



Minute 3: Inquiry procedures for public and other submissions

Issued: 6 December 2023 and reissued on 19 November 2024 to clarify the application of this Minute to Phase One of the Inquiry

1. The purpose of the Inquiry* 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.
2. In addition to gathering publicly available information, and undertaking a number of engagements and meetings, the Inquiry has sought submissions from various groups and will be seeking submissions from the public.
3. This Minute sets out the Inquiry's procedure for the submissions process and related issues.

How we will treat your information

4. It is important that individuals and organisations can be free and frank in their submissions to the Inquiry. Some of the information the Inquiry receives will be subject to privacy, confidentiality, and natural justice considerations. Accordingly, the Inquiry made interim orders under s 15(1) of the Inquiries Act 2013, prohibiting publication of evidence or submissions to the Inquiry¹. The Inquiry has also issued a Minute² outlining its procedures for meetings and related issues. This Minute 3 is in addition to Minute 1 and Minute 2 and is not intended to detract from the protections and permissions already detailed in those Minutes.
5. The Inquiry can make permanent non-publication orders under s 15(1) in respect of submissions it receives (and has already indicated it will grant some permanent non-publication orders in respect of meeting notes and other information received).
6. In respect of other material, the Inquiry is proceeding on the presumption that as much of that information as possible will be made available for public release at the conclusion of the Inquiry and after it has reported. Once the Inquiry has reported, its records will become subject to the Official Information Act 1982 and may be transferred to Archives New Zealand under section 33 of the Inquiries Act 2013.
7. Where a submission is made by a member of the public (whether made in their own name or on behalf of a group or organisation) through the Inquiry's public submission process, their personal information (including names and contact details) will be kept confidential. In addition, they may ask for their submission to be kept confidential and confidentiality will be granted if requested.

¹ [Minute 1: Interim non-publication orders](#)

² [Minute 2: Inquiry meeting procedure and information gathering](#)

8. Where an individual or organisation that has been invited to make a direct submission to the Inquiry wishes all or part of its written submission (or attached material or documents) to be kept confidential, it should identify the parts of the submission, material or document that they consider sensitive, and request confidentiality for those parts, identifying the grounds on which confidentiality should be granted. If confidentiality is granted, a redacted version excluding that material will form part of the Inquiry records that, at the conclusion of the Inquiry, will become subject to the Official Information Act 1982, and may be transferred to Archives New Zealand under section 33 of the Inquiries Act 2013. Should such an individual or organisation not wish to be identified as having made a submission, that fact should be clearly stated.
9. If the Inquiry considers there is a particular reason for attributing information to an identified individual or organisation in its final report or any companion reports, the Inquiry will go back to the individual or organisation and seek their agreement to this. Any attribution will also be subject to natural justice and fact checking processes.
10. In addition, and having considered the matters set out in s15(2) of the Inquiries Act, subject to paragraph 11 below, the Inquiry makes orders under s15(1)(a) and (b) prohibiting publication of, and restricting access to, material received from submitters through the public submissions process, or material received from individuals or organisations through a direct submission where confidentiality has been granted in accordance with paragraph 7 or 8 above.
11. The Inquiry may publish themes arising from written submissions, material or documents received and expects to publish the names of those individuals or organisations who have made direct submissions (i.e., not through the Inquiry's public submissions process) to the Inquiry (unless confidentiality has been requested and granted in accordance with paragraph 8). The non-publication and non-access order made in paragraph 10 above does not prohibit the Inquiry from discussing material provided in submissions in its newsletters, on its website, or in its final report or any companion reports. In addition, it may publish in any of those publications unattributed and unidentifiable quotes from submissions received. The Inquiry considers that the principles of open justice and the need for public confidence will be met by the release of its final report and one or more summaries of submissions where they can appropriately be released.
12. Once the Inquiry has reported, a submitter may publish their submission provided it is not covered by a permanent non-publication order. The Inquiry takes no responsibility for any such publication, which will be purely at the option and responsibility of the submitter.

* "Inquiry" as used in this Minute refers to Phase One of the Royal Commission of Inquiry into COVID-19 Lessons Learned as described in the [Royal Commission of Inquiry \(COVID-19 Lessons\) Order 2022](#).