

The Treasury

Budget 2024 Information Release

September 2024

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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).

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

- [1] 6(a) - to avoid prejudice to the security or defence of New Zealand or the international relations of the government
- [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
- [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
- [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
- [35] 9(2)(g)(ii) - to maintain the effective conduct of public affairs through protecting ministers, members of government organisations, officers and employees from improper pressure or harassment;
- [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] 18(c)(i) - that the making available of the information requested would be contrary to the provisions of a specified enactment

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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Reference: T2024/1259

Date: 3 May 2024

To: Minister of Finance (Hon Nicola Willis), Leader of the House (Hon Chris Bishop)

Deadline: None
(if any)

Ranked List of Budget Night Legislation

The Minister of Finance's office has requested a ranking of possible Budget night legislation by order of priority. We understand that this is to support your engagements regarding priorities for the House's time over this period.

This is set out below. Note that this builds on a working document that the Parliamentary Council Office (PCO) has been using to plan Budget night legislation. Accordingly, only the three columns on the right-hand-side of the table (shaded light blue) have been prepared by the Treasury. But we have kept all columns in to ensure interoperability with material the Leader of the House may have received from PCO.

We have grouped the proposed legislation into three categories:

- 1. Priority Group 1 (a) and (b):** This is legislation required to give effect to the Budget 2024 package overall, or specific Budget initiatives.
- 2. Priority Group 2:** This is legislation not related to the Budget 2024 package, but where Treasury is aware of a timing rationale for Budget night legislation.
- 3. Priority Group 3:** This is legislation not related to the Budget 2024 package, and where the reasons for proceeding urgently are unclear to us.

We do not have strong views regarding the prioritisation of individual legislation *within* groups 2 and 3.

For completeness, we note that after the week of Budget day, the House does not sit again until 25 June. Any legislation needing to be in force before 1 July will need to complete all its House stages by the end of 26 June, to give sufficient time for Royal Assent to occur on 27 June. 28 June is the Matariki public holiday. Depending on the quantum of legislation that needs to be in force by 1 July 2024, the Leader of the House could consider whether the House should sit under urgency during the last week of June also.

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Information provided by Parliamentary Council Office						Material prepared by Treasury		
Proposal	CAB policy approvals	Agency	Proposed enactment	What stages at Budget?	Enough time for drafting?	Connected to Budget?	Deadline?	Consequences if not progressed on Budget Night
Priority Group 1(a): Legislation required to give effect to Budget 2024 overall								
Appropriation (2024/25 Estimates) Bill	N/A	Treasury	By 30 Sept	1 st reading and commencement of Budget debate	Yes	Yes	End of September	Completion of Budget debate and 2 nd Reading will need to happen in sitting week of 25 June.
Appropriation (2023/24 Supplementary Estimates) Bill	N/A	Treasury	By 30 June	1 st reading only	Yes	Yes	End of June	Introduction and first reading will need to occur on Budget Day to enable the Bill to be enacted before 30 June as required by the PFA. This is because the Supplementary Estimates can only be referred to FEC after first reading, and FEC needs to report back on those before the Bill can go through its remaining House stages before the end of 26 June. Note also that the first Imprest Supply Bill will need to complete all House stages by the end of 26 June, although is scheduled to go be introduced on either 25 or 26 June.
Priority Group 1(b): Legislation required to give effect to specific Budget 2024 initiatives ¹								
Taxation (Budget Measures) Bill	N	IRD	Budget night	All stages	Yes	Yes	Budget night	Tax initiatives in package (e.g., Personal Income Tax) do not progress and not able to be implemented by 31 July.
Waste Minimisation (Waste Disposal Levy) Bill	Y	MfE	Budget night	All stages		Yes	End of June	Savings from changes to the Waste Levy (approximately \$220 million over the forecast period) are impacted if this Act is not in force by 1 July.

¹ Note that failure to proceed with the below would also have flow on consequences for preparation of the Estimates and, therefore, the Appropriations legislation in Priority Group 1(a). It would also affect the forecast financial statements included in Budget Economic and Fiscal Update 2024.

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Proposal	CAB policy approvals	Agency	Proposed enactment	What stages at Budget?	Enough time for drafting?	Connected to Budget?	Deadline?	Consequences if not progressed on Budget Night
Section 73 PFA amendment - MOJ fines bill	Y	MOJ	By 1 July	All stages		Yes	End of June	Savings from Ministry of Justice fines changes (approximately \$60 million over the forecast period) are impacted if this is not in force by 1 July.
Heated tobacco products excise removal	N	MOH	Budget night	All stages		Yes	TBC	Per Treasury's email to your office on 2 May, there is a question about whether this proceeds by primary or secondary legislation. Customs are lead legal advisors regarding this. Depending on whether primary legislation is required - and the implementation date for changes - Budget night legislation may be required.
Priority Group 2: Legislation not related to the Budget 2024 package, but where Treasury is aware of a timing rationale for Budget night legislation								
Forests (Log Traders and Forestry Advisers Repeal) Amendment Bill	Y	MBIE	By end of June	All stages		No	End of June	If this legislation is not in force by 1 July, the currently legislated-for levy increases in the forestry sector will proceed. This would have flow-on implications for the Government's agenda for the sector (e.g., to reduce regulatory burden).
Local Government (Water Services Transitional Provisions)	Y	DIA	By end of July	1 st reading only		No	Early August	We understand that the rationale for Budget night legislation is to ensure enactment by early August 2024. The Bill contains a requirement for councils to develop Water Services Delivery Plans within 12 months of the Bill being enacted. Enactment in August 2024 will mean that these plans will be completed in advance of the Local Government elections in October 2025.

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Resource Management (Marine Farm Consents) Amendment Bill	Y	MfE	By end of July	1 st reading only		No	ASAP	This Bill extends all consents for marine farms by 25 years. We understand that (of 1200 total), 300 consents are set to expire this calendar year, and that applications for renewal of these must be made by farm operators by the end of June 2024. This Bill not progressing could mean that some applications for renewal are made, despite this being unlikely to be necessary once the legislation is enacted.
Priority Group 3: Legislation not related to the Budget 2024 package, and where the reasons for proceeding urgently are unclear								
Land Transport (CO2 Emission Targets) Amendment Bill	Y	MOT	Budget night	All stages		No	Unclear	This is not linked to implementation of the Budget 2024 package. We have requested further information from the Ministry of Transport regarding why this needs to proceed on Budget night (as it is not apparent to Treasury), but have not received the requested information at the time of writing.
ACC (Interest on Instalment Plans and Unpaid Levies) Amendment Bill	Y	MBIE	Budget night	All stages		No	Unclear	We understand that this legislative amendment is to correct a potential legal risk regarding the charging of interest (potential liability likely to be low hundreds of millions total). Treasury supports the keenness to address this risk as soon as possible, but - as it is not a new risk by any means - does not consider it a major priority for Budget night legislation.