

UNDER

THE INQUIRIES ACT 2013

IN THE MATTER OF

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

Date of Order: 16 August 2019

ORDER FOR DISCLOSURE OF INFORMATION

[1] In Minute No 6 dated 29 November 2018, the Inquiry made various orders under s 20(a) of the Inquiries Act 2013, including orders requiring the New Zealand Security Intelligence Service (NZSIS) to provide to the Inquiry all relevant material. The Inquiry was aware that the provision of documents would not be straightforward and allowed time for discussion of a timetable for compliance with the Inquiry's Secretariat.

[2] In respect of those documents derived from or containing information derived from overseas partners, the Inquiry was prepared to allow time for NZSIS to obtain partner consent and for a timetable to be agreed.

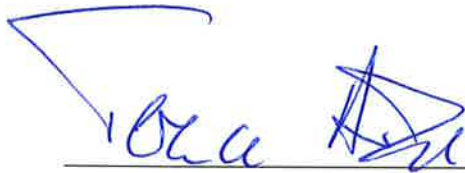
[3] We understand that attempts to obtain consent for this material were made earlier in 2019. We also understand that no consents have yet been granted.

[4] While the Inquiry was prepared to be accommodating to allow NZSIS to time to obtain partner consent, it considers that more than sufficient time has been allowed and that it is now at a stage of its work that it cannot allow any further time. This is a Government Inquiry investigating a matter of public importance and it must, in principle, have access to all relevant material held by Government agencies.

[5] Accordingly, the Inquiry now orders the NZSIS under s 20(a)(i) of the Inquiries act 2013 to produce to it *all* relevant material that it holds, including

documents provided by overseas partners or containing information derived from overseas partners. As previously stated, the Inquiry will hold and deal with the documents in accordance with the Government's Protective Security Requirements. There will be no disclosure of the documents beyond the Inquiry unless disclosure is authorised under the relevant statutory processes.

[6] This order is to be complied with, in full, by 4pm on Friday 23 August 2019 in accordance with the Appendix to Minute No 6 and must be verified by way of a statutory declaration.



Sir Terence Arnold QC



Sir Geoffrey Palmer QC