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6 June 2023

s 9(2)(a)

Ref: H2023023845

Tēnā koe s 9(2)

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health) on 14 April 2023 for information regarding Te Arai Cemetery. Please find a response to each part of your request below.

1. You expected the Ministry information to be available for us May 2019 but I don't have any record of receiving this.

Manatū Hauora provided you with information about the proposed community consultation on Te Arai cemetery on 31 May 2019. This information provided was a copy of the proposed consultation document, which was provided to you ahead of the wider proposed community consultation.

*2. The proposed Te Arai community consultation has not progressed.
3. Auckland Council failed to make any progress with the so-called trustees whose appointments are ultra vires.*

As you note, Auckland Council did not progress the proposed community consultation on Te Arai cemetery. As this is not a Manatū Hauora process, please contact Auckland Council in relation to this matter and any further steps that it may be able to take to help support a resolution.

4. The new Bill regarding cemeteries etc has not progressed in Parliament.

During 2019-2020, Manatū Hauora undertook a public consultation on options to modernise the Burial and Cremation Act 1964 (the Act) and related legislation. Following the consultation, Manatū Hauora continued to engage further with stakeholders in developing policy options.

The prioritisation of resources to respond to the COVID-19 pandemic resulted in delays in the policy response to the public consultation on modernising the Act.

Manatū Hauora is now reassessing its policy work in this area. It is looking at whether a broader range of factors need to be considered than were initially covered in the consultation, particularly given the time that has passed since the Law Commission

completed its report. Given this, the Government has reclassified reform of the legislation as low priority on the 2023 legislative agenda.

I acknowledge your frustration with the time taken to progress legislative amendments. However, any new legislative proposals need to be considered against the Government's other legislative priorities, and need to be reviewed to ensure any proposed changes remain appropriate, given the time that has passed.

I trust this information fulfils your request. Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'A. Old', written in a cursive style.

Dr Andrew Old
Deputy Director-General
Public Health Agency | Te Pou Hauora Tūmatanui