

The Treasury

Budget 2020 Information Release

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Cabinet Document Details

Title: **Cabinet Minute CAB-20-MIN-0155.09: 2020 Budget Package: Vote Courts**

Date: **6 April 2020**

Creator: Cabinet Office

Information Withheld

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act).

Where this is the case, the relevant sections of the Act that would apply have been identified.

Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to sections of the Act under which information may have been withheld:

- [1] 6(a) - to avoid prejudice to the security or defence of New Zealand or the international relations of the government
- [2] 6(b)(i) - to avoid prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by the Government of any other country or any agency of such a Government
- [4] 6(c) - to avoid prejudice to the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
- [11] 6(e)(vi) - to prevent serious damage to the economy of New Zealand by disclosing prematurely decisions to change or continue government economic or financial policies relating to the entering into of overseas trade agreements
- [23] 9(2)(a) - to protect the privacy of natural persons, including deceased people
- [25] 9(2)(b)(ii) - to protect the commercial position of the person who supplied the information or who is the subject of the information
- [26] 9(2)(ba)(i) - to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
- [27] 9(2)(ba)(ii) - to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest
- [29] 9(2)(d) - to avoid prejudice to the substantial economic interests of New Zealand

- [31] 9(2)(f)(ii) - to maintain the current constitutional conventions protecting collective and individual ministerial responsibility
- [33] 9(2)(f)(iv) - to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials
- [34] 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinions
- [36] 9(2)(h) - to maintain legal professional privilege
- [37] 9(2)(i) - to enable the Crown to carry out commercial activities without disadvantage or prejudice
- [38] 9(2)(j) - to enable the Crown to negotiate without disadvantage or prejudice
- [39] 9(2)(k) - to prevent the disclosure of official information for improper gain or improper advantage
- [40] not in scope
- [41] 18(c)(i) - that the making available of the information requested would be contrary to the provisions of a specified enactment
- [42] 18(d) - information is already publicly available or will be publicly available soon.

Where information has been withheld, a numbered reference to the applicable section of the Act has been made, as listed above. For example, a [23] appearing where information has been withheld in a release document refers to section 9(2)(a).

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Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

2020 Budget Package: Vote Courts

On 6 April 2020, Cabinet:

- 1 **approved** the Budget initiatives for the above Vote for inclusion in the 2020 Budget package, as listed in the summary below and detailed in the attached initiative documents;

Summary of initiatives included in the attached initiative documents:

Operating Initiatives (Impact on Operating Balance)

Initiative ID	Initiative Name	\$m - increase/(decrease)				
		2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
12484	Addressing the Depreciation Impacts of Property Revaluations	8.080	8.080	8.080	8.080	8.080
12477	Expense Transfer for Canterbury Earthquakes Insurance Tribunal	(3.800)	3.800	-	-	-
12495	Maintaining Critical Technology to Ensure the Delivery of Justice Services	-	7.258	2.791	2.839	2.890
11765	Ongoing Funding for the Operation of the Canterbury Earthquakes Insurance Tribunal	-	-	3.268	3.226	-
Total Operating		4.280	19.138	14.139	14.145	10.970

- 2 **approved** changes to appropriations to the administering department to implement the initiatives, as set out in the attached initiative documents;
- 3 **agreed** that the changes to appropriations for 2019/20 above be included in the 2019/20 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
- 4 **authorised** the Minister of Finance and the Appropriation Minister to approve jointly any technical adjustments to baselines necessary to remove any errors or inconsistencies identified while finalising the 2019/20 Supplementary Estimates, the 2020/21 Estimates and the fiscal forecasts;
- 5 **noted** that all communications relating to the 2020 Budget are co-ordinated by a Budget communications committee, and that any requests for early announcement must have the written approval of the Minister of Finance and the Office of the Prime Minister;

- 6 **agreed** that the first initiative in the following table be set aside as a contingency item, and the second initiative in that table be added to the Innovative Tauranga Courthouse tagged operating contingency established previously by Cabinet [SWC-19-MIN-0197], and that corresponding funding be charged against the Budget 2020 operating allowance;

Operating Contingency

Initiative Name	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
[33,38]					
Innovative Tauranga Courthouse	-	-	-	11.400	11.400
[33,38]					

- 7 [33,38]

- 8 **authorised** the Minister of Finance, the Minister of Justice, the Minister for Courts and the relevant Appropriation Ministers to draw down from, and adjust the profile of expenditure across the forecast period, for the Innovative Tauranga Courthouse contingency established previously by Cabinet, including the additional funding agreed above, subject to Cabinet's approval of a business case for the Tauranga Courthouse rebuild with additional conditions and expiry date as set out in SWC-19-MIN-0197.

Michael Webster
Secretary of the Cabinet

Initiative No: 12484

Vote: Courts

Title: Addressing the Depreciation Impacts of Property Revaluations

Description: This initiative provides funding for increases in depreciation caused by 2018/19 market revaluations of certain property assets. The funding will be utilised to maintain the condition of these assets.

Appropriation changes

	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Operating Balance Impact	8.080	8.080	8.080	8.080	8.080
Debt Impact	-	-	-	-	-
No Impact	-	-	-	-	-
Total	8.080	8.080	8.080	8.080	8.080

	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Multi-Category Expenses and Capital Expenditure:					
Courts, Tribunals and Other Authorities Services, including the Collection and Enforcement of Fines and Civil Debts Services (MCA)					
<i>Departmental Output Expense:</i>					
District Court Services (funded by revenue Crown)	8.080	8.080	8.080	8.080	8.080
Total Operating	8.080	8.080	8.080	8.080	8.080

Vote: Courts

Title: Expense Transfer for Canterbury Earthquakes Insurance Tribunal

Description: This funding will agree an expense transfer and fiscally neutral adjustment of current year underspend resulting from delayed setup of the Canterbury Earthquakes Insurance Tribunal (the Tribunal) and appointment of the Chair. Funding will enable the Tribunal to operate for the 2020/21 year.

Appropriation changes

	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Operating Balance Impact	(3.800)	3.800	-	-	-
Debt Impact	-	-	-	-	-
No Impact	-	-	-	-	-
Total	(3.800)	3.800	-	-	-

	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Non-Departmental Other Expense:					
Tribunal Related Fees and Expenses	(3.800)	2.500	-	-	-
Multi-Category Expenses and Capital Expenditure:					
Courts, Tribunals and Other Authorities Services, including the Collection and Enforcement of Fines and Civil Debts Services (MCA)					
<i>Departmental Output Expense:</i>					
Specialist Courts, Tribunals and Other Authorities Services (funded by revenue Crown)	-	1.300	-	-	-
Total Operating	(3.800)	3.800	-	-	-

Vote: Courts

Title: Maintaining Critical Technology to Ensure the Delivery of Justice Services

Description: This initiative provides funding for maintaining the Ministry of Justice's existing ageing technology and to deliver on its newly refreshed Information and Communications Technology (ICT) strategy, both of which are impacted by increases in volume and prices.

Appropriation changes

	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Operating Balance Impact	-	7.258	2.791	2.839	2.890
Debt Impact	-	-	-	-	-
No Impact	-	-	-	-	-
Total	-	7.258	2.791	2.839	2.890

	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Multi-Category Expenses and Capital Expenditure:					
Courts, Tribunals and Other Authorities Services, including the Collection and Enforcement of Fines and Civil Debts Services (MCA)					
<i>Departmental Output Expenses:</i>					
Collection and Enforcement of Fines and Civil Debts Services (funded by revenue Crown)	-	0.785	0.303	0.307	0.313
District Court Services (funded by revenue Crown)	-	4.034	1.551	1.578	1.606
Senior Courts Services (funded by revenue Crown)	-	1.150	0.442	0.450	0.458
Specialist Courts, Tribunals and Other Authorities Services (funded by revenue Crown)	-	1.289	0.495	0.504	0.513
Total Multi-Category Expenses and Capital Expenditure: Courts, Tribunals and Other Authorities Services, including the Collection and Enforcement of Fines and Civil Debts Services (MCA)	-	7.258	2.791	2.839	2.890
Total Operating	-	7.258	2.791	2.839	2.890

9 **noted** that related funding has also been provided through each of Vote Justice (initiative 11762) and Vote Treaty Negotiations (initiative 12496).

Vote: Courts

Title: Ongoing Funding for the Operation of the Canterbury Earthquakes Insurance Tribunal

Description: This initiative is the Labour Party's manifesto commitment to establish a Tribunal to resolve remaining Canterbury earthquakes insurance claims more quickly, fairly and cheaply. In August 2018, Cabinet agreed to establish the Canterbury Earthquakes Insurance Tribunal (the Tribunal) to resolve insurance disputes, providing an alternative pathway for claimants, the Earthquake Commission (EQC), and insurers.

Funding for the Tribunal was provided through Budget 2018 and Budget 2019, but funding for subsequent years was not provided. This initiative is for the operation of the Tribunal for the remainder of its existence.

Appropriation changes

	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Operating Balance Impact	-	-	3.268	3.226	-
Debt Impact	-	-	-	-	-
No Impact	-	-	-	-	-
Total	-	-	3.268	3.226	-

	\$m - increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Non-Departmental Other Expense:					
Tribunal Related Fees and Expenses	-	-	2.255	2.226	-
Multi-Category Expenses and Capital Expenditure:					
Courts, Tribunals and Other Authorities Services, including the Collection and Enforcement of Fines and Civil Debts Services (MCA)					
<i>Departmental Output Expense:</i>					
Specialist Courts, Tribunals and Other Authorities Services (funded by revenue Crown)	-	-	1.013	1.000	-
Total Operating	-	-	3.268	3.226	-