



13 APR 2021

Tēnā koe

On 16 March 2021, the Ministry of Social Development (the Ministry) received a transfer from the Treasury of your request, under the Official Information Act 1982 (the Act), for the following information:

- *For each of the fiscal years from 1999/2000 to the present, the total sum of money paid by the New Zealand Government to the Australian Federal Government, for what purposes and with what authority these payments were made (legislative mandate, bi-lateral agreement, Cabinet decision etc). Sums under \$10 million should be included in the totals but need not be separately specified. (A catch all of 'other' will suffice.) Specifically, I am requesting details of the amounts paid to the Federal government to compensate it for welfare services it provided/provides to New Zealanders resident in Australia – a practice which began under the Clark government. These amounts should be broken down by category as applicable – for example, unemployment, widows/orphans, Domestic Purposes Benefit etc.*

The New Zealand Government had an arrangement with the Australian Federal Government under the Social Welfare (Reciprocity with Australia) Order 2002 (the 2002 Order) in which the New Zealand Government would reimburse the Government of Australia by payment of agreed amounts for social welfare payments made by the Australian Federal Government to New Zealand citizens and residents.

Benefits were payable under Article 26 and as per the schedule set out under Article 27 of the 2002 Order. The legislation which set out the arrangement is available here: www.legislation.govt.nz/regulation/public/2002/0119/latest/DLM125133.html.

Please note, this legislation was revoked on 1 July 2017, by clause 6 of the Social Welfare (Reciprocity with Australia) Order 2017. The updated legislation can be found here: [www.legislation.govt.nz/regulation/public/2017/0086/latest/DLM7241756.html?search=qs act%40bill%40regulation%40deemedreg social+welfare resel 25 h&p=1&sr=1](http://www.legislation.govt.nz/regulation/public/2017/0086/latest/DLM7241756.html?search=qs%20act%40bill%40regulation%40deemedreg%20social+welfare%20resel%2025%20h&p=1&sr=1).

Currently, New Zealand has an arrangement with the Australian Federal Government that Australian and New Zealand residents who have lived, live or are going to live in either country may qualify for a benefit from both countries. More information can be found here: www.workandincome.govt.nz/pensions/travelling-or-moving/social-security-agreements/australia.html#null.

In regard to your request, please find **Table One** below outlining the amounts paid to the Australian Federal Government by the Ministry.

Table One: Benefits Paid by the New Zealand Government to the Australia Federal Government, broken down by financial year and amount paid in New Zealand dollars

Financial year	Amount in NZD (\$Million)
2015/16	39.940
2014/15	15.343
2013/14	18.560
2012/13	21.707
2011/12	37.372
2010/11	39.519
2009/10	45.041
2008/09	50.278
2007/08	57.903
2006/07	71.472
2005/06	79.638
2004/05	90.584
2003/04	102.690
2002/03	121.322
2001/02	159.021
2000/01	170.634
1999/00	147.349

Please note, the 2002 Order was effective from 1 July 2002. The amounts noted in the aforementioned schedule set out in Article 27 are in Australian dollars, however, the table above represents actual amount paid each Financial Year in New Zealand dollars. The amounts have also been adjusted for Consumer Price Index (CPI) Change.

The figure for the 2015/16 Financial Year represents the reimbursement amount, which was paid in one sum, for 2015/16 and the following five financial years, ending with the 2020/21 Financial year. This was the final payment made under the 2002 Order.

As per Article 27 of the 2002 Order, the final payment was made in the 2015/16 Financial Year as this was the first year the amount payable after adjusting for the CPI movement was below \$10 million Australian dollars (\$9.75m AUD). Paragraph 2 of the 2002 Order states that in the first financial year the reimbursable amount is less than 10 million Australian dollars, the New Zealand Government would reimburse the Australian Federal Government that adjusted reimbursable amount for that year together with an amount equal to an aggregated reimbursable amounts for the next five financial years. Hence the final amount paid was \$39.94m (NZD) in Financial Year 2015/16. Following this payment, no further amount shall be reimbursable under this Article.

As such, the payments outlined in the schedule in Article 27 for the Financial years of 2021/22 and 2022/23 are refused under section 18(e) of the Act, as this information does not exist.

The Ministry is unable to break down the figures by any specific benefit type as the amounts were agreed to as per Article 27 or the 2002 Order. As such this aspect of your request is refused under section 18(g) of the Act, as the information is not held by the Ministry and I have 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. 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 to your requests for the amounts paid by the New Zealand Government to the Australian Federal Government, 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.

Ngā mihi nui



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