Cabinet Government Administration and Expenditure Review Committee:

Background

- 1 **note** that, on 5 December 2022, Cabinet agreed:
- 1.1 to the terms of reference for the Royal Commission;
 - 1.2 that the purpose of the Royal Commission is to strengthen Aotearoa New Zealand's preparedness for, and response to, any future pandemic by identifying those lessons learned from New Zealand's response to COVID-19 that should be applied in preparation for any future pandemic;
 - 1.3 that the Royal Commission is required to deliver a report with recommendations by 26 June 2024; and
 - 1.4 to increase funding in Vote Internal Affairs by \$15.470 million to meet the costs of the Royal Commission;

[CAB-22-MIN-0552]


Extension

- 2 **note** that, in May 2023, the Royal Commission formally requested an extension to its reporting deadline from 26 June 2024 to 27 November 2024 and sought additional funding of \$3.902 million to cover the proposed extension;
- 3 **note** that, due to the current economic and fiscal environments, the Royal Commission was asked to revise its extension request;
- 4 **note** that the Royal Commission's revised extension request seeks a final reporting date of 30 September 2024, and the additional funding of \$1.300 million associated with the extension will be made available through reprioritisation within 2023/24 Vote Internal Affairs baselines;
- 5 **note** that the proposed extension will enable the Royal Commission to carry out an inclusive and equitable engagement process and develop more robust recommendations, which will better prepare New Zealand for a future pandemic;
- 6 **agree** that the date by which the Royal Commission must deliver its final report is changed from 26 June 2024 to 30 September 2024;
- 7 **note** that an Amendment Order is required to give effect to the proposed extension to the Royal Commission's final reporting date;

Financial Implications

- 8 **note** that the Department of Internal Affairs will identify reprioritisation of \$1.300 million from within the Vote Internal Affairs 2023/24 baselines to meet the cost of the proposed extension;
- 9 **note** that the additional funding of \$1.300 million through reprioritisation within Vote Internal Affairs baselines increases the total funding for the Royal Commission to \$16.770 million;
- 10 **agree** the following fiscally neutral changes to appropriations to enable an extension of the Royal Commission with no impact on the operating balance and/or net debt across the forecast period:

	\$million – increase/(decrease)			
Vote Internal Affairs	2023/24	2024/25	2025/26	2026/27 & Outyears
Minister of Internal Affairs				
Multi-Category Expenses and Capital Expenditure:				
Support for Statutory and Other Bodies MCA				
Departmental Output Expense:				
Commissions of Inquiry and Similar Bodies (funded by revenue Crown)	0.661	0.148	-	-
Non-Departmental Other Expense:				
Statutory Inquiries	(0.901)	0.092	-	-
Total Operating	(0.240)	0.240	-	-

- 11 **agree** that the proposed changes to appropriations for 2023/24 above be included in the 2023/24 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
- 12 **authorise** the Minister of Finance, the Minister of Internal Affairs and any other applicable appropriation Minister(s) to make reprioritisation decisions, including reprioritisation of underspend at the end of the 2023/24 financial year, and approve associated fiscally neutral appropriation changes across Vote Internal Affairs in 2023/24 and 2024/25 of up to \$1.300 million;
- 13 **agree** to provide an exemption from the Publicity expenses provisions of CO (18) 2 *Proposals with Financial Implications and Financial Authorities* to enable the Royal Commission to make autonomous decisions regarding its advertising expenditure without recourse to Cabinet or Ministers;
- 14 **agree in principle** ^{9(2)(f)(iv)} 

Drafting and submission of Amendment Order

- 15 **agree** to the Parliamentary Counsel Office drafting an Amendment Order in Council, which is required to give effect to the extension to the Royal Commission's final reporting date;
- 16 **authorise** the Attorney-General and the Minister of Internal Affairs to have Power to Act to authorise the submission to the Executive Council of an Amendment Order in Council extending the Royal Commission's final reporting date, made under the authority of the Letters Patent and the Inquiries Act 2013, once that Amendment Order in Council has been finalised by the Parliamentary Counsel Office.

Authorised for lodgement

Hon Barbara Edmonds

Minister of Internal Affairs

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Office of the Minister of Internal Affairs

Chair, Cabinet Legislation Committee

Royal Commission of Inquiry into COVID-19 Lessons Amendment Order 2023

Proposal

- 1 I seek authorisation for submission to the Executive Council of the Royal Commission of Inquiry into COVID-19 Lessons Amendment Order 2023 (the Amendment Order).

Background

- 2 On 5 December 2022, Cabinet agreed to the Royal Commission's terms of reference. The purpose of the Royal Commission is to strengthen Aotearoa New Zealand's preparedness for, and response to, any future pandemic by identifying those lessons learned from New Zealand's response to COVID-19 that should be applied in preparation for any future pandemic. The Royal Commission was originally required to deliver a report with recommendations by 26 June 2024.
- 3 In May 2023, the Royal Commission requested a five-month extension to its reporting deadline and sought additional funding of \$3.902 million to cover the proposed extension. Due to the current economic and fiscal environments, the Royal Commission was asked to revise its extension request. It then proposed a three-month extension and a final reporting date of 30 September 2024. The additional funding of \$1.300 million associated with the extension will be made available through reprioritisation within the 2023/24 Vote Internal Affairs baselines.
- 4 The Royal Commission's extension request was driven by its preference to carry out an optimal engagement process. The timing of the pre-election period, during which the Royal Commission intends to exercise care and caution in relation to any engagement activities, limits its ability to carry out such a process.

Policy

- 5 On 21 August 2023, Cabinet agreed to extend the date by which the Royal Commission must deliver its final report from 26 June 2024 to 30 September 2024 [GOV-23-MIN-0041 refers]. A three-month extension will enable the Royal Commission to:
 - 5.1 build public trust and acceptance for its recommendations through a more inclusive and equitable engagement process;
 - 5.2 engage with groups and communities to capture lessons that would be missed by limiting its inquiry to existing and/or written information; and

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- 5.3 improve the quality of its recommendations, which will enable New Zealand to be better prepared ahead of a future pandemic.

The Amendment Order

- 6 The Amendment Order will give effect to Cabinet's decisions of 21 August 2023, as identified in the Cabinet paper, *Royal Commission of Inquiry into COVID-19 – Extension of Time*. The extension only affects the date of the final report. No other changes to the terms of reference are required.
- 7 Clause 10(2) of the Schedule to the Order has been amended so that the Royal Commission's final reporting date is 30 September 2024, rather than 26 June 2024.

Timing and 28-day rule

- 8 Subject to Cabinet decisions, the Amendment Order will be submitted to the Executive Council on 4 September 2023 and will come into force 28 days after it has been notified in the New Zealand Gazette.

Compliance

- 9 I confirm that the Amendment Order complies with:
- 9.1 the principles of the Treaty of Waitangi;
 - 9.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990; and the Human Rights Act 1993;
 - 9.3 the principles and guidelines set out in the Privacy Act 2020; and relevant international standards and obligations; and
 - 9.4 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.

Regulations Review Committee

- 10 I am not aware of any grounds on which the Amendment Order should be drawn to the attention of the House of Representatives under Standing Order 327 "Drawing attention to regulation".

Certification by Parliamentary Counsel

- 11 The Amendment Order has been certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

Impact Analysis

- 12 Regulatory Impact Analysis is not required as this is an internal administrative or governance arrangement.

Publicity

- 13 I intend to issue a media statement about the extension to the Royal Commission's final reporting date.

Proactive release

- 14 I intend to proactively release this paper and the Cabinet paper, *Royal Commission of Inquiry into COVID-19 Lessons – Extension of Time*, on the Department of Internal Affairs' website, subject to any redactions that may be warranted under the Official Information Act 1982, within 30 business days of Cabinet decisions.

Consultation

- 15 The following departments were consulted: Ministry of Business, Innovation and Employment; Department of Corrections; New Zealand Customs Service; Ministry of Defence; New Zealand Defence Force; Ministry of Education; National Emergency Management Agency; Ministry for Ethnic Communities; Ministry of Foreign Affairs and Trade; Ministry of Health; Ministry of Justice; Office for Māori Crown Relations: Te Arawhiti; Ministry for Pacific Peoples; New Zealand Police; Ministry for Primary Industries; the Department of the Prime Minister and Cabinet; Public Service Commission; Ministry of Social Development; Ministry of Transport; Whaikaha – Ministry of Disabled People; Ministry for Women; and the Treasury. Crown Law Office and Parliamentary Counsel Office were also consulted.
- 16 The Royal Commission was consulted on the Amendment Order.

Financial Implications

- 17 There are no financial implications as a result of this Amendment Order.

Recommendations

The Minister of Internal Affairs recommends that the Cabinet Legislation Committee:

- 1 **note** that, on 21 August 2023, Cabinet agreed to change the terms of reference for the Royal Commission to extend the final reporting date to no later than 30 September 2024 [GOV-23-MIN-0041 refers];
- 2 **note** that the Royal Commission of Inquiry into COVID-19 Lessons Amendment Order 2023 (the Amendment Order) will give effect to the decisions referred to in recommendation 1 above;
- 3 **authorise** the submission of the Amendment Order, made under the authority of the Letters Patent and the Inquiries Act 2013, to the Executive Council;

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- 4 **note** that the Amendment Order will come into force 28 days after it has been notified in the New Zealand Gazette.

Authorised for lodgement

Hon Barbara Edmonds

Minister of Internal Affairs

Proactively released by the Minister of Internal Affairs

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Cabinet Government Administration and Expenditure Review Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Royal Commission of Inquiry into COVID-19 Lessons: Extension of Time

Portfolio Internal Affairs

On 17 August 2023, the Cabinet Government Administration and Expenditure Review Committee:

Background

- 1 **noted** that, on 5 December 2022, Cabinet agreed:
 - 1.1 to the terms for reference for the Royal Commission into COVID-19 Lessons (the Royal Commission);
 - 1.2 that the purpose of the Royal Commission is to strengthen Aotearoa New Zealand's preparedness for, and response to, any future pandemic by identifying those lessons learned from New Zealand's response to COVID-19 that should be applied in preparation for any future pandemic;
 - 1.3 that the Royal Commission is required to deliver a report with recommendations by 26 June 2024;
 - 1.4 to increase funding in Vote Internal Affairs by \$15.470 million to meet the costs of the Royal Commission;

[CAB-22-MIN-0552]

Extension

- 2 **noted** that in May 2023, the Royal Commission formally requested an extension to its reporting deadline from 26 June 2024 to 27 November 2024 and sought additional funding of \$3.902 million to cover the proposed extension;
- 3 **noted** that, due to the current economic and fiscal environments, the Royal Commission was asked to revise its extension request;
- 4 **noted** that the Royal Commission's revised extension request seeks a final reporting date of 30 September 2024, and the additional funding of \$1.300 million associated with the extension will be made available through reprioritisation within 2023/24 Vote Internal Affairs baselines;

- 5 **noted** that the proposed extension will enable the Royal Commission to carry out an inclusive and equitable engagement process and develop more robust recommendations, which will better prepare New Zealand for a future pandemic;
- 6 **agreed** that the date by which the Royal Commission must deliver its final report is changed from 26 June 2024 to 30 September 2024;
- 7 **noted** that an Amendment Order is required to give effect to the proposed extension to the Royal Commission's final reporting date;

Financial Implications

- 8 **noted** that the Department of Internal Affairs will identify reprioritisation of \$1.300 million from within the Vote Internal Affairs 2023/24 baselines to meet the cost of the proposed extension;
- 9 **noted** that the additional funding of \$1.300 million through reprioritisation within Vote Internal Affairs baselines increases the total funding for the Royal Commission to \$16.770 million;
- 10 **agreed** to the following fiscally neutral changes to appropriations to enable an extension of the Royal Commission with no impact on the operating balance and/or net debt across the forecast period:

	\$million – increase/(decrease)			
Vote Internal Affairs Minister of Internal Affairs	2023/24	2024/25	2025/26	2026/27 & Outyears
Multi-Category Expenses and Capital Expenditure: Support for Statutory and Other Bodies MCA				
Departmental Output Expense: Commissions of Inquiry and Similar Bodies (funded by revenue Crown)	0.661	0.148	-	-
Non-Departmental Other Expense: Statutory Inquiries	(0.901)	0.092	-	-
Total Operating	(0.240)	0.240	-	-

- 11 **agreed** that the changes to appropriations for 2023/24 above be included in the 2023/24 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
- 12 **authorised** the Minister of Finance, the Minister of Internal Affairs, and any other applicable appropriation Minister(s) to make reprioritisation decisions, including reprioritisation of underspend at the end of the 2023/24 financial year, and approve associated fiscally neutral appropriation changes across Vote Internal Affairs in 2023/24 and 2024/25 of up to \$1.300 million;
- 13 **agreed** to provide an exemption from the Publicity expenses provisions of the Cabinet Office circular Proposals with Financial Implications and Financial Authorities [CO (18) 2] to enable the Royal Commission to make autonomous decisions regarding its advertising expenditure without recourse to Cabinet or Ministers;

14 **agreed in principle** ^{9(2)(f)(iv)}

[REDACTED]

Drafting and submission of Amendment Order

- 15 **agreed** that the Parliamentary Counsel Office draft an Amendment Order in Council to give effect to the extension to the Royal Commission's final reporting date;
- 16 **noted** that a paper seeking authorisation for the submission to the Executive Council of an Amendment Order in Council extending the Royal Commission's final reporting date will be submitted to the Cabinet Legislation Committee.

Vivien Meek
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Andrew Little
Hon Ginny Andersen
Hon Dr Duncan Webb
Hon Dr Deborah Russell

Officials present from:

Office of the Prime Minister
Officials Committee for GOV



Cabinet

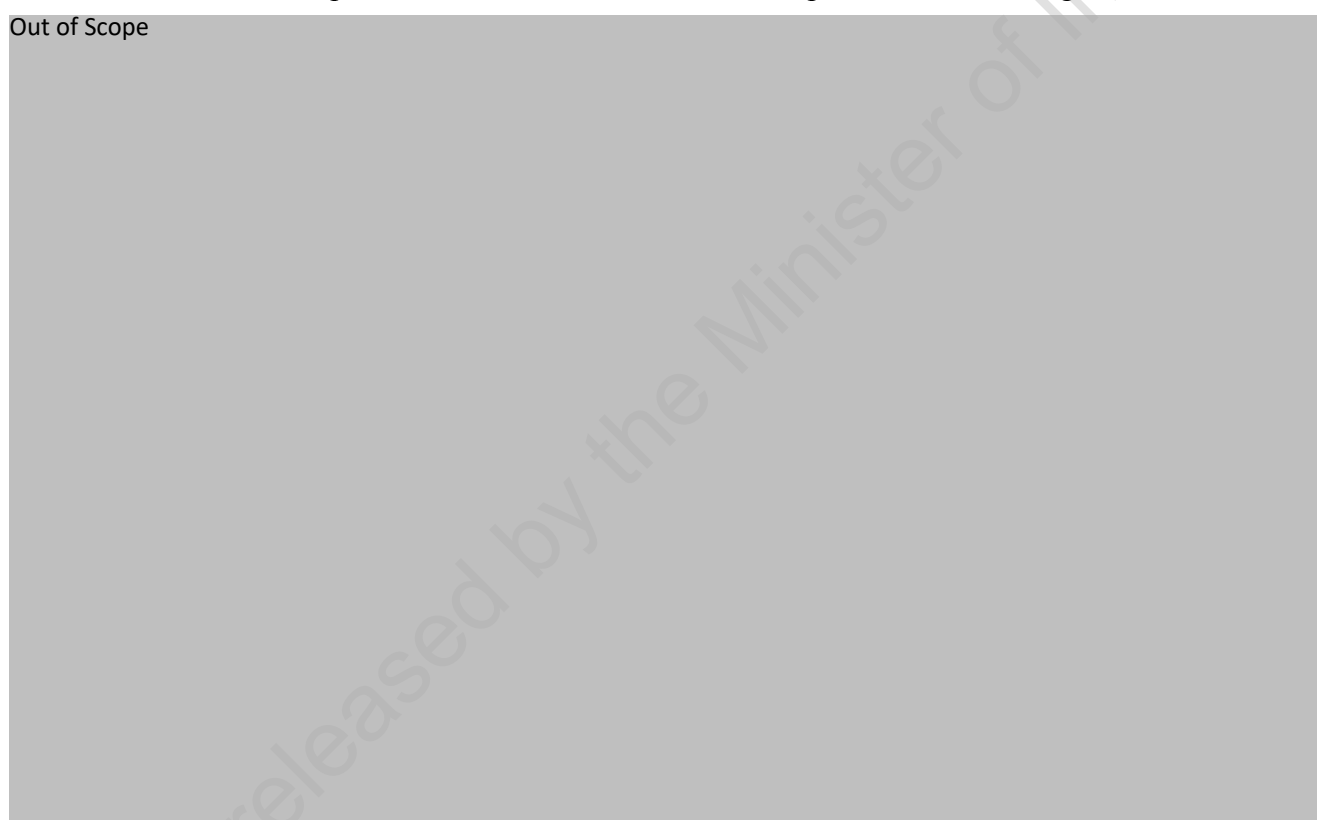
Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Report of the Cabinet Government Administration and Expenditure Review Committee: Period Ended 18 August 2023

On 21 August 2023, Cabinet made the following decisions on the work of the Cabinet Government Administration and Expenditure Review Committee for the period ended 18 August 2023:

Out of Scope



GOV-23-MIN-0041

**Royal Commission of Inquiry into
COVID-19 Lessons: Extension of Time**
Portfolio: Internal Affairs

CONFIRMED

Out of Scope



Rachel Hayward
Secretary of the Cabinet



Cabinet Legislation Committee

Minute of Decision

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Royal Commission of Inquiry into COVID-19 Lessons Amendment Order 2023

Portfolio Internal Affairs

On 31 August 2023, the Cabinet Legislation Committee:

- 1 **noted** that, on 17 August 2023, the Cabinet Government Administration and Expenditure Review Committee agreed to change the terms of reference for the Royal Commission to extend the final reporting date to no later than 30 September 2024 [GOV-23-MIN-0041];
- 2 **noted** that the Royal Commission of Inquiry into COVID-19 Lessons Amendment Order 2023 (the Amendment Order) will give effect to the decisions referred to in paragraph 1 above;
- 3 **authorised** the submission of the Royal Commission of Inquiry into COVID-19 Lessons Amendment Order 2023 [PCO 25723/3.0] to the Executive Council;
- 4 **noted** that the Amendment Order will come into force on 5 October 2023.

Sam Moffett
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Andrew Little
Hon David Parker
Hon Kieran McAnulty
Hon Barbara Edmonds
Hon Dr Duncan Webb
Hon Willow-Jean Prime
Hon Rachel Brooking
Tangi Utikere, MP (Chief Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG



Cabinet

Minute of Decision

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Report of the Cabinet Legislation Committee: Period Ended 1 September 2023

On 4 September 2023, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 1 September 2023:

Out of Scope



Out of Scope

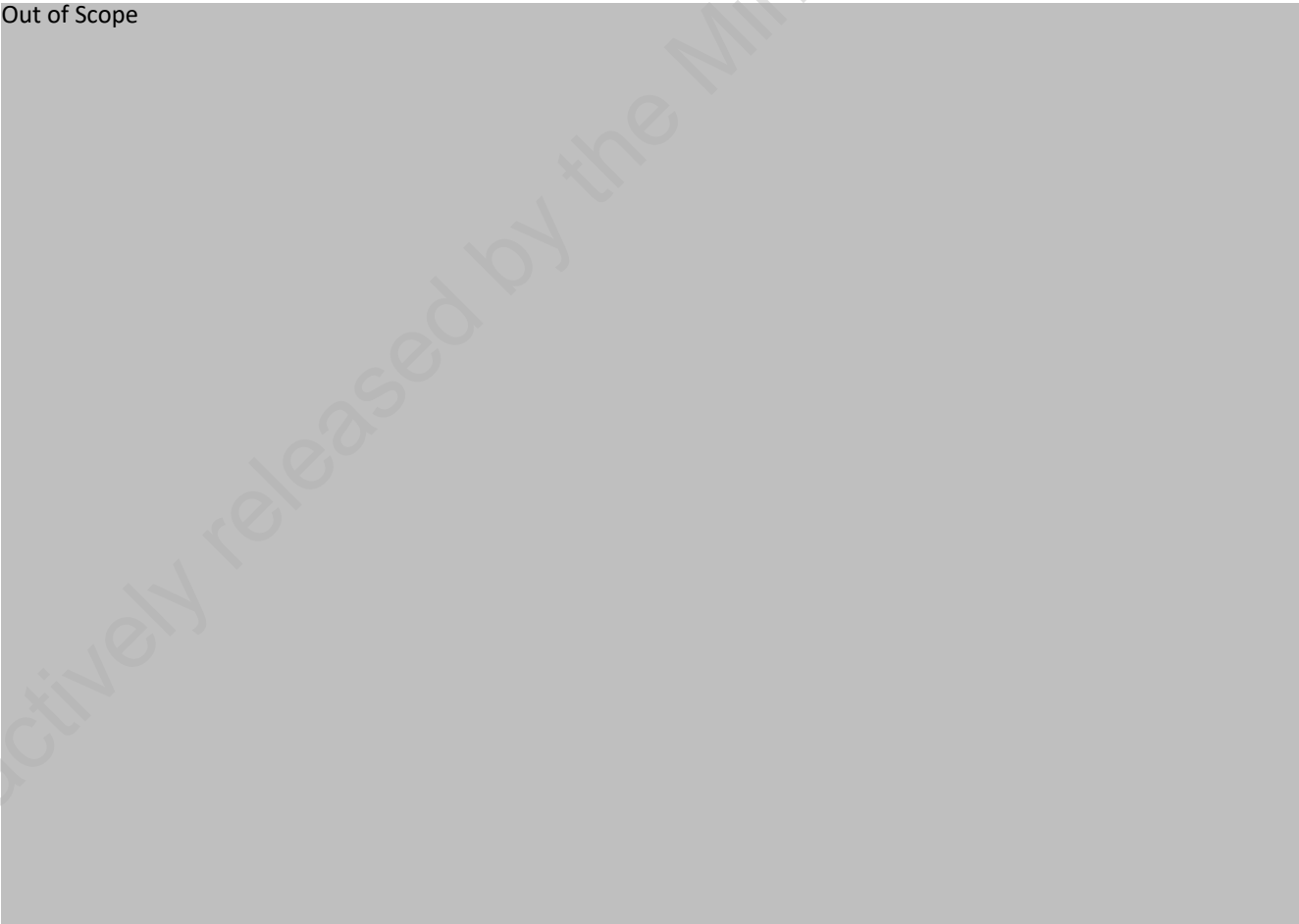


LEG-23-MIN-0183

**Royal Commission of Inquiry into COVID-19
Lessons Amendment Order 2023**
Portfolio: Internal Affairs

CONFIRMED

Out of Scope



Rachel Hayward
Secretary of the Cabinet