



25 March 2022

[REDACTED]

By email: [REDACTED]

Dear [REDACTED]

**Official Information Act request**  
**Our Ref: OIA353/1**

1. I refer to your email of 25 February 2022. You ask:
  1. Has the Covid-19 Public Health Response Act 2020 received the true and correct Royal assent?
  2. Has the Covid-19 Public Health Response Amendment Act (No 2) 2021 received the true and correct Royal Assent?
  3. Has the Covid-19 Public Health Response (Vaccinations) Amendment Order 2022 received the true and correct Royal assent?
  4. Please confirm when the Covid-19 Public Health Response Act and associated legislation including, but not limited to amendments, received the correct Royal assent?
  5. In the event the Covid-19 Public Health Response Act and associated "Orders" do not have the proper Royal assent, please confirm how such legislation is deemed legitimate and binding law on the people of Aotearoa New Zealand.
  6. At International Law, and under contract law of *contra proferentem* the Māori version of Te Tiriti stands. Therefore, please confirm where and how the Sovereignty of Aotearoa New Zealand legally sits with the Crown, and not Māori?
2. The answer to questions 1 and 2 is 'yes'. Orders made under the Covid-19 Public Health Response Act 2020 are a form of secondary legislation and so do not require Royal assent (question 3). It follows that question 5 does not require an answer.
3. Regarding question 4, the date an Act of Parliament receives assent is referred to directly under the Act's title. You can view official versions of Acts on [legislation.govt.nz](http://legislation.govt.nz). However, to be of assistance I have set out the below:
  - 3.1 The date of assent for the Covid-19 Public Health Response Act 2020 was 13 May 2020.

- 3.2 The date of assent for the COVID-19 Public Health Response Amendment Act 2020 was 6 August 2020.
- 3.3 The date of assent for the COVID-19 Public Health Response Amendment Act (No 2) 2020 was 7 December 2020.
- 3.4 The date of assent for the COVID-19 Public Health Response Amendment Act 2021 was 19 November 2021.
- 3.5 The date of assent for the COVID-19 Response (Vaccinations) Legislation Act 2021 was 25 November 2021.
4. The Treaty of Waitangi is recognised by the Crown as having a unique role in Aotearoa/New Zealand's constitutional arrangements, as this country's founding document. Regardless of its precise legal status, the Treaty of Waitangi imposes political and moral obligations on the Crown. The Treaty created an enduring relationship between the Crown and Māori, with both parties accepting that they must act in good faith, fairly, and reasonably towards each other. Those principles transcend textual differences between the te reo Māori and English versions of the Treaty, and provide touchstones for the ongoing and mutually respectful relationship between the Crown and Māori. This is a position that has been affirmed often by the Waitangi Tribunal and the Courts. I trust this answers your question 6.
5. You have a right under s 28(3) of the Official Information Act 1982 to seek an investigation and review by the Ombudsman of this response.

Yours faithfully



Crown Counsel