



EXECUTIVE COUNCIL CHAMBERS

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Peter Sime
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Dear Peter

Procedures and plans on the death of the Queen

Our reference: OIA-2016/17-0354

- 1 On 17 March 2017 the Department of the Prime Minister and Cabinet (“DPMC”) received the following request from you:

“In light of recent media reports of British plans in the event of the death of the Queen (e.g. The Guardian's report at <https://www.theguardian.com/uk-news/2017/mar/16/what-happens-when-queen-elizabeth-dies-london-bridge>), what procedures and plans are in place in New Zealand to be carried out when Her Majesty dies?”

- 2 The Queen has had a remarkable reign, and continues to undertake a full programme and provide leadership to the Commonwealth Realms. When the time eventually comes, many people will want to pay their respects and acknowledge Her Majesty’s life of service. New Zealand will respond formally to the death of the Queen and the transition to a new Sovereign, and take a number of steps in relation to constitutional, legal and ceremonial matters that follow as a consequence.
- 3 The Cabinet Office, in its role supporting the Prime Minister as the Sovereign’s principal New Zealand adviser, will lead the formal response in this regard. A summary of the procedures that will follow in the days after the death of the Queen is set out below.

Notification

- 4 One of the Cabinet Office’s first responsibilities will be to ensure we have verified the accuracy of any notification or reporting of Her Majesty’s death. It is, of course, important that no actions are taken before the death of the Queen has been officially confirmed by Buckingham Palace - using established communication channels between the Palace and New Zealand - and the New Zealand Prime Minister and Governor-General have been advised.

Succession

- 5 On the death of the Queen, the person who is first in line to the Throne will immediately and automatically become Sovereign in accordance with the laws of succession, and therefore

Head of State of New Zealand. At present, this means that His Royal Highness The Prince of Wales will become King of New Zealand. There is no interregnum, and there are no formal actions that need to be taken to confirm the new Sovereign.

Legislative effect

- 6 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) – see *Constitution Act 1986, section 5*.

Marking the death of the Queen of New Zealand

- 7 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 it is likely that they will include:
 - 7.1 The lowering of flags to half-mast from the day of death until after a State Memorial Service.
 - 7.2 A ceremony to proclaim the accession of the new King.
 - 7.3 Acknowledgment of the death of the Queen in Parliament.
 - 7.4 A State Memorial Service.
 - 7.5 21 gun salutes at appropriate times.
 - 7.6 The opening of condolence books.
- 8 Churches, local bodies, and other organisations may choose to acknowledge the death of the Queen in their own way.

Yours sincerely

Michael Webster
Clerk of the Executive Council