

# *Vote Parliamentary Counsel*

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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 2020/21 financial year covering the following:

- a total of just over \$20 million for the provision of law drafting services, which includes legislative drafting assistance to Pacific Island nations, undertaking 3-yearly programmes of statute law revision, administering legislation that the PCO is responsible for, and access to legislation in both paper and electronic form, and
- a total of just under \$3 million for the purchase or development of assets by and for the use of the Parliamentary Counsel Office.

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

# Details of Appropriations and Capital Injections

## Annual Appropriations and Forecast Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2019/20		2020/21
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Departmental Output Expenses</b>			
<b>Drafting of and Access to Legislation (M5)</b>	-	-	<b>20,423</b>
This appropriation is limited to the drafting and publishing of and providing access to legislation, and examining and providing advice and assistance on the design, drafting, and publication of legislation, and any other related functions directed by the Attorney-General.			
<b>Total Departmental Output Expenses</b>	-	-	20,423
<b>Departmental Capital Expenditure</b>			
<b>Parliamentary Counsel Office - Capital Expenditure PLA (M5)</b>	400	400	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.			
<b>Total Departmental Capital Expenditure</b>	400	400	2,830
<b>Multi-Category Expenses and Capital Expenditure</b>			
<b>Drafting and Access to Legislation MCA (M5)</b>	20,423	20,423	-
The single 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>	4,500	4,500	-
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>	15,923	15,923	-
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.			
<b>Total Multi-Category Expenses and Capital Expenditure</b>	20,423	20,423	-
<b>Total Annual Appropriations and Forecast Permanent Appropriations</b>	20,823	20,823	23,253

## Capital Injection Authorisations

	2019/20		2020/21
	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

	2015/16	2016/17	2017/18	2018/19	2019/20		2020/21			2021/22	2022/23	2023/24
	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
<b>Appropriations</b>												
Output Expenses	18,827	19,549	19,578	18,639	20,423	20,423	20,423	-	20,423	20,423	20,423	20,423
Benefits or Related Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditure	336	2,284	877	1,472	400	400	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>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Other Expenses</i>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Capital Expenditure</i>	-	-	-	-	-	-	N/A	-	-	-	-	-
<b>Total Appropriations</b>	19,163	21,833	20,455	20,111	20,823	20,823	23,253	-	23,253	23,253	23,253	23,253
<b>Crown Revenue and Capital Receipts</b>												
Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Non-Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-
<b>Total Crown Revenue and Capital Receipts</b>	-	-	-	-	-	-	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 Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations in the Details of Appropriations and Capital Injections.

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

	2015/16 Adjustments \$000	2016/17 Adjustments \$000	2017/18 Adjustments \$000	2018/19 Adjustments \$000	2019/20 Final Budgeted Adjustments \$000	2019/20 Estimated Actual Adjustments \$000
<b>Appropriations</b>						
Output Expenses	18,827	19,549	19,578	18,639	20,423	20,423
Benefits or Related Expenses	-	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-
Capital Expenditure	-	-	-	-	-	-
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-
Multi-Category Expenses and Capital Expenditure (MCA)						
<i>Output Expenses</i>	(18,827)	(19,549)	(19,578)	(18,639)	(20,423)	(20,423)
<i>Other Expenses</i>	-	-	-	-	-	-
<i>Capital Expenditure</i>	-	-	-	-	-	-
<b>Total Appropriations</b>	-	-	-	-	-	-
<b>Crown Revenue and Capital Receipts</b>						
Tax Revenue	-	-	-	-	-	-
Non-Tax Revenue	-	-	-	-	-	-
Capital Receipts	-	-	-	-	-	-
<b>Total Crown Revenue and Capital Receipts</b>	-	-	-	-	-	-

The prior year information in the Summary of Financial Activity table has been restated to reflect the current Vote structure.

## 1.3 - Analysis of Significant Trends

The decrease in capital expenditure in 2019/20 reflects the reduced activity relating to the New Zealand Legislation System and the Access to Secondary Legislation Project.

With effect from 1 July 2020, the appropriation structures in Vote Parliamentary Counsel will change from a multi category appropriation to a single departmental output expense appropriation but this will not affect the PCO's total appropriation. This change relates to Cabinet's directive to consolidate appropriations as the first step of modernising the public finance system [CAB-19-MIN-0439.01 refers]. Parliamentary Counsel Office has worked with the Treasury to develop the new appropriation structures.

## 1.4 - Reconciliation of Changes in Appropriation Structure

Establishment of a single Departmental Output Expense appropriation. This was Step 1 of the Financial Management and Accountability Changes (Appropriation Consolidation).

2019/20 Appropriations in the 2019/20 Structure	2019/20 (Current) \$000	Old Structure		New Structure		
		Appropriations to which Expenses (or Capital Expenditure) have been Moved from or to	Amount Moved \$000	2019/20 Appropriations in the 2020/21 Structure	2019/20 (Restated) \$000	2020/21 \$000
Drafting and Access to Legislation MCA	-	Transferred from Drafting and Access to Legislation Departmental Output Expense	20,423	Drafting of and Access to Legislation	20,423	20,423
Access to Legislation	4,500	Transferred to Drafting of and Access to Legislation Departmental Output Expense	(4,500)		-	-
Law Drafting Services	15,923	Transferred to Drafting of and Access to Legislation Departmental Output Expense	(15,923)		-	-
Total Changes in Appropriations	20,423		-		20,423	20,423

Explanations of the reasons for changing the appropriation structure are noted in the details of each appropriation in Parts 2-4.



## Part 2 - Details of Departmental Appropriations

### 2.1 - Departmental Output Expenses

#### Drafting of and Access to Legislation (M5)

##### *Scope of Appropriation*

This appropriation is limited to the drafting and publishing of and providing access to legislation, and examining and providing advice and assistance on the design, drafting, and publication of legislation, and any other related functions directed by the Attorney-General.

##### *Expenses and Revenue*

	2019/20		2020/21
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	-	-	20,423
Revenue from the Crown	-	-	20,223
Revenue from Others	-	-	200

##### *Comparators for Restructured Appropriation*

Vote, Type and Title of Appropriation	2019/20		2020/21
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Parliamentary Counsel: Multi-Category Expenses and Capital Expenditure: Drafting and Access to Legislation	20,423	20,423	-
Total	20,423	20,423	20,423

##### *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 and End of Year Reporting Requirements*

Assessment of Performance	2019/20		2020/21
	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)	90%	90%	90%
Free public access to the New Zealand Legislation (NZL) website is available 24 hours a day, 7 days a week	99%	99%	99%

Assessment of Performance	2019/20		2020/21
	Final Budgeted Standard	Estimated Actual	Budget Standard
Drafting tool availability for the Office of the Clerk and Inland Revenue Department staff (see Note 3)	92%	99%	99%
Legislation is published in printed and electronic forms within set timeframes (see Note 4)	100%	99%	100%
All Bills on the annual legislation programme in category 1 (that must be passed or introduced as a matter of law in the current calendar year) and category 2 (that must be passed in the current calendar year) are drafted (see Note 5)	100%	100%	100%
The proportion of instructing departments and agencies we survey that rate the quality and timeliness standards, as listed below in Note 6, 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 7, 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
In regards to the 3-yearly revision programme, the Attorney-General is satisfied that the quality and timeliness standards, as listed below in Note 8, have been achieved	The Attorney-General is satisfied	The Attorney-General is satisfied	The Attorney-General is satisfied
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 9, 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 2019/20.

Performance for this Appropriation will be assessed through the performance measures listed above. These measures will be reported on in the PCO's Annual Report for 2020/21.

#### 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, and
- 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.

Note 3 - A 100% budget standard is not appropriate as system outages are required for planned upgrades.

Note 4 - 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, and
- 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, and
- of being made, all legislative instruments are published.

within ten working days:

- of assent, all Acts are published.

Note 5 - The measure of quantity is demand driven and will vary from year to year.

Note 6 - 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, and
- 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 7 - 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 8 - 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 section 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 deadlines.

Note 9 - 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, and
- the revision Bill does not change the effect of the law, except as authorised by section 31(2A)(a) or (b) of the Legislation Act 2012.

The timeliness standard is that:

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

### *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.

## 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*

	2019/20		2020/21
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	200	200	200
Intangibles	200	200	2,630
Other	-	-	-
<b>Total Appropriation</b>	<b>400</b>	<b>400</b>	<b>2,830</b>

#### *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 continue with the Access to Secondary Legislation Project. The main activities will include establishing a portal for agencies to lodge information about their secondary legislation with the PCO and the full text of it in a format suitable for publication on the NZ legislation website; making changes to the NZ Legislation website, supporting agencies that administer secondary legislation to adopt the portal and lodge details of all their secondary legislation for the first time, and to establish the service delivery capability in PCO to support users of the portal on an ongoing basis.

Performance will be assessed by whether the Access to Secondary Legislation 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.

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

Details of Net Asset Schedule	2019/20 Estimated Actual \$000	2020/21 Projected \$000	Explanation of Projected Movements in 2020/21
Opening Balance	15,091	15,091	
Capital Injections	-	-	
Capital Withdrawals	-	-	
Surplus to be Retained (Deficit Incurred)	-	-	
Other Movements	-	-	
<b>Closing Balance</b>	15,091	15,091	