

Vote Parliamentary Counsel

APPROPRIATION MINISTER(S): Attorney-General (M5)

APPROPRIATION ADMINISTRATOR: Parliamentary Counsel Office

RESPONSIBLE MINISTER FOR PARLIAMENTARY COUNSEL OFFICE: Attorney-General

Overview of the Vote

The Attorney-General is responsible for appropriations in Vote Parliamentary Counsel for the 2017/18 financial year covering the following:

- a total of nearly \$17 million for the provision of law drafting services. This includes legislative drafting assistance to Pacific Island nations, undertaking 3-yearly programmes of statute law revision, and administering legislation that the PCO is responsible for
- a total of \$3.500 million for the provision of access to legislation in both paper and electronic form, and
- a total of almost \$3 million on the purchase or development of assets by and for the use of the Parliamentary Counsel Office, as authorised by section 24 (1) of the Public Finance Act 1989.

Details of these appropriations are set out in Parts 2-4.

Details of Appropriations and Capital Injections

Annual and Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Departmental Capital Expenditure			
Parliamentary Counsel Office - Capital Expenditure PLA (M5)	2,200	2,200	2,830
This appropriation is limited to the purchase or development of assets by and for the use of the Parliamentary Counsel Office, as authorised by section 24(1) of the Public Finance Act 1989.			
Total Departmental Capital Expenditure	2,200	2,200	2,830
Multi-Category Expenses and Capital Expenditure			
Drafting and Access to Legislation MCA (M5)	20,499	19,351	20,423
The overarching purpose of this appropriation is to provide for the drafting and publishing of legislation for the Government, Parliament, and the public.			
<i>Departmental Output Expenses</i>			
<i>Access to Legislation</i>	3,500	3,351	3,500
The category is limited to providing free public access to legislation and disclosure statements via the internet, supplying Government Bills and Supplementary Order Papers; publishing and distributing legislation; reprinting legislation with the amendments incorporated.			
<i>Law Drafting Services</i>	16,999	16,000	16,923
This category is limited to drafting legislation, examining and reporting on local Bills and private Bills and drafting amendments to them, providing advice on the drafting of legislation and on disallowable instruments that are not drafted by the PCO, providing legislative drafting assistance to Pacific Island nations, undertaking 3-yearly programmes of statute law revision, and administering the Legislation Act 2012 and any other legislation PCO is responsible for.			
Total Multi-Category Expenses and Capital Expenditure	20,499	19,351	20,423
Total Annual and Permanent Appropriations	22,699	21,551	23,253

Capital Injection Authorisations

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Parliamentary Counsel Office - Capital Injection (M5)	-	-	-

Supporting Information

Part 1 - Vote as a Whole

This part provides trend information for the vote.

1.2 - Trends in the Vote

Summary of Financial Activity

	2012/13	2013/14	2014/15	2015/16	2016/17		2017/18			2018/19	2019/20	2020/21
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	Final Budgeted \$000	Estimated Actual \$000	Departmental Transactions Budget \$000	Non- Departmental Transactions Budget \$000	Total Budget \$000	Estimated \$000	Estimated \$000	Estimated \$000
Appropriations												
Output Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Benefits or Related Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditure	2,102	726	521	336	2,200	2,200	2,830	-	2,830	2,830	2,830	2,830
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-	-	N/A	-	-	-	-
Multi-Category Expenses and Capital Expenditure (MCA)												
<i>Output Expenses</i>	19,673	17,291	18,121	18,827	20,499	19,351	20,423	-	20,423	20,423	20,423	20,423
<i>Other Expenses</i>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Capital Expenditure</i>	-	-	-	-	-	-	N/A	-	-	-	-	-
Total Appropriations	21,775	18,017	18,642	19,163	22,699	21,551	23,253	-	23,253	23,253	23,253	23,253
Crown Revenue and Capital Receipts												
Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Non-Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-
Total Crown Revenue and Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-

Note - where restructuring of the vote has occurred then, to the extent practicable, prior years information has been restated as if the restructuring had occurred before the beginning of the period covered. In this instance Total Appropriations for the Budgeted and Estimated Actual year may not equal Total Appropriations in the Details of Appropriations and Capital Injections.

Adjustments to the Summary of Financial Activity Table Due to Vote Restructuring

There have been no restructuring adjustments to prior year information in the Summary of Financial Activity table.

1.3 - Analysis of Significant Trends

The increase in the capital expenditure appropriation in 2017/18 is mainly due to a forecasted change in capital expenditure relating to maintenance and support of the New Zealand Legislation System, and the commencement of incurring capital expenditure costs for the Access to Subordinate Instruments Project.

Part 2 - Details of Departmental Appropriations

2.3 - Departmental Capital Expenditure and Capital Injections

Parliamentary Counsel Office - Capital Expenditure PLA (M5)

Scope of Appropriation

This appropriation is limited to the purchase or development of assets by and for the use of the Parliamentary Counsel Office, as authorised by section 24(1) of the Public Finance Act 1989.

Capital Expenditure

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	1,700	1,700	40
Intangibles	500	500	2,790
Other	-	-	-
Total Appropriation	2,200	2,200	2,830

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve investment in the renewal and replacement of life-expired assets in support of the delivery of the Parliamentary Counsel Office's services.

How Performance will be Assessed and End of Year Reporting Requirements

Expenditure is in accordance with the PCO's intention to commence the next stage of the Access to Subordinate Instruments Project. This stage is about project delivery and the main activities will include iterative development of IT systems, functional and usability testing, a phased roll out to agencies involving a pilot, all delivered with professional project and change management support, and focused on early delivery of benefits.

Performance will be assessed by whether the project delivery stage of the Access to Subordinate Instruments Project has been successfully completed and expenditure is in accordance with the PCO's strategic and business plans.

End of Year Performance Reporting

Performance information for this appropriation will be reported by the Parliamentary Counsel Office in its Annual Report to be presented in the House.

Reasons for Change in Appropriation

The increase in this appropriation for 2017/18 is due to:

- a forecasted change in capital expenditure relating to maintenance and support of the New Zealand Legislation System and the commencement of the project delivery stage of the Access to Subordinate Instruments Project. This is partially offset by:
 - a reduction in Property, Plant and Equipment capital expenditure reflects the completion of the PCO's office refurbishment project in the 2016/17 financial year.

*Capital Injections and Movements in Departmental Net Assets***Parliamentary Counsel Office**

Details of Net Asset Schedule	2016/17 Estimated Actual \$000	2017/18 Projected \$000	Explanation of Projected Movements in 2017/18
Opening Balance	15,091	15,091	
Capital Injections	-	-	
Capital Withdrawals	-	-	
Surplus to be Retained (Deficit Incurred)	-	-	
Other Movements	-	-	
Closing Balance	15,091	15,091	

Part 4 - Details of Multi-Category Expenses and Capital Expenditure

Multi-Category Expenses and Capital Expenditure

Drafting and Access to Legislation (M5)

Overarching Purpose Statement

The overarching purpose of this appropriation is to provide for the drafting and publishing of legislation for the Government, Parliament, and the public.

Scope of Appropriation

Departmental Output Expenses

Access to Legislation

The category is limited to providing free public access to legislation and disclosure statements via the internet, supplying Government Bills and Supplementary Order Papers; publishing and distributing legislation; reprinting legislation with the amendments incorporated.

Law Drafting Services

This category is limited to drafting legislation, examining and reporting on local Bills and private Bills and drafting amendments to them, providing advice on the drafting of legislation and on disallowable instruments that are not drafted by the PCO, providing legislative drafting assistance to Pacific Island nations, undertaking 3-yearly programmes of statute law revision, and administering the Legislation Act 2012 and any other legislation PCO is responsible for.

Expenses, Revenue and Capital Expenditure

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	20,499	19,351	20,423
Departmental Output Expenses			
Access to Legislation	3,500	3,351	3,500
Law Drafting Services	16,999	16,000	16,923
Funding for Departmental Output Expenses			
Revenue from the Crown	20,299	20,299	20,223
Access to Legislation	3,500	3,500	3,500
Law Drafting Services	16,799	16,799	16,723
Revenue from Others	200	200	200
Law Drafting Services	200	200	200

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve the provision of high quality legislation that is readily available to all New Zealanders.

How Performance will be Assessed for this Appropriation

Performance for this Appropriation will be assessed through the performance measures listed below. These measures will be reported on in the PCO's Annual Report for 2017/18.

Assessment of Performance	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
The Attorney-General is satisfied that the quality and timeliness standards, as listed below in Note 1, have been achieved	The Attorney-General is satisfied	The Attorney-General is satisfied	The Attorney-General is satisfied
The proportion of select committees we survey that rate the quality and timeliness standards as four or better on a scale of one to five, with one being very dissatisfied and five being very satisfied (see Note 2)	Select Committees are satisfied	Select Committees are satisfied	90%

Note 1

The quality standards are that:

- the electronic database of Acts (both as enacted and with their amendments incorporated), legislative instruments (both as made and with their amendments incorporated), Bills, and Supplementary Order Papers (SOPs) is up to date
- Bills, SOPs, Acts of Parliament, and legislative instruments are published to the standard required by Parliament
- Bills and legislative instruments are legally effective, clear, consistent with other legislation, the general law, and international law
- Bills and legislative instruments are consistent with the policy they implement, legal principle, the New Zealand Bill of Rights Act 1990, and the Human Rights Act 1993
- advice given on matters relating to the provision of legislative drafting services, including advice on legislative drafting, parliamentary procedure, executive government process, and the law, is sound, practical, and clear.

The timeliness standard is that:

- Bills, legislative instruments, and SOPs are drafted in accordance with time frames set by, or agreed with, the Government, select committees, instructing departments and agencies.

Note 2

The quality standard is that:

- advice given on matters relating to the provision of legislative drafting services, including explaining the changes made by the revision tracked version of a Bill, is objective, accurate, and sufficient.

The timeliness standard is that:

- revision tracked documents are provided for the Select Committee in accordance with deadlines set by or negotiated with the committee.

What is Intended to be Achieved with each Category and How Performance will be Assessed

Assessment of Performance	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
Departmental Output Expenses			
Access to Legislation			
This category is intended to achieve that New Zealand legislation is readily accessible to the public in a timely manner and in an accurate and authoritative form			
Free public access to the New Zealand Legislation (NZL) website is available 24 hours a day, 7 days a week	99%	99%	99%
Drafting tool availability for the Office of the Clerk and Inland Revenue Department staff (see Note 1)	92%	99%	92%
Public enquiries are responded to within one working day	90%	98%	90%
All public enquiries are responded to within five working days	100%	100%	100%
Amendments will be incorporated within 15 working days of the date of effect of the amendment	100%	99%	99%
Amendments will be incorporated within 30 working days of the date of effect of the amendment	-	-	100%
Legislation is published in printed and electronic forms within set timeframes (see Note 2)	100%	99%	100%
Law Drafting Services			
This category is intended to achieve the provision of high quality legislative drafting services and advice in a professional, impartial, and responsive manner in delivering the Government's legislation programme			
All bills on the annual legislation programme in categories 1 and 2 (both of which are Bills that must be passed in the current calendar year) are drafted (see Note 3)	100%	100%	100%
The proportion of instructing departments and agencies we survey that rate the quality and timeliness standards, as listed below in Note 4, as four or better on a scale of one to five, with one being very dissatisfied and five being very satisfied	90%	90%	90%
Pacific Island instructors are satisfied that the quality and timeliness standards, as listed in Note 5, have been achieved as determined by survey responses from relevant Pacific Island instructors	Pacific Island instructors are satisfied	Pacific Island instructors are satisfied	Pacific Island instructors are satisfied
Proportion of Bills drafted by the PCO and introduced that are peer reviewed (see Notes 6 and 7)	97%	97%	97%
Proportion of legislative instruments drafted by the PCO and submitted to Cabinet that are peer reviewed (see Notes 6 and 7)	97%	97%	97%
Proportion of Bills drafted by the PCO and introduced that are proofread (see Note 8)	97%	97%	97%
Proportion of legislative instruments drafted by the PCO and submitted to Cabinet that are proofread (see Note 8)	97%	100%	97%
In regards to the 3-yearly revision programme, the Attorney-General is satisfied that the quality and timeliness standards, as listed below in Note 9, have been achieved	The Attorney-General is satisfied	The Attorney-General is satisfied	The Attorney-General is satisfied

Assessment of Performance	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
In regards to the 3-yearly revision programme, relevant instructing departments and agencies are satisfied that the quality and timeliness standards, as listed below in Note 10, have been achieved	Instructing departments and agencies are satisfied	Instructing departments and agencies are satisfied	Instructing departments and agencies are satisfied

Some performance measures above have had minor wording changes since the Estimates of Appropriations 2016/17.

Note 1 - A 100% budget standard is not appropriate as system outages are required for planned upgrades.

Note 2 - The measure of quantity is demand driven and will vary from year to year.

Note 3 - The measure of timeliness is that the following will be available on the New Zealand Legislation (NZL) website within one working day:

- all new Government Bills introduced into the House
- after the printed version is made available to the House, all subsequent versions of Bills
- after they have been circulated to Members of Parliament, all SOPs
- after they are notified in the New Zealand Gazette, all legislative instruments

within five working days:

- of introduction or release, all Government Bills and SOPs are published
- of assent, all Acts are available on the NZL website
- of being made, all legislative instruments are published

within ten working days:

- of assent, all Acts are published.

Note 4 - The quality standards are that:

- the legislation produced is drafted as clearly and simply as possible
- the legislation produced is legally effective
- the instructing department or agency is satisfied with the final product
- advice on legislative drafting matters is provided in a professional, impartial, and responsive manner.

The timeliness standard is that:

- drafts of legislation are produced within agreed deadlines.

Note 5 - The quality standard is that:

- advice given on matters relating to the provision of legislative drafting services is objective, accurate, and sufficient.

The timeliness standard is that:

- legislation is provided to Pacific Island instructors in accordance with agreed deadlines.

Note 6 - The quality standards for peer reviewing are that:

- Government Bills drafted by the PCO are reviewed once prior to introduction and again before committee stages for their legal effectiveness, workability, compliance, structure and readability
- legislative instruments drafted by the PCO are reviewed once before being submitted to Cabinet for their legal effectiveness, workability, compliance, structure, and readability.

Note 7 - The performance measures and standard for peer reviewing exclude Bills drafted by the Pacific Island desk and local, private, and Members' Bills, and Bills introduced and passed through all stages under urgency that are not referred to select committees (e.g.) Appropriation and Imprest Supply Bills.

There are some instances when peer review of legislative instruments is not required. These include:

- (a) single date commencement orders (if not revoking a commencement order and replacing it with a new commencement order)
- (b) levies and fees if the change relates to figures only
- (c) Ministerial notices that are pro forma (no choice regarding wording)
- (d) Class notices.

Note 8 - The quality standards for proofreading legislation are that:

- Government Bills drafted by the PCO are proofread before introduction
- legislative instruments drafted by the PCO are proofread before being submitted to Cabinet.

Note 9 - The quality standards for the 3-yearly revision programme is that:

- all certified revision Bills and their accompanying certificates have been provided to the Attorney-General in accordance with S.33 of the Legislation Act 2012.

The timeliness standard is that:

- legislation, as outlined in the agreed 3-yearly revision programme, is drafted within agreed time frames.

Note 10 - The quality standards for the 3-yearly revision programme are that:

- the legislation produced is drafted as clearly and simply as possible
- the legislation produced is legally effective
- the revision Bill does not change the effect of the law, except as authorised by section 31(2)(i) or (j) of the Legislation Act 2012.

The timeliness standard is that:

- legislation, as outlined in the agreed 3-yearly revision programme, is drafted within agreed time frames.

End of Year Performance Reporting

Performance information for this appropriation will be reported by Parliamentary Counsel Office in its Annual Report to be presented in the House.