

UNDER

THE INQUIRIES ACT 2013

IN THE MATTER

**A GOVERNMENT INQUIRY INTO OPERATION
BURNHAM AND RELATED MATTERS**

Memorandum for New Zealand Defence Force on the production of material

13 March 2019

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1. In its Memorandum of 26 February 2019, the NZDF anticipated that it would require additional time to comply fully with the Inquiry's order in Minute No 6.¹ It sought an extension of the order to 5pm, Friday 29 March 2019 so that it was able to complete its examination of the contents of an additional repository of approximately 11,425 documents and provide any additional material within scope of the Inquiry's Terms of Reference.² On 28 February 2019, the Inquiry granted this extension.
2. The NZDF committed to file, today, a memorandum on progress with the production of this additional material. The NZDF continues to make every effort to balance both the thoroughness of its process, including a robust search for all material within scope of the Inquiry's order in Minute 6, with the need to meet the Inquiry's timelines.

Progress on provision of additional material to Inquiry

3. To date, the NZDF has examined 9,895 items from the additional material. Of these, it has determined that 9,848 items are not within scope of the Inquiry's Terms of Reference. The NZDF has provided 17 additional items to the Inquiry. Approximately 1,905 items remain to be examined.
4. A further four items have been identified as potentially within scope, but which will require the consent of the United States Government or the North Atlantic Treaty Organization (NATO) before they can be provided to the Inquiry.
5. To date, from all of the material identified and examined by the NZDF, 1010 items have been provided to the Inquiry. In total, approximately 78 items have been identified as potentially within scope of the Terms of Reference, but as requiring the consent of the United States Government or NATO before they can be provided to the Inquiry.
6. The NZDF's search has identified, also, approximately 31 documents of potential relevance but which belong to other New Zealand Government agencies. The NZDF has provided these documents in electronic form to those

¹ Minute No 6, paragraph [10](a).

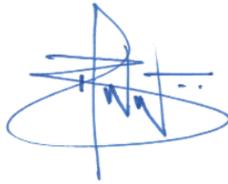
² Memorandum for New Zealand Defence Force seeking an extension to the deadline for the production of material, para [9].

agencies to examine, so that they may make decisions about their provision to the Inquiry.

Forthcoming update

7. Given its progress to date, the NZDF expects to comply fully with the Inquiry's order by 29 March 2019, noting that the consent of foreign partner governments or organisations may only be received after this date.

8. The NZDF will file another memorandum on the 29 March 2019 to provide any further information.



Paul Radich QC
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13 March 2019