

FIRST QUARTERLY REPORT

For 2022 - 2023

1 JULY 2022 – 30 SEPTEMBER 2022



1. INTRODUCTION

This is the first quarterly report for 2022-23 for Te Aka Matua o te Ture | Law Commission (the Commission). It should be read alongside the Commission's [Statement of Performance Expectations dated June 2022](#).

All projects continue to make good progress and remain on track as reported on below.

2. LAW REFORM PROJECTS – AS AT 30 SEPTEMBER 2022

Project	Status	Target dates ¹
He Arotake i te Ture mō ngā Huarahi Whakatau a ngā Pakeke Review of Adult Decision-making Capacity Law	The project continues.	A preliminary issues paper is planned for the second quarter of 2022/23.
Emergency Powers for Pandemics and other Threats	The project continues.	A study paper is planned for the second quarter of 2022/23.
Tikanga	The project continues.	A study paper is planned for 2022-23.

¹ A **target date** is the target date set by the Board of the Commission for delivery of a final report to the Minister, or publication of a paper approved for online release on the Commission's website. It does not mean that a report will have been presented in Parliament and does not necessarily mean the report will have been printed, on that date.

Project	Status	Target dates ¹
Hapori whānui me te tangata mōrea nui: he arotake o te mauhere ārai hē me ngā ōta nō muri whakawhiu Public safety and serious offenders: a review of preventive detention and post-sentence orders	The Terms of Reference were published on 1 July 2022. The project continues.	An issues paper is planned for 2022-23.
Te Arotake Tuatoru i te Evidence Act 2006 The Third Review of the Evidence Act 2006	The Terms of Reference were published on 28 September 2022. The project continues.	An issues paper is planned for 2022-23.
New Project (TBC)	The Commission expects to receive 1 new reference in 2022/23.	Target dates will be developed when the new reference is received.

3. OUTPUTS AS AT 30 SEPTEMBER 2022

3.1 Terms of reference

The terms of reference for two projects are due to be published in 2022-23.

This output target has been met:

Terms of reference were published on 1 July 2022 in relation to Hapori whānui me te tangata mōrea nui: he arotake o te mauhere ārai hē me ngā ōta nō muri whakawhiu | Public safety and serious offenders: a review of preventive detention and post-sentence orders.

Terms of reference were published on 28 September 2022 in relation to Te Arotake Tuatoru i te Evidence Act 2006 | The Third Review of the Evidence Act 2006.

3.2 Issues papers

Three issues papers are due to be published in 2022-23.

3.3 Study Paper

Two Study Papers are due to be published in 2022-23.

3.4 Timeliness

All work remains on schedule for delivery within the agreed timeframes.

3.5 Implementation update - Bills before the House

The following information relates to Bills before the House that relate (at least in part) to the Commission's earlier work:

- i. *Security Information in Proceedings Legislation Bill 97-2* (Introduced 25 November 2021, second reading 29 September 2022)

The Bill is the Government's response to Part 2 of the Commission's report *The Crown in Court: A Review of the Crown Proceedings Act and National Security Information in Proceedings* (NZLC R135, 2015)

- ii. *Statutes Amendment Bill 108-2* (Introduced 22 December 2021, Select Committee report 8 August 2022)

The Bill repeals Section 202 of the Evidence Act 2006 as recommended in the Commission's report *The Second Review of the Evidence Act 2006 – Te Arotake Tuarua i te Evidence Act 2006* (NZLC 142, 2019).

4. RISKS FACING THE COMMISSION

4.1 Budget

As a result of ongoing cost pressures and future budget uncertainty, the Commission continues to adopt a conservative operating position. The Commission's efficiency would be improved by having four Commissioners at all times, as it would enable a material increase in outputs while requiring only a marginal increase in fixed overhead costs (including support services). However, current funding levels are insufficient for a fourth Commissioner and team. In consequence, the Commission is not in a position to fully deliver on its strategic objectives. Within the constraints of the existing financial operating environment the Commission will continue to endeavour to deliver a timely and effective law reform work programme.

5. DRAFT STATEMENT OF SERVICE PERFORMANCE 2022-23

Measure	How	Planned 2022-2023	Actual 2022-2023 (year-to-date)
Timely production of terms of reference, consultation or other papers, reports and written advice			
The number of terms of reference, consultation or other papers, reports or written advice	The number of published terms of reference, consultation or other papers, reports and written advice	5	2
Stakeholder engagement			
The number of submissions received	The percentage of target number of submissions per project	100%	100%
Long term influence (impact measures)			
Implementation of reports or other advice	The percentage implementation of reports and advice delivered over the previous 10-year period	60%	76.9%
The number of community engagements	The number of community engagements (such as presentations, interviews and published articles)	15	10

Measure	How	Planned 2022-2023	Actual 2022-2023 (year-to-date)
The number of references to the Commission's reports or advice	In court decisions	60 (judicial)	21
	In Parliamentary debates and committee reports, academic publications, and other media	300 (other)	105

6. FINANCIAL REPORTING

6.1 Profit and Loss statement for the quarter to 30 September 2022

	Actual	Budget	Var NZD
Profit & Loss			
Law Commission			
For the quarter ended 30 September 2022			
Income			
Interest Income	\$27,392	\$1,000	\$26,392
Other Income	\$0	\$0	\$0
Revenue from Crown	\$998,250	\$998,250	\$0
Sale of Publications	\$0	\$0	\$0
Total Income	\$1,025,642	\$999,250	\$26,392
Gross Profit	\$1,025,642.00	\$999,250.00	\$26,392.00
Less Operating Expenses			
Communication and Consultancy	\$3,119	\$4,251	-\$1,132
Depreciation and Amortisation	\$18,569	\$20,625	-\$2,056
General Expenses	\$103,383	\$93,234	\$10,149
Library Costs	\$9,397	\$34,050	-\$24,653
Occupancy Costs	\$66,421	\$72,501	-\$6,080
Personnel Costs	\$845,572	\$875,416	-\$29,844
Project Costs	\$84,672	\$116,386	-\$31,715
Total Operating Expenses	\$1,131,132	\$1,216,463	-\$85,331
Net Profit	-\$105,490	-\$217,213	\$111,723

6.2 Draft Balance Sheet as at 30 SEPTEMBER

Balance Sheet Law Commission As at 30 September 2022

	30 September 2022	30 September 2021
Assets		
Current Assets		
Accounts Receivable	\$944	\$137
Cash	\$3,918,896	\$4,120,938
Prepayments	\$43,678	\$78,499
Total Current Assets	\$3,963,518	\$4,199,574
Non-current Assets		
Fixed Assets	\$323,096	\$387,887
Intangibles	\$31,513	\$0
Total Non-current Assets	\$354,608	\$387,887
Total Assets	\$4,318,126	\$4,587,461
Liabilities		
Current Liabilities		
Creditors and Provisions	\$152,117	\$143,415
Current Lease Incentive Provision	\$20,398	\$20,398
Employee Entitlements	\$213,816	\$187,329
GST	-\$22,464	-\$19,972
Income in Advance	\$998,250	\$998,250
Total Current Liabilities	\$1,362,117	\$1,329,420
Non-Current Liabilities		
Non-Current Lease Incentive Provision	\$73,093	\$93,491
Total Non-Current Liabilities	\$73,093	\$93,491
Total Liabilities	\$1,435,210	\$1,422,911
Net Assets	\$2,882,917	\$3,164,550
Equity		
Current Year Earnings	-\$105,490	\$1,225
Retained Earnings	\$2,988,406	\$3,163,325
Total Equity	\$2,882,917	\$3,164,550