



Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions Amendment Order 2023

Charles the Third, by the Grace of God King of New Zealand and his Other Realms and Territories, Head of the Commonwealth, Defender of the Faith:

To—

Ali'imuamua Sandra Alofivae, MNZM, of South Auckland, lawyer, former Families Commissioner, and Pacific community leader,

Dr Andrew Erueti, Nga Ruahinerangi, Ngati Ruanui (Taranaki), Ati Hau Nui A Paparangi (Wanganui), of Auckland, Associate Professor at the University of Auckland Law School,

Paul Gibson, of Wellington, disability adviser, advocate, and community leader, and former Human Rights (Disability Rights) Commissioner, and

Her Honour Judge Coral Shaw, of Te Awamutu, former lawyer, District Court Judge, Employment Court Judge, and Judge of the United Nations Dispute Tribunal:

Greeting!

We, by this order, amend the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions Order 2018 issued at Wellington on the 12th day of November 2018.

This order is made—

- (a) under the authority of the Letters Patent of Her Majesty Queen Elizabeth the Second constituting the office of Governor-General of New Zealand, dated 28 October 1983;* and
- (b) under the authority of section 6 of the Inquiries Act 2013 and subject to the provisions of that Act; and
- (c) on the advice and with the consent of the Executive Council.

*SR 1983/225

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Order

1 Title

This order is the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions Amendment Order 2023.

2 Commencement

This order comes into force on 15 June 2023.

3 Principal order

This order amends the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions Order 2018.

4 Preamble amended

In the preamble, delete “Julia Anne Steenson, of Auckland, director and elected leader of Ngāti Whātua Ōrākei.”.

5 Clause 5 amended (Members of inquiry)

Revoke clause 5(f).

6 Schedule amended

(1) In the Schedule, after clause 29, insert:

29A. Without limiting sections 14(2) and (3) of the Act, after 31 July 2023 the inquiry may not request information from any person, or receive evidence or information from any person, if doing so may delay completion of the inquiry’s final report.

(2) In the Schedule, after clause 32A, insert:

32B. The inquiry is to present the recommendations required by clause 32, and any recommendations under clause 32A, in writing to the appropriate Minister by 30 November 2023.

(3) In the Schedule, after clause 38, insert:

38A. After 31 July 2023, the inquiry may not produce any interim report.

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- 38B. After 31 July 2023, the inquiry may not produce any research reports, case studies, or issues papers if doing so may delay completion of the final report.
- (4) In the Schedule, clause 39, replace “30 June 2023” with “28 March 2024”.
- (5) In the Schedule, after clause 39, insert:
- 39A. If any of the inquiry’s recommendations under clauses 32 and 32A made to the appropriate Minister by 30 November 2023 (*see* clause 32B) differ from the inquiry’s recommendations on those matters made in its final report to the Governor-General, the inquiry must ensure that the final report includes—
- (a) an explanation of the changes made to the recommendations; and
 - (b) the reasons for the changes.
- 39B. If the Minister considers that the final report includes information that, if disclosed, would be likely to prejudice the right to a fair trial, the Minister may make redactions to the report to exclude that information. However, if the Minister presents a redacted report, the Minister must table the complete report as soon as practicable after the information is no longer likely to prejudice the right to a fair trial.
- (6) In the Schedule, replace clause 41 with:
41. The inquiry must take steps to ensure that its final report is easy for the public to access and understand.

In witness whereof We have caused this Our Commission to be issued and the Seal of New Zealand to be hereunto affixed at Wellington this 14th day of June 2023.

Witness our Trusty and Well-beloved The Right Honourable Dame Cindy Kiro, Chancellor and Principal Dame Grand Companion of Our New Zealand Order of Merit, Principal Companion of The Queen’s Service Order, Governor-General and Commander-in-Chief in and over Our Realm of New Zealand.

Cindy Kiro,
Governor-General.

By Her Excellency’s Command,

Chris Hipkins,
Prime Minister.

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Approved in Council,

Rachel Hayward,
for Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 15 June 2023.
This order is administered by the Department of Internal Affairs.

Wellington, New Zealand:

Published under the authority of the New Zealand Government—2023