

# *Vote Parliamentary Counsel*

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

DEPARTMENT ADMINISTERING THE VOTE: Parliamentary Counsel Office (A34)

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 2022/23 financial year covering the following:

- a total of just over \$24 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 Parliamentary Counsel Office 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	2021/22		2022/23
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Departmental Output Expenses</b>			
<b>Drafting of and Access to Legislation (M5) (A34)</b>	23,543	23,543	<b>24,357</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>	23,543	23,543	24,357
<b>Departmental Capital Expenditure</b>			
<b>Parliamentary Counsel Office - Capital Expenditure PLA (M5) (A34)</b>	1,180	1,180	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>	1,180	1,180	2,830
<b>Total Annual Appropriations and Forecast Permanent Appropriations</b>	24,723	24,723	27,187

## Capital Injection Authorisations

	2021/22		2022/23
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Parliamentary Counsel Office - Capital Injection (M5) (A34)	-	-	-

# Supporting Information

## Part 1 - Vote as a Whole

### 1.1 - New Policy Initiatives

Policy Initiative	Appropriation	2021/22 Final Budgeted \$000	2022/23 Budget \$000	2023/24 Estimated \$000	2024/25 Estimated \$000	2025/26 Estimated \$000
Business Transformation Programme - Capital to Operating swap	Drafting of and Access to Legislation Departmental Output Expense	1,462	(75)	(75)	(75)	(75)
	Capital Injections and Movements in Departmental Net Assets	(1,500)				
Business Transformation Programme	Drafting of and Access to Legislation Departmental Output Expense	1,322	3,187	-	-	-
CRRF COVID 19 drafting and publications team	Drafting of and Access to Legislation Departmental Output Expense	486	972	-	-	-
<b>Total Initiatives</b>		<b>1,770</b>	<b>4,084</b>	<b>(75)</b>	<b>(75)</b>	<b>(75)</b>

## 1.2 - Trends in the Vote

### Summary of Financial Activity

	2017/18	2018/19	2019/20	2020/21	2021/22		2022/23			2023/24	2024/25	2025/26
	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	19,578	18,639	20,249	18,893	23,543	23,543	24,357	-	24,357	20,198	20,198	20,198
Benefits or Related Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditure	877	1,472	269	108	1,180	1,180	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>	20,455	20,111	20,518	19,001	24,723	24,723	27,187	-	27,187	23,028	23,028	23,028
<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

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

### 1.3 - Analysis of Significant Trends

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

The increase in appropriation for 2021/22 and 2022/23 relates to funding received for the Parliamentary Counsel Office's Business Transformation Project, and funding received through the Government's COVID Response and Recovery Fund (CRRF).

With effect from 1 July 2020, the appropriation structure in Vote Parliamentary Counsel changed from a multi category appropriation to a single departmental output expense appropriation, this did not affect the Parliamentary Counsel Office's total appropriation. This change relates to Cabinet's directive to consolidate appropriations as the first step of modernising the public finance system. Parliamentary Counsel Office has worked with the Treasury to develop the new appropriation structure.

## Part 2 - Details of Departmental Appropriations

### 2.1 - Departmental Output Expenses

#### Drafting of and Access to Legislation (M5) (A34)

##### *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*

	2021/22		2022/23
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	23,543	23,543	24,357
Revenue from the Crown	23,343	23,343	24,157
Revenue from Others	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 and End of Year Reporting Requirements*

	2021/22		2022/23
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
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%
Drafting tool availability for the Office of the Clerk and Inland Revenue Department staff (see Note 3)	99%	99%	99%
Legislation is published in printed and electronic forms within set timeframes (see Note 4)	100%	100%	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), and which the PCO have received instructions for, are drafted (see Note 5)	100%	100%	100%

Assessment of Performance	2021/22		2022/23
	Final Budgeted Standard	Estimated Actual	Budget Standard
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 regard 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 regard 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

Performance for this Appropriation will be assessed through the performance measures listed above. These measures will be reported on in the Parliamentary Counsel Office's Annual Report for 2021/22.

#### 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. This performance indicator was reworded to better reflect PCO's responsibility.

## 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.

Note 10 - A number of the performance measures reflect the requirements of the Legislation Act 2012 and will need to be updated, particularly in terms of terminology used to describe secondary legislation, when the Legislation Act 2019 is commenced.

### *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.

### *Reasons for Change in Appropriation*

The increase in this appropriation for 2022/23 is due to:

- an increase of \$486,000 to support a COVID-19 legislative team, and
- an overall increase of \$328,000 to support the business transformation programme.

### *Current and Past Policy Initiatives*

Policy Initiative	Year of First Impact	2021/22 Final Budgeted \$000	2022/23 Budget \$000	2023/24 Estimated \$000	2024/25 Estimated \$000	2025/26 Estimated \$000
Business Transformation Programme - Capital to Operating swap	2021/22	1,462	(75)	(75)	(75)	(75)
Business Transformation Programme	2021/22	1,322	3,187	-	-	-
CRRF COVID 19 drafting and publications team	2021/22	486	972	-	-	-

## 2.3 - Departmental Capital Expenditure and Capital Injections

### Parliamentary Counsel Office - Capital Expenditure PLA (M5) (A34)

#### *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*

	2021/22		2022/23
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	430	430	200
Intangibles	750	750	2,630
Other	-	-	-
<b>Total Appropriation</b>	<b>1,180</b>	<b>1,180</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 Parliamentary Counsel Office's long-term capital expenditure plan.

#### *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 2022/23 is due to the alignment of the appropriation with Parliamentary Counsel Office's current Capital Asset Management Plan.

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

Details of Net Asset Schedule	2021/22 Estimated Actual \$000	2022/23 Projected \$000	Explanation of Projected Movements in 2022/23
Opening Balance	15,091	13,591	
Capital Injections	-	-	
Capital Withdrawals	(1,500)	-	Capital to Operating swap to partially fund the business transformation programme
Surplus to be Retained (Deficit Incurred)	-	-	
Other Movements	-	-	
<b>Closing Balance</b>	<b>13,591</b>	<b>13,591</b>	