



On 12 December 2018, you emailed the Ministry requesting, under the Official Information Act 1982, information about the New Zealand Superannuation and Retirement Income Act 2001 (the Act), and section 22 of this Act. Your questions are addressed in turn below.

- *The total Government cost of administering the Superannuation Act for each of the years ending 2018, 2017, 2016.*

The Ministry has a departmental appropriation called Income Support and Assistance to Seniors which reflects the costs in managing Superannuation and other related supplementary assistance to Seniors. This is shown in the table below.

Table 1: Value of the Income Support and Assistance to Seniors appropriation for the past three financial years.

Financial year ending 30 June	Dollars (millions)
2017/18	46.436
2016/17	43.167
2015/16	36.981

Notes:

- This appropriation is limited to paying New Zealand Superannuation and social security entitlements to older persons, providing advice to them, administering international social security agreements relating to non-superannuitants, and assessing financial entitlement to Residential Care Subsidies.

Information regarding the changes in appropriation is available in the Vote Social Development Supplementary Estimates of Appropriations report (on page 20 of the 2016/17 report available here: <https://treasury.govt.nz/sites/default/files/2017-05/suppest17socdev.pdf>, and page 13 of the 2017/18 report available here: <https://www.budget.govt.nz/budget/pdfs/suppestimates/suppest18socdev.pdf>).

- *The total amount recovered from clawbacks under Clause 22 for each of the years ending 2018, 2017, 2016.*

The Ministry is unable to report on the amount of debt recovered from overpayments established as a result of the application of section 22 of the Act. To provide this information, Ministry staff would have to manually review the case files of all recipients of New Zealand Superannuation whose New Zealand Superannuation was suspended or cancelled for the reason 'Left New Zealand', to determine whether they had an overpayment debt created due to the application of section 22.

As the Ministry's debt reporting cannot be used to specifically report about debt recovered for specific reasons, staff would have to manually review the debt repayments that each individual had made since the time the section 22 overpayment

was established and apportion the amount of recovered debt that could be considered to be repaying this overpayment as a relative amount of the total debt repaid.

As such, your request for this information is refused under section 18(f) of the Official Information Act as substantial manual collation would be required to address it. The greater public interest is in the effective and efficient administration of the public service.

The Ministry has considered whether it would be able to respond to your request given extra time, or the ability to charge for the information requested. The Ministry has concluded that, in either case, its ability to undertake its work would still be prejudiced.

The Ministry is however able to provide the number of overpayments created on the cancellation date or suspension date of New Zealand Superannuation, where the reason for the suspension or cancellation is 'Left New Zealand' as this information can be collated electronically. It is important to note that while the overpayments are created on the same day as the suspension or cancellation, it cannot be assumed that this overpayment is due to the application of section 22. As such, the figures provided in the table below are an approximation of the number and dollar value of overpayments established as a result of the application of section 22.

You will note that the number and value of overpayments has increased over time. The number of people in receipt of New Zealand Superannuation has increased by 11 per cent between 2016 and 2018. In addition to this, the number of cases created that required further investigation following data matching with Customs has increased year on year, suggesting that more people are in receipt of New Zealand Superannuation and leaving New Zealand.

Table 2: Number and dollar value of overpayments created on the cancellation date or suspension date of New Zealand Superannuation, where the reason for the suspension or cancellation is 'Left New Zealand', for the calendar years 2016, 2017 and 2018.

Calendar year	Number of overpayments	Total overpayment amount
2016	484	\$690,785.69
2017	618	\$935,848.47
2018	632	\$1,097,560.74

Notes:

- This is the number and amount of 'overpayments' created on the same day where the New Zealand Superannuation payment is suspended or cancelled for reason 'Left New Zealand'.
- Although the overpayments are created on the same day as the suspension/cancellation it cannot be assumed that this 'overpayment' is for the reason 'Left New Zealand' as it may have been created for another reason. Overpayments counted are all overpayments created for clients in this circumstance receiving New Zealand Superannuation, including supplementary assistance overpayments.
- This is a count of the number of 'overpayments' not the number of clients.
- A client may have more than one 'overpayment' created on the same day and in the same calendar year.
- Reason group 'Left New Zealand (NZ)' includes; Client in agreement country, Left NZ for 26-30 weeks, Left NZ for 30 weeks, Left NZ for Australia >30 weeks, Non qualifying partner left NZ >30 weeks, only qualifying partner left NZ, overseas <4 weeks, Overseas more than 4 weeks, qualifying left NZ for Australia>30 weeks, qualifying left NZ for UK 26-30weeks, qualifying left NZ for UK >30 weeks, qualifying partner left NZ >30 weeks, and qualifying partner left NZ 26-30 weeks.

- *Related costs in enforcement and recovery of clawbacks under clause 22 for each of the years ending 2018, 2017, 2016.*

Staff in the Integrity Intervention Centre and New Zealand Superannuation Case Managers are involved in the enforcement and recovery of overpayments established following the application of section 22. These staff perform a variety of tasks as part of their day-to-day work and do not record time spent on specific tasks or types of tasks. As such, the Ministry is unable to report on the costs involved in undertaking specific types of work such as enforcement and recovery of overpayments established following the application of section 22. Your request is refused under section 18(g) of the Official Information Act as this information is not held by the Ministry and there are no grounds to believe that the information is held by another department or Minister of the Crown or organisation.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter available to the wider public shortly. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely



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