



LAW · COMMISSION
TE · AKA · MATUA · O · TE · TURE

E31(110)

2008–2009

ANNUAL REPORT



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Letter of transmittal

Minister Responsible for the Law Commission
Parliament Buildings
WELLINGTON

Dear Minister

I have the honour to present to you the report of the Law Commission for the year ended 30 June 2009.

This report is prepared under section 17 of the Law Commission Act 1985 and the Crown Entities Act 2004.

Yours sincerely



Geoffrey Palmer SC
President

The Law Commission: Te Aka Matua o te Ture

Directory

The Law Commission is an independent, publicly funded, advisory body established by statute to undertake the systematic review, reform and development of the law of New Zealand. Its purpose is to help achieve law that is just, principled, and accessible, and that reflects the heritage and aspirations of the peoples of New Zealand.

In developing its proposals, the Commission takes into account te ao Māori (the Māori dimension) as well as community and international trends and experience.

The members of the Law Commission as at 30 June 2009, appointed under section 9 of the Law Commission Act 1985, are:

- Rt Hon Sir Geoffrey Palmer SC
- Dr Warren Young
- Emeritus Professor John Burrows QC
- George Tanner QC
- Val Sim

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Information about the Law Commission and its work is available via the Internet from the Commission's website at: <http://www.lawcom.govt.nz>.

Funding

The Law Commission is funded from money appropriated by Parliament through Vote:Justice.

President's foreword

Two particularly notable achievements stand out in the 2008/09 year. First, completion of the three year statute law project with the publication of two reports – *Presentation of New Zealand Statute Law* (NZLC R104) published December 2008, and the *Review of the Statutes Drafting and Compilation Act 1920* (NZLC R107) published June 2009.¹

This project goes to the core purpose of the Law Commission – “promoting the systematic review of, reform and development of the law of New Zealand”. The statute book has not had a thorough overhaul since 1908 and the first report provides practical recommendations that would make legislation more publicly accessible, including introducing a subject index and systematic reviewing of statutes. The proposals were developed in collaboration with the Parliamentary Counsel Office. The second report is a revision of the Statutes Drafting and Compilation Act 1920 which governs the Parliamentary Counsel Office. Our recommendations here would update and enhance the ability of that office to carry out its functions.

The second significant achievement is the introduction to Parliament in the last financial year of three very important bills arising from recent work. Foremost is the Search and Surveillance Bill introduced in August 2008, based on one of our most complex reports, which provides a principled framework for the myriad of regulatory and enforcement powers required by agencies for orderly government. While the Bill was in select committee the Commission continued to lead substantial work with agencies, resulting in the introduction of a much revised Bill on 2 July 2009.

The Public Inquiries Bill introduced in October 2008 is the result of recommendations in our report *A New Inquiries Act* (NZLC R102) published in May 2008. The central piece of legislation considered in the Report is the Commissions of Inquiry Act 1908, which sets out the overarching framework and powers of commissions of inquiry and royal commissions. The Bill, included as a draft within our final report, reflects our recommendations to establish only two types of inquiry – public inquiries and government inquiries, both having the same powers with the only distinction being in the manner of appointment. This regime will bring much greater efficiency and effectiveness to all inquiries while operating within a proper legal framework.

¹ Note also *Presentation of New Zealand Statute Law* (NZLC IP2). Published September 2007.

The Limitation Bill introduced at the end of the year, June 2009, is the culmination of a Commission project dating back over twenty years, with reform long overdue. An expert reference group worked with the Commission for two years to update historic Commission reports and draft new legislation to replace the Limitation Act 1950. This reform also provides a principled framework for an inaccessible and inconsistent area of law – the timeframes within which various civil actions can be brought to court. The success of these law reform projects illustrates the robust approach of current Cabinet processes for the Commission, which encourage collaboration between the Commission, agencies and professional groups to work towards legislative implementation of proposals.

The current work programme continues four very substantial projects that made excellent progress in the 2008/09 year under the same independent but collaborative approach – *Simplification of Criminal Procedure*, *Review of the Regulatory Framework for the Sale and Supply of Liquor*, *Review of Privacy Laws* and *the Review of the Land Transfer Act 1952*.

We received a reference to conduct a ‘root and branch’ reform of the law relating to the sale and supply of liquor in August 2008. The project took shape over the year with formation of an interdisciplinary team, including secondments from key stakeholder departments and agencies. This is a multifaceted topic, requiring wide and effective public consultation, and one that is a high priority for government. Our first publication in this project, *Alcohol Legislation and the Conscience Vote* (NZLC R106), was published in May 2008. Our inquiry has so far focussed on two major consequences of excessive use of alcohol – its contribution to law and order problems, and to serious health and injury problems. By the end of June 2009, the team was well on the way to publication of a consultative issues paper.

During the year we significantly enhanced our use of electronic technology to publish papers and seek feedback on law reform recommendations. The liquor project will take full advantage of our new interactive website, www.talklaw.co.nz, launched in early June. From the end of 2009, issues papers, our main consultative tool, will only be available through our website in the first instance. We still aim to provide an accurate overview of the legal landscape with careful analysis of the problems and possible solutions, but consultation can be carried out in a far more innovative and cost effective way.

Overall, the 2008/09 year was another very productive period for our relatively small resource, with the publication of eight issues papers, three final reports and a study paper. Four major projects were completed during the year and three new projects began. Our achievements also

reflect the supportive approach taken by both governments in power during this period. After the election in November, the Commission's work programme continued apace with some realignment to meet the priorities of our new Minister.

The Law Commission's continuing high performance in 2008/09 rests on the shoulders of our hard working, enthusiastic and very able legal and policy advisers and Commissioners. The achievements I have highlighted are pulled from a backdrop of very solid work on 23 major projects plus substantial advisory work over the year. This is a very full work programme, and there is no shortage of topics for our attention in the future.

The Commission

Who are we

The Law Commission is an independent Crown entity governed by the Law Commission Act 1985 (LCA) and the Crown Entities Act 2004 (CEA). Our purpose is to promote the systematic review, reform and development of the law of New Zealand.

The Board, for the purposes of the Crown Entities Act, are the members of the Commission. In the financial year under review Commissioners were as follows:

- President, Rt Hon Sir Geoffrey Palmer SC
- Deputy President, Dr Warren Young
- Commissioner, Emeritus Professor John Burrows QC
- Commissioner, George Tanner QC (commenced September 2007)
- Commissioner, Val Sim (commenced October 2008)

At year end there were 30 staff in the Commission. This includes the General Manager, 22 legal and policy advisers (including six secondments) and seven support staff. The Commission also makes use of consultants with expertise in specialist areas. We have our own law library and operate from offices that we sub lease within a modern office building in the Wellington CBD.

What do we do

We are a law reform agency. The Commission has an established policy and legal research culture and our project work programme falls into two categories: those referred by government to the Commission under section 7 of the LCA; and those that, upon its own motion, the Commission decides to embark upon. In recent years we have not carried out any self-referred projects as the weight of government references has been very heavy.

In addition to our core work programme, a principal function of the Commission under our Act is to advise the Minister of Justice and the Minister Responsible for the Law Commission on ways in which the law of New Zealand can be made as understandable and accessible as is practicable. The main way in which the Commission undertakes this function is through its servicing of two important executive

government committees that are aimed at improving the quality of legislation. These are the Legislation Advisory Committee (LAC), which has existed since 1986, and the Legislation Design Committee (LDC), which was created in 2006.

The Commission is also called upon by departments and Ministers to provide assistance on a wide variety of legislative proposals they have under consideration that involve particularly difficult legal or constitutional issues. We frequently collaborate with departments who are considering policy changes and improving ways to deal with issues. Upon request, the Commission also appears in front of select committees to provide advice on particular issues of legal concern.

The year in review

Law reform work programme

Law reform projects

At the commencement of the 2008/2009 year the Commission had a full work programme consisting of 22 law reform projects. Sixteen of these were ‘work in progress’ carried over from the 2007/2008 year, as follows:

- Presentation of New Zealand statute law
- Review of the Statutes Drafting and Compilation Act 1920
- Development of a unified tribunals framework
- Review of victims compensation
- Review of the Civil List Act 1979
- Review of the law relating to private schools
- Review of prerogative writs
- Review of the War Pensions Act 1954
- Review of the Land Transfer Act 1952
- Review of maximum penalties
- Review of part 8 of the Crimes Act 1961
- Review of the law of privacy (civil and criminal law)
- Review of the law of privacy (Privacy Act 1991)
- Review of the Misuse of Drugs Act 1975
- Public safety and security
- Simplification of criminal procedure

Two new law reform projects were added to the 2008/09 work programme – the review of the law of trusts and the review of the Official Information Act 1981. The balance of the work programme consisted of policy and legislative advisory work in relation to the implementation of previous Commission reports, in four areas – search and surveillance (*Search and Surveillance Powers* NZLC R97), public inquiries (*A New Inquiries Act* NZLC R102), limitation defences (*Limitation Defences in Civil Proceedings* NZLC R6, *Tidying the Limitation Act* NZLC R61, *Limitation Defences in Civil Cases: Update Report* NZLC MP16) and admissibility of previous convictions (*Disclosure to Courts of Defendants’ Previous Convictions, Similar Offending and Bad Character* NZLC R103).

In August, public disquiet following the tragic death of a liquor store owner in south Auckland prompted the Minister to ask the Commission to undertake a fundamental review of the regulatory framework relating to the sale and supply of liquor. This was a significant addition to the Commission's work programme and additional funding was received to undertake the review. On taking office following the election, the new Minister asked the Commission to give the project a high priority and our first report *Review of Regulatory Framework for the Sale and Supply of Liquor: Part 1: Alcohol Legislation and the Conscience Vote* (NZLC R106), was produced in May 2009. Given the pervasive impact of alcohol harm in our community many government agencies have been called upon to assist us in this project over the past 11 months. The Commission is very grateful for this assistance and in particular acknowledges the Alcohol Liquor Advisory Council, the Ministries of Health and Justice and the NZ Police for providing experienced staff on secondment to the Commission to participate in this major reform project.

The impact of this project and a reallocation of resources to respond to the new Government's law reform priorities following the election, resulted in a number of projects being delayed or deferred until the new financial year. Specific timeline variations by project are set out more fully in the *Statement of Service Performance*.

Law reform publications

The published output of the Commission at year end was three final reports, eight issues papers and one study paper.

Significant among the publications were two reports relating to statute presentation and drafting in New Zealand. The publication of these reports, *Presentation of New Zealand Statute Law* (NZLC R104) published December 2008, and the *Review of the Statutes Drafting and Compilation Act 1920* (NZLC R107) published June 2009,² marks the completion of a three year project. Both reports were developed in collaboration with the Parliamentary Counsel Office (PCO). The first makes recommendations regarding the formatting and presentation of our statute book with a view to making these documents more publicly accessible. The second report makes recommendations concerning the functions and operation of the PCO, the organisation that is responsible for drafting our statutes. These two projects examining the statute book and its drafting and presentation are core work for the Law Commission in relation to its fundamental purpose to promote the systematic review of, reform and development of the law of New Zealand. We are awaiting the Government's response to their recommendations.

² Note also *Presentation of New Zealand Statute Law* (NZLC IP2). Published September 2007.

Our report entitled the – *Review of Regulatory Framework for the Sale and Supply of Liquor: Part 1: Alcohol Legislation and the Conscience Vote* (NZLC R106) is the first of three reports to be produced in the liquor project. The conscience vote has long been a feature of the Parliamentary process in relation to alcohol legislation and our report suggests that this practice, where Members of Parliament cast their votes free from the usual expectation of party discipline, can reduce the quality and effectiveness of the alcohol laws that Parliament enacts. However, as the use of the conscience vote is not a matter for the Executive Government the Commission makes no recommendations to it in our report.

The publication of our study paper covering the development of a unified tribunal framework (*Tribunal Reform* NZLC SP20) was a joint project in which we collaborated with the Ministry of Justice (MOJ). The paper examines a range of different options for reforming New Zealand’s system of tribunals. It proposes a new unified tribunal service led by a District Court Judge and a new legislative framework which will provide a consistent set of powers, rights of appeal, and rules of procedure for all New Zealand’s tribunals. The proposals for reform were developed in conjunction with the MOJ after a careful assessment of the existing problems faced by tribunals and an examination of the ways in which some other countries have dealt with similar problems. The paper also contains the Law Commission’s proposals for the proposed legislative framework. Further work is needed to develop this aspect of the framework, and although the project per se is now complete, the Commission is looking to receive comment on this aspect of the study paper’s proposals.

The publication of eight issues papers was also a significant achievement in this year’s work programme. With the exception of the *Review of Prerogative Writs* (NZLC IP9), these papers were all well received and the Commission will be publishing final reports in 2009/10 following the analysis of submissions and the development of final policy and legislative proposals. The full list of issues papers published during the financial year is included in the *Statement of Service Performance*.

Implementation of Law Commission reports

The financial year was also characterised by the amount of work done to contribute to the implementation of recommendations from previous reports. Significant resources were expended in the development of a Bill implementing the recommendations in our 2007 search and surveillance report, *Search and Surveillance Powers* (NZLC R97), and the development of a new Criminal Procedure Act building on our 2005 report, *Criminal Pre Trial Processes: Justice Through Efficiency* (NZLC R89).

The new Search and Surveillance Bill (which replaces the Search and Surveillance Powers Bill) amends 84 Acts administered by 19 different departments and was ready for introduction by year end. The Commission is to be invited to be advisers to the Select Committee on the Bill. A new Criminal Procedure Act will be ready for introduction in Parliament in the 2009/10 year following an extensive consultation process that took place on a series of 10 comprehensive discussion papers. Extensive piloting of proposed new procedures has also occurred in two District Courts.

Our project reviewing Part 8 of the Crimes Act 1961 was on track to publish an issues paper during the year. However, it was accorded high priority by the new Government following the election, and reform recommendations will be published in a legislative commentary and draft bill early in the 2009/10 financial year.

During the year three bills from previous Commission reports were introduced:

- Inquiries Bill (NZLC R102)
- Search and Surveillance Powers Bill (NZLC R97)
- Limitation Bill (NZLC R6 & R61)

Including these and the bills listed below, at year end a total of six bills from previous Commission reports were carried over to the new Parliament:

- Trustee Amendment Bill (NZLC R79)
- Unit Titles Bill (NZLC R59)
- Waka Umanga (Māori Corporations) Bill (NZLC R92 2006)

In addition, five bills relating to previous Commission reports have been or are being drafted:

- Costs in Criminal Cases (NZLC R60)
- Criminal Defences: Provocation (NZLC R98)
- Damages and Awards of Interest (NZLC R28)
- Habeas Corpus Amendment (NZLC R100)
- Life Insurance (NZLC R87)

Advisory work

In addition to the law reform work programme, the Commission continued to be involved in advisory work much of which was on a regular and highly visible basis through the LAC and the LDC,

both chaired by the President. The work of the LDC was not as heavy through the year, as the Committee deferred work pending the outcome of the election and the possibility of new policy directions. However, the Commission did continue to respond to ad hoc requests for advice from Government, departments and other agencies.

Capability development

The Commission consolidated on the introduction of its project management guide during the last financial year, as legal and policy advisers used the project management tools to assist project planning, monitoring and monthly status reporting.

The implementation of *ComplyWith*, an online legislative compliance application has also proved to be a very useful addition to the Commission's risk management tools. This application provides a systematic approach to determining legislative compliance by identifying the relevant provisions within those statutes that pertain to our operation as a public sector organisation, Crown entity, and employer. Online updating of legislation assists the Commission to determine its level of compliance assured that it has the latest information available at all times.

The Commission's first *ComplyWith* report indicated a high level of compliance across relevant statutes. A work programme to improve our compliance under the Health and Safety in Employment Act 1992 has been put in place and a further survey will be undertaken during the 2009/10 year to assess improvements in this area.

The Commission continued to implement the recommendations of the 2007/08 records management review through the year. In particular, we have established a recordkeeping programme through to 2011. Tasks this year included:

- Updating the filing manager guide, record management policies, procedures and recordkeeping requirements;
- Updating recordkeeping training material for new staff;
- Development of a new recordkeeping guide including the updated framework and a 'quick guide' distributed to staff to formalise procedure; and
- Discussions with Archives NZ with regard to older files set aside for permanent archival with a view to arranging their disposal.

We are currently working on signing up to an existing shared supply agreement with our current storage supplier, and to add document destruction to this, as the next step.

As part of emphasising an open approach to communication and to give law reform a higher profile in the community, we have launched a new website that provides forum discussion and survey functionality and allows submissions on our issues papers to be received online. In particular, in relation to our review of the liquor laws we are hoping www.talklaw.co.nz will attract a younger demographic, as well as people in the community who might not have contributed to Commission reports in the past. If this approach is successful we will look to develop it further and reduce our publication costs by publishing issues papers online only.

The President and Commissioners continued to be invited to present at a number of conferences and gave many speeches during the year about the work of the Commission, the LAC and law reform more generally. These presentations are part of our communication strategy emphasising an open approach to communication with our stakeholders and interested parties. A number of these speeches are posted on our website. We continue to invite the media to the launch of our reports and post links to the video briefings on our website.

We remain firm in our commitment to provide appropriate opportunities for staff education and development. Three legal staff were sponsored to complete their legal professionals training. An in house, level three, Te Reo course was attended by eight staff during the year. In addition, many staff have taken the opportunity to attend conferences and seminars relevant to their areas of interest and/or expertise.

The Commission's in house seminar series this year was notable for speakers such as Professor Fred Morrison from the University of Minnesota Law School, speaking about the complexities of the legal and jurisdictional issues in the Guantanamo camps, Mr Michael Hodgen, a Wellington barrister speaking about his experiences as a lawyer in South Africa in the early 90s, Trustee Professor Amy Boss, from Drexel University, explaining her work on the development of software principles by the American Institute of Law and Professor Roger Clark, from Rutgers University School of Law speaking about the international criminal court. There were also two very interesting staff presentations covering consistency in sentencing, and the regulation of the use of flags and emblems from Northern Ireland to the North Island.

Financial statements

for the year ended 30 June 2009

FINANCIAL STATEMENTS

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Statement of responsibility

The Commission accepts responsibility for the preparation of the financial statements, statement of service performance and the judgements used herein.

The Commission accepts responsibility for establishing and maintaining a system of internal control designed to provide reasonable assurance as to the integrity and reliability of its financial reporting.

In the opinion of the Commission the financial statements and statement of service performance for the year ended 30 June 2009 fairly reflect the financial position and operations of the Law Commission.

Signed on behalf of the Commission.



Geoffrey Palmer
President



Warren Young
Deputy President

Statement of financial performance for the year ended 30 June 2009

	Note	2009	2009	2008
		Actual	Budget	Actual
		\$	\$	\$
Income				
Revenue from Crown	2	4,842,000	4,035,000	5,390,000
Interest income		101,151	137,280	170,624
Sale of publications		19,115	20,000	18,134
Other revenue	3	0	0	64,972
Sentencing Council		0	189,000	0
<i>Total income</i>		4,962,266	4,381,280	5,643,730
Expenditure				
Personnel costs	4	3,527,892	3,280,874	3,731,112
Project costs		343,849	489,325	944,494
Administration Costs	6	849,587	780,395	896,899
Library costs		129,840	104,261	105,549
Depreciation and amortisation expense	9,10	248,290	265,000	263,784
Finance costs		0	0	408
<i>Total expenditure</i>		5,099,458	4,919,855	5,942,246
Net surplus/(deficit)		(137,192)	(538,575)	(298,516)

The accompanying notes form part of these financial statements.

Explanations of significant variances against budget are detailed in note 22.

Statement of financial position

as at 30 June 2009

		2009	2009	2008
		Actual	Budget	Actual
	Note	\$	\$	\$
Assets				
Current assets				
Cash and cash equivalents	7	822,997	378,920	887,056
Debtors and other receivables	8	48,676	7,000	52,924
Prepayments		53,920	43,000	43,862
Investments	14	200,000	200,000	200,000
Total current assets		1,125,593	628,920	1,183,842
Non-current assets				
Property, plant and equipment	9	987,165	1,007,000	1,129,687
Intangible assets	10	9,901	24,800	19,431
Total non-current assets		997,066	1,031,800	1,149,118
Total assets		2,122,659	1,660,720	2,332,960
Liabilities				
Current liabilities				
Creditors and other payables	11	239,495	155,000	296,258
Employee entitlements	12	126,700	65,000	143,046
Total liabilities		366,195	220,000	439,304
Net Assets		1,756,464	1,440,720	1,893,656
Equity				
General funds	13	1,479,790	978,720	1,616,982
Revaluation reserves	13	276,674	462,000	276,674
Total equity		1,756,464	1,440,720	1,893,656

The accompanying notes form part of these financial statements.

Statement of changes in equity

for the year ended 30 June 2009

	Note	2009	2009	2008
		Actual	Budget	Actual
		\$	\$	\$
Balance at 1 July		1,893,656	1,979,295	2,192,172
Amounts recognised directly in equity:				
<i>Property, plant and equipment</i>				
Sale of non-current assets held for sale	13	0	0	(11,900)
Revaluation gains/(losses) taken to equity	13	0	0	11,900
Surplus / (deficit) for the year		(137,192)	(538,575)	(298,516)
Total recognised income and expense		(137,192)	(538,575)	(298,516)
Balance at 30 June	13	1,756,464	1,440,720	1,893,656

The accompanying notes form part of these financial statements.

Statement of cash flows for the year ended 30 June 2009

	Note	2009	2009	2008
		Actual	Budget	Actual
		\$	\$	\$
Cash flows from operating activities				
Receipts from Crown revenue		4,842,000	4,224,000	5,390,000
Interest received		99,100	137,280	215,443
Sale of publications and other revenue		9,616	20,000	84,245
Payments to employees		(3,551,544)	(3,220,874)	(3,795,196)
Payments to suppliers		(1,398,361)	(1,374,276)	(2,233,938)
Goods and services tax (net)		31,368	(60,000)	89,516
<i>Net cash from operating activities</i>	16	32,179	(273,280)	(249,930)
Cash flows from investing activities				
Receipts from sale of property, plant and equipment		0	0	12,853
Placement of funds on term deposits		(920,000)	0	950,000
Maturity of funds on term deposits		920,000	0	0
Purchase of property, plant and equipment		(93,838)	(107,000)	(212,378)
Purchase of intangible assets		(2,400)	(13,000)	(12,571)
<i>Net cash from investing activities</i>		(96,238)	(120,000)	737,904
Cash flows from financing activities				
Finance Costs		0	0	(1,617)
<i>Net cash from financing activities</i>		0	0	(1,617)
Net(decrease)/increase in cash and cash equivalents		(64,059)	(393,280)	486,357
Cash and cash equivalents at the beginning of the year	7	887,056	972,000	400,699
Cash and cash equivalents at the end of the year	7	822,997	578,720	887,056

The accompanying notes form part of these financial statements.

The GST (net) component of operating activities reflects the net GST paid and received with the Inland Revenue Department.

Notes to the financial statements

1 Statement of accounting policies for the year ended 30 June 2009

Reporting entity

The Law Commission is an independent Crown entity for legislative purposes, established by the Law Commission Act 1985. The Law Commission is domiciled in New Zealand and as such its ultimate parent is the New Zealand Crown.

The Law Commission's primary objective is to review areas of the law that need updating, reforming or developing and to make recommendations to the New Zealand Parliament.

The Law Commission is accordingly a public benefit entity for the purposes of New Zealand Equivalents to International Financial Reporting Standards ("NZ IFRS").

The financial statements are for the year ended 30 June 2009 and were approved by the Commissioners on 18 September 2009.

Basis of preparation

Statement of compliance

These financial statements have been prepared in accordance with the Law Commission Act 1985 and the Crown Entities Act 2004 which includes the requirement to comply with New Zealand generally accepted accounting practice ("NZ GAAP").

They comply with NZ IFRS and other applicable Financial Reporting Standards, as appropriate for public benefit entities.

The accounting policies set out below have been applied consistently to all periods in these financial statements.

Measurement base

The financial statements have been prepared on a historical cost basis, except where modified by the revaluation of library collections.

Functional and presentation currency

The financial statements are presented in New Zealand dollars and all values are rounded to the nearest dollar. The functional currency of the Law Commission is New Zealand dollars.

Standards, amendments and interpretations issued that are not yet effective and have not been adopted early and which are relevant to the Law Commission include:

- NZ IAS 1 Presentation of Financial Statements (revised 2007) replaces NZ IAS 1 Presentation of Financial Statements (issued 2004) and is effective for reporting periods beginning on or after 1 January 2009.

The Law Commission intends to adopt this standard for the year ending 30 June 2010. The impact will be one of presentation.

Significant accounting policies

The following particular accounting policies which materially affect the measurement of financial performance and financial position have been applied:

Revenue

The Commission derives revenue from the provision of outputs to the Crown, the sale of its publications to third parties, provision of specialist services and income from investments.

Revenue from the Crown

Revenue is restricted in its use for the purpose of the Law Commission meeting its objectives as specified in the statement of intent.

Such revenue is recognised when earned, is measured at the fair value of consideration received and is reported in the financial period to which it relates.

Interest

Interest income is recognised using the effective interest rate method.

Sale of publications

Sales of publications are recognised when the product is sold to the customer.

Provision of services

Revenue derived through the provision of services to third parties is recognised in proportion to the stage of completion at balance sheet date.

Leases

Operating leases

Leases where the lessor effectively retains substantially all the risks and benefits of ownership of the leased items are classified as operating leases. Operating lease expenses are recognised on a straight line basis over the period of the lease in the statement of financial performance.

Cash and cash equivalents

Cash and cash equivalents means cash balances on hand, cash held in bank accounts, term deposits with original maturities of three months or less and other highly liquid investments, in which the Commission invests as part of its day-to-day cash management.

Debtors and other receivables

Accounts receivable are stated at their estimated realisable value after providing for doubtful and uncollectable debts. When the receivable is uncollectible, it is written off against the provision for doubtful debts.

Investments

Investments in bank deposits are initially measured at fair value and subsequently at fair value less any provision for impairment. Impairment is established when there is objective evidence that the Law Commission will not be able to collect any amounts due according to the original terms of the deposit.

Property, plant and equipment

Property, plant and equipment asset classes consist of library collection, furniture and fittings, computer hardware and office equipment.

All classes are initially recorded at cost. Library collections are stated at fair value. Fair value is determined using market based evidence by an independent valuer. Library collections are valued every three to four years. Additions between revaluations are recorded at cost.

The carrying values of revalued items are reviewed at each balance date to ensure that those values are not materially different to fair value.

Accounting for revaluations

The Commission accounts for revaluations of property, plant and equipment on a class of assets basis.

The results of revaluing are credited or debited to an asset revaluation reserve for that class of asset. Where this results in a debit balance in the asset revaluation reserve, this balance is expensed in the statement

of financial performance. Any subsequent increase on revaluation that off-sets a previous decrease in value recognised in the statement of financial performance will be recognised first in the statement of financial performance up to the amount previously expensed, and then credited to the revaluation reserve for that class of asset.

The Library collection was revalued as at 30 June 2007 by independent valuer, David Smith of DTZ NZ Ltd.

Additions

The cost of an item of property, plant and equipment is recognised as an asset only when it is probable that future economic benefits or service potential associated with the item will flow to the Commission and the cost of the item can be measured reliably.

Disposals

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount of the asset. Gains and losses on disposals are included in the statement of financial performance.

When revalued assets are sold, the amounts included in revaluation reserves in respect of those assets are transferred to general funds.

Subsequent costs

Costs incurred subsequent to initial acquisition are capitalised only when it is probable that future economic benefits or service potential associated with the item will flow to the Law Commission and the cost of the item can be measured reliably.

The costs of day-to-day servicing of property, plant and equipment are recognised in the statement of financial performance as they are incurred.

Depreciation

Depreciation is provided on a straight-line basis on all property, plant and equipment other than land, at rates that will write off the cost (or valuation) of the assets to their estimated values over their useful lives. The useful lives and associated depreciation rates of major classes of assets have been estimated as follows:

Computer equipment	3 years	(33.33 %)
Office equipment	5 years	(20 %)
Furniture and fittings	10 years	(10 %)
Library collection	5 years	(20 %)

The residual value and useful life of an asset is reviewed, and adjusted if applicable, at each financial year-end.

Intangible assets

Software acquisition

Acquired computer software licenses are capitalised on the basis of the costs incurred to acquire and bring to use the specific software.

Staff training costs are recognised as an expense when incurred.

Costs associated with maintaining computer software are recognised as an expense when incurred.

Costs associated with the maintenance of the Law Commission website are recognised as an expense when incurred. Costs associated with the development of the Law Commission website are capitalised.

Amortisation

The carrying value of an intangible asset with a finite life is amortised on a straight-line basis over its useful life. Amortisation begins when the asset is available for use and ceases at the date that the asset is derecognised. The amortisation charge for each period is recognised in statement of financial performance.

The useful lives and associated amortisation rates of the major class of intangible assets has been estimated as follows:

Acquired computer software	3 years	33 %
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Impairment of non-financial assets

Property, plant and equipment and intangible assets that have a finite useful life are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

Value in use is depreciated replacement cost for an asset where the future economic benefits or service potential of the asset are not primarily dependent on the asset's ability to generate net cash inflows and where the Law Commission would, if deprived of the asset, replace its remaining future economic benefits or service potential.

If an asset's carrying amount exceeds its recoverable amount, the asset is impaired and the carrying amount is written down to the recoverable amount. For revalued assets the impairment loss is recognised against the revaluation reserve for that class of asset. Where that results in a debit balance in the revaluation reserve, the balance is recognised in the statement of financial performance.

For assets not carried at revalued amount, the total impairment loss is recognised in the statement of financial performance.

The reversal of an impairment loss on a revalued asset is credited to the revaluation reserve. However, to the extent that an impairment loss for that class of asset was previously recognised in the statement of financial performance, a reversal of the impairment loss is also recognised in the statement of financial performance.

For assets not carried at a revalued amount the reversal of an impairment loss is recognised in the statement of financial performance.

Financial instruments

The Law Commission is a party to financial instruments as part of its normal operations. These financial instruments include bank accounts, short-term deposits, debtors and creditors. All financial instruments are recognised in the statement of financial position and all revenue and expenses in relation to financial instruments are recognised in the statement of financial performance. All financial instruments are shown at their estimated fair value.

Creditors and other payable

Creditors and other payables are measured at fair value.

Employee entitlements

Short term employee entitlements

Employee entitlements that the Commission expects to be settled within 12 months of balance date are measured at undiscounted nominal values based on accrued entitlements at current rates of pay. These include salaries and wages accrued up to balance date, annual leave earned but not yet taken at balance date and sick leave.

The Commission recognises a liability for sick leave to the extent that compensated absences in the coming year are expected to be greater than the sick leave entitlements earned in the same year. The amount is calculated based on the unused sick leave entitlement that can be carried forward at balance date to the extent that the Commission anticipated it will be used by staff to cover those future absences.

Superannuation schemes

Obligations for contributions to KiwiSaver and the New Zealand Government Superannuation Fund are accounted for as defined contribution superannuation schemes and are recognised as an expense in the statement of financial performance as incurred.

Goods and Services Tax (GST)

All items in the financial statements are presented exclusive of GST, with the exception of receivables and payables, which are presented on a GST inclusive basis. Where GST is not recoverable as an input tax then it is recognised as part of the related asset or expense.

The net amount of GST recoverable from or payable to Inland Revenue Department (IRD) is included as part of receivables or payables in the statement of financial position.

The net GST paid to, or received from the IRD including the GST relating to investing and financing activities, is classified as an operating cash flow in the statement of cash flows.

Commitments and contingencies are disclosed exclusive of GST.

Taxation

The Law Commission is a public authority in terms of the Income Tax Act 2007 and consequently is exempt from income tax.

Budget Figures

The budget figures are those as disclosed in the 2008-2011 Statement of Intent as approved by the Commissioners. The budget figures have been prepared using accounting policies that are consistent with those adopted by the Commission for the preparation of the financial statements.

The budgets have been prepared in accordance with NZ IFRS, using accounting policies consistent with those adopted by the Law Commission for the preparation of the financial statements.

Cost allocation

Direct costs identifiable against specific projects are charged directly to those projects. Indirect costs are charged to specific projects in proportion to the direct labour hours recorded against those projects.

“Direct costs” are those costs directly attributable to a specific project.

“Indirect costs” are those costs which cannot be identified in an economically feasible manner with a specific project.

Critical accounting estimates and assumptions

In preparing these financial statements the Law Commission has made estimates and assumptions concerning the future. These estimates and assumptions may differ from the subsequent actual results.

Estimates and assumptions are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are discussed below:

Property, plant and equipment useful lives and residual value

At each balance date the Law Commission reviews the useful lives and residual values of its property, plant and equipment. Assessing the appropriateness of useful life and residual value estimates of property, plant and equipment requires the Law Commission to consider a number of factors such as the physical condition of the asset, expected period of use of the asset by the Law Commission, and expected disposal proceeds from the future sale of the asset.

The Law Commission has not made significant changes to past assumptions concerning useful lives and residual values. The carrying amounts of property, plant and equipment are disclosed in note 9.

Critical judgements in applying the Law Commission's accounting policies

Management has exercised the following critical judgement in applying the Law Commission's accounting policies for the period ended 30 June 2009:

Lease classification

Determining whether a lease agreement is finance or an operating lease requires judgement as to whether the agreement transfers substantially all the risks and rewards of ownership to the Law Commission. Judgement is required on various aspects that include, but are not limited to, the fair value of the leased asset, the economic life of the leased asset, whether or not to include renewal options in the lease term and determining an appropriate discount rate to calculate the present value of the minimum lease payments, property, plant and equipment, whereas for an operating lease no such asset is recognised.

2 Revenue from Crown

The Law Commission has been provided with funding from the Crown for the specific purposes of the Law Commission as set out in its founding legislation and the scope of the relevant government appropriations. Apart from these general restrictions, there are no unfulfilled conditions or contingencies attached to government funding (2008 nil).

3 Other revenue

	2009	2008
	Actual	Actual
	\$	\$
Other grants received	0	62,031
Gain on sale of non-current assets held for sale	0	935
Sale of miscellaneous art	0	350
Other	0	1,656
Total other revenue	0	64,972

4 Personnel costs

	2009	2008
	Actual	Actual
	\$	\$
Salaries and Wages	3,508,405	3,724,605
Employer contributions to defined contribution plans	35,833	70,591
Increase/(decrease) in employee entitlements (note 11)	(16,346)	(64,084)
Total personnel costs	3,527,892	3,731,112

Employer contributions to defined contribution plans include contributions to KiwiSaver and the New Zealand Government Superannuation Fund (GSF).

5 Finance costs

	2009	2008
	Actual	Actual
	\$	\$
Interest on finance lease	0	408
Total finance costs	0	408

6 Administration costs

	2009	2008
	Actual	Actual
	\$	\$
Audit fees for financial statement audit	22,584	22,360
Audit fees for NZ IFRS transition	0	7,500
Staff travel	33,793	23,375
Operating lease expense – equipment	10,020	9,199
Operating lease expense – premises	506,110	500,302
Website maintenance expenses	3,930	4,808
Other	273,150	329,355
Total administration costs	849,587	896,899

7 Cash and cash equivalents

	2009	2008
	Actual	Actual
	\$	\$
Cash on hand and at bank	422,602	887,056
Cash equivalents- term deposit	400,395	0
Total cash and cash equivalents	822,997	887,056

For an investment to qualify as a cash equivalent it must be readily convertible to a known amount of cash and be subject to an insignificant risk of changes in value.

The carrying value of short-term deposits with maturity dates of three months or less approximates their fair value.

8 Debtors and other receivables

	2009	2008
	Actual	Actual
	\$	\$
Trade debtors	26,919	2,018
Less: provision for doubtful debts	(324)	(490)
GST receivable	18,007	49,374
Other	4,074	2,022
Total debtors and other receivables	48,676	52,924

The carrying value of receivables approximates their fair value.

At 30 June 2009 all overdue receivables have been assessed for impairment and if necessary, adjustments to existing provisions applied.

9 Property, plant and equipment

Movements for each class of property, plant and equipment are as follows:

	Computer equipment	Furniture and fittings	Office equipment	Leased office equipment	Library collection	Total
	\$	\$	\$	\$	\$	\$
Cost or valuation						
Balance at 1 July 2007	280,693	493,897	55,237	46,561	567,000	1,443,388
Additions	33,495	79,094	10,167	0	89,622	212,378
Disposals	0	0	(250)	(46,561)	0	(46,811)
Balance at 30 June 2008	314,188	572,991	65,154	0	656,622	1,608,955
Additions	4,006	2,892	489	0	86,451	93,838
Disposal	(189,494)	0	0	0	0	(189,494)
Balance at 30 June 2009	128,700	575,883	65,643	0	743,073	1,513,299
Accumulated depreciation						
Balance at 1 July 2007	228,246	9,770	6,543	42,687	0	287,246
Depreciation expense	42,317	55,982	12,304	0	124,272	234,875
Eliminate on disposal	0	0	(166)	(42,687)	0	(42,853)
Balance at 30 June 2008	270,563	65,752	18,681	0	124,272	479,268
Depreciation expense	25,119	58,231	11,737	0	141,273	236,360
Retirement	(189,494)	0	0	0	0	(189,494)
Balance at 30 June 2009	106,188	123,983	30,418	0	265,545	526,134
Carrying amounts						
At 1 July 2007	52,447	484,127	48,694	3,874	567,000	1,156,142
At 30 June and 1 July 2008	43,625	507,239	46,473	0	532,350	1,129,687
At 30 June 2009	22,512	451,900	35,225	0	477,528	987,165

10 Intangible assets

	Acquired software
	\$
Cost	
Balance at 1 July 2007	451,624
Additions	12,571
Balance at 30 June 2008	464,195
Additions	2,400
Retirement	(316,170)
Balance at 30 June 2009	150,425
Accumulated amortisation	
Balance at 1 July 2007	415,855
Amortisation expense	28,909
Balance at 30 June 2008	444,764
Amortisation expense	11,930
Retirement	(316,170)
Balance at 30 June 2009	140,524
Carrying amounts	
At 1 July 2007	35,769
At 30 June 2008	19,431
At 30 June 2009	9,901

11 Creditors and other payables

	2009	2008
	Actual	Actual
	\$	\$
Creditors	177,562	237,101
Income in advance	18,234	9,743
Accrued expenses	43,699	49,414
Total creditors and other payables	239,495	296,258

Creditors and payables are non-interest bearing and are normally settled on 30 day terms, therefore the carrying value of creditors and other payables approximates their fair values.

12 Employee entitlements

	2009	2008
	Actual	Actual
	\$	\$
Current employee entitlements are represented by:		
Accrued salaries and wages	48,420	68,293
Annual leave	69,150	67,468
Sick leave	9,130	7,285
Total employee entitlements	126,700	143,046

13 Equity

	2009	2008
	Actual	Actual
	\$	\$
General funds		
Current employee entitlements are represented by:		
Balance at 1 July	1,616,982	1,903,598
Transfer from property, plant and equipment revaluation reserves on disposal /revaluation	0	11,900
Surplus/(deficit)	(137,192)	(298,516)
<i>Balance at 30 June</i>	1,479,790	1,616,982
Property, plant and equipment (Library) revaluation reserves		
Balance at 1 July	276,674	288,574
Transfer from property, plant and equipment revaluation reserves on disposal /revaluation	0	(11,900)
<i>Balance at 30 June</i>	276,674	276,674
Total equity at 30 June	1,756,464	1,893,656

14 Investments

	2009	2008
	Actual	Actual
	\$	\$
Current investments are represented by:		
Term deposits	200,000	200,000
Total investments	200,000	200,000

There were no impairment provisions for investments.

Maturity analysis and effective interest rates of term deposits

	2009	2008
	Actual	Actual
	\$	\$
Term deposits with maturities of 4-6 months (average maturity 155 days)	200,000	200,000
<i>Effective interest rate</i>	3.25%	8.6%

The carrying amount of term deposits with maturities less than 12 months approximates their fair value.

15 Categories of financial assets and liabilities

The carrying amounts of financial assets and liabilities in each of the NZ IAS 39 categories are as follows:

	2009	2008
	Actual	Actual
	\$	\$
Loans and receivables		
Cash and cash equivalents (note 7)	822,927	887,056
Debtors and other receivables (note 8)	48,676	52,924
Investments – term deposits (note 14)	200,000	200,000
Total loans and receivables	1,071,603	1,139,980
Financial liabilities measured at amortised cost		
Creditors and other payables (note 11)	239,495	296,258

16 Reconciliation of net surplus/(deficit) to net cash from operating activities

	2009	2008
	Actual	Actual
	\$	\$
Net surplus/(deficit)	(137,192)	(298,516)
Add/(less) non-cash items:		
Depreciation and amortisation expense	248,290	263,784
Bad debts	0	(137)
Finance lease	0	(5,896)
<i>Total non-cash items</i>	248,290	257,751
Add/(less) items classified as investing or financing activities:		
(Gains)/losses on disposal of property, plant and equipment	0	4,485
(Gains)/losses on non-current assets held for sale	0	(935)
<i>Total items classified as investing or financing activities</i>	0	3,550
Add/(less) movements in working capital items:		
Debtors and other receivables	(5,810)	144,506
Creditors and other payables	(56,763)	(293,137)
Employee entitlements	(16,346)	(64,084)
<i>Net movements in working capital items</i>	(78,919)	(212,715)
Net cash from operating activities	32,179	(249,930)

17 Events after the balance sheet date

There were no significant events after the balance sheet date.

18 Commitments

	2009	2008
	Actual	Actual
	\$	\$
Capital expenditure commitments	0	0

	2009	2008
	Actual	Actual
	\$	\$
<i>Non-cancellable lease on office accommodation</i>		
Not later than one year	498,950	498,950
Later than one year and not later than five years	1,995,800	1,995,800
Later than five years	1,912,643	2,411,593
Total	4,407,393	4,906,343

	2009	2008
	Actual	Actual
	\$	\$
<i>Contract for the supply of library information</i>		
Not later than one year	148,065	141,692
Later than one year and not later than five years	59,401	111,023
Total contract for the supply of library information	207,466	252,715

19 Related party transactions and key personnel remuneration

Related party transactions

The Law Commission is an independent crown entity. The government significantly influences the role of the Law Commission in addition to being its major source of revenue.

Any transactions that the Law Commission enters into with government departments, state-owned enterprises and other crown entities occur within a normal supplier or client relationship on terms and conditions no more or less favourable than those which it is reasonable to expect the Law Commission would have adopted if dealing with that entity at arms length. Therefore they are not considered related party transactions.

Key management personnel compensation

	2009	2008
	Actual	Actual
	\$	\$
Salaries and other short-term employee benefits	1,596,453	1,539,352
Post employment benefits	0	0
Other long term benefits	0	0
Termination benefits	0	0
Total key management personnel compensation	1,596,453	1,539,352

Employee remuneration

	2009	2008
	Actual	Actual
	\$	\$
<i>Remuneration range</i>		
Between \$100,000 and \$109,999	5	0
Between \$110,000 and \$119,999	0	1
Between \$150,000 and \$159,999	0	1
Between \$160,000 and \$169,999	1	0
Total employees	6	2

Commissioner remuneration

	2009	2008
	Actual	Actual
	\$	\$
Sir Geoffrey Palmer (President)	354,058	332,678
Dr Warren Young (Vice President)	280,087	271,211
Helen Aikman QC	0	103,002
Emeritus Professor John Burrows QC	269,623	263,429
George Tanner QC	269,623	215,753
Val Sim	269,623	193,753
Total	1,443,014	1,379,826

During the year ended 30 June 2009 no (2008: none) employees received compensation and other benefits in relation to cessation (2009: nil, 2008: nil).

20 Contingencies

The Law Commission has no contingent liabilities or assets at balance date 30 June 2009. (2008: nil)

21 Capital management

The Law Commission's capital is its equity, which comprises accumulated funds and other reserves. Equity is represented by net assets.

The Law Commission is subject to the financial management and accountability provisions of the Crown Entities Act 2004, which impose restrictions in relation to borrowings, acquisition of securities, issuing guarantees and indemnities and the use of derivatives.

The Law Commission manages its equity as a by-product of prudently managing revenues, expenses, assets, liabilities, investments and general financial dealings to ensure the Law Commission effectively achieves its objectives and purpose whilst remaining a going concern.

22 Explanation of significant variances against budget

Explanations for significant variances from the Law Commission's budgeted figures in the Statement of Intent (SOI) are as follows:

Statement of financial performance

The Commission received the significant reference to review the regulatory framework for the supply and sale of liquor after the SOI was published. Key stakeholder agencies were involved in the development of the project structure as original timelines anticipated full project resourcing by 2009/10 (Funding for this project allocated to the current financial year was \$0.584m.)

Following the election, the Commission reprioritised resources to meet the new timelines identified for the Government's priority projects. The effect of this was the deferral of a number of projects with a consequential reduction in direct project costs across the year. In addition, the resourcing contribution of stakeholder agencies to the liquor project reduced the call on project funding in this financial year.

Additional funding of \$0.233m was applied to completing the work of the Sentencing Establishment Unit.

Statement of financial position

The cash position at year end exceeded budget estimates. This is the result of additional funding received for the liquor project and

the reduction in other project costs following reprioritisation of resources to meet new timelines.

Adjustments to the revaluation reserves were made after the SOI was published.

Statement of changes in cash flows

The variance in cash flow is a result of the changes in operating activities referred to above.

23 Financial instrument risk

The Law Commission's activities expose it to a variety of financial instrument risks, including market risk, credit risk and liquidity risk. The Law Commission has a series of policies to manage the risks associated with financial instruments and seeks to minimise exposure from financial instruments. These policies do not allow any transactions that are speculative in nature to be entered into.

Market risk

The interest rates on the Law Commission's investments are disclosed in note 14.

Fair value interest rate risk

Fair value interest rate risk is the risk that the value of a financial instrument will fluctuate due to changes in market interest rates. The Law Commission's exposure to fair value interest rate risk is limited to its bank deposits which are held at fixed rates of interest.

Credit risk

Credit risk is the risk that a third party will default on its obligations to the Law Commission, causing the Law Commission to incur a loss.

Due to the timing of its cash inflows and outflows, the Law Commission invests surplus cash with registered banks.

The Law Commission's maximum credit exposure for each class of financial instrument is represented by the total carrying amount of cash and cash equivalents (note 7), net debtors (note 8) and term deposits. There is no collateral held as security against these financial instruments.

The Law Commission has no significant concentrations of credit risk, as it has a small number of credit customers and only invests funds with registered banks with specified credit rating.

Liquidity risk

Liquidity risk is the risk that the Law Commission will encounter difficulty raising liquid funds to meet commitments as they fall due.

In meeting its liquidity requirements, the Law Commission maintains a target level of investments that must mature within specified timeframes.

All creditors and other payables are due for settlement within six months.

Statement of service performance

for the year ended 30 June 2009

Output Class: Policy Advice

Policy Advice covers all work done by the Commission including law reform projects and advisory work.

Budgeted Revenue: \$4,381,280

Actual Revenue: \$4,962,266

Budgeted Expenditure: \$4,919,855

Actual Expenditure: \$5,099,458

Performance measures

The Commission identified quality, timeliness and cost as the three performance measures for the delivery of its work programme in the 2008–2011 Statement of Intent.

Project delivery

At the commencement of the year the Commission had 22 projects on the work programme. In August 2008 a significant new project involving a review of the regulatory framework relating to the sale and supply of liquor was added to the programme and additional funding of \$0.584m was approved for this review in the 2008/09 financial year.

Across the year in relation to our original 22 projects, the Commission expected to deliver 19 publications including 12 issues papers, six final reports, one advisory paper and one study paper. At year end it had published eight issues papers, three final reports (including the advisory paper, which was published as a final report) and one study paper.

The publications were as follows:

Issues papers

- *Towards a New Veterans' Entitlement Scheme: A discussion paper on a Review of the War Pensions Act 1954* NZLC IP7 (2008)
- *Review of the Civil List Act 1979* NZLC IP8 (2008)
- *Review of Prerogative Writs* NZLC IP9 (2008)
- *Review of the Land Transfer Act 1954* NZLC IP10 (2008)
- *Compensating Crime Victims* NZLC IP 11 (2008)
- *Private Schools and the Law* NZLC IP12 (2008)
- *Suppressing Names and Evidence* NZLC IP13 (2008)
- *Invasion of Privacy: Penalties and Remedies* NZLC IP 14 (2008)

Final reports

- *Presentation of New Zealand Statute Law* NZLC R104 (2008)
- *Review of the Regulatory Framework for the Sale and Supply of Liquor: Part 1: Alcohol Legislation and the Conscience Vote* NZLC R105 (2009)
- *Review of the Statutes Drafting and Compilation Act* NZLC R106 (2009)

Study papers

- *Tribunal Reform* NZLC SP20 (2008)

Issues papers, study papers and final reports were not the only products of the Commission's work during the year. Equally significant is work we are undertaking to implement the recommendations of earlier reports and work that delivers draft legislation without the production of a report that is tabled in Parliament. There are three major examples of this within the current year.

Search and surveillance

During the year we worked on the development of a bill to implement our 2007 report, *Search and Surveillance Powers* NZLC R97. The Bill amends 84 Acts which are administered by 19 different departments all of which were consulted. We also undertook widespread consultation with agencies responsible for the implementation and day to day enforcement of some of these Acts such as the Commerce Commission and Local Government NZ. The inclusion of a number of regulatory powers, as well as law enforcement powers, within the Bill's regime significantly expanded the scope of our earlier work. A new Bill incorporating this expanded regime was ready for introduction by year end.

Simplification of criminal procedure

This project, being done jointly with the MOJ, is to review and reform criminal procedure. It has legislative and operational dimensions and builds on our 2005 report, *Criminal Pre Trial Processes: Justice Through Efficiency* (NZLC R89). The major work product will be a new Act to be introduced in Parliament in the 2009/10 year. A series of 10 comprehensive discussion papers on aspects of criminal procedure have been the subject of consultation this year, and legislative drafting of aspects of the new Act has begun. The project has also required extensive work with two District Courts piloting proposed new processes in the summary jurisdiction.

Review of the Crimes Act 1961 (Part 8)

As the new Minister wished this project to be accorded high priority and a bill ready for introduction as soon as possible, with his agreement, we dispensed with the proposed issues paper in this project. Instead we have been working with PCO and the MOJ to develop a bill for introduction early in 2009/10. Work on this was well advanced by year end. The final work product from this project will be a bill and legislative commentary.

Quality

The acceptance and implementation of our law reform recommendations are underpinned by high quality standards and processes in the manner in which we research and present our proposals and advice. All publications completed by the end of the year complied with the Commission's internal quality processes and met the quality standards specified in the Statement of Intent to the extent applicable.

The Commission's quality criteria as set out in our statement of service performance are built into the standards and processes provided for in the Commission's project management guide. The project management guide, which was introduced in 2007/08, is not used as a rule book but rather as a guide to apply proven project management techniques to good effect.

The President takes overall responsibility for the projects that form the bulk of the Commission's work programme. In practice, the collection of projects that constitute our work programme each year is the result of an iterative process that is managed in accordance with the criteria and guidance set out in Cabinet Circular CO (09) 1. As many projects will span a number of financial years the work programme is dynamic, with projects finishing and others starting in each year. New projects to be added to the work programme are usually settled by the start of each financial year and set out in a Memorandum of Understanding

between the Commission and the Minister. The priority accorded each project within the work programme is a matter that is determined following discussion with the Minister. If a new project is added to the work programme part way through the financial year this can involve a reprioritisation of resources and staff with a consequent impact on project timeliness and costs.

Once on our work programme each project is supervised by two Commissioners, with one taking the lead role and overall responsibility for the quality of the research, as well as the legal and policy analysis. The legal and policy resources assigned to a project are usually related to its priority in the work programme and its size in terms of legal and/or policy complexity. The General Manager is responsible for the management of staff and financial resources, and works closely with the President and Deputy President to ensure projects are sufficiently resourced in accordance with their priority status. The General Manager also takes responsibility for work programme management and for ensuring that project disciplines are applied to meet and maintain performance standards across all Commission projects.

In general terms, all projects require a project plan that identifies the project objectives, scope, constraints, schedule, linkages and dependencies, project structure (including internal review and external peer review processes, as appropriate), consultation and communication approaches, and project monitoring and controls. The project management process is supported through regular project team meetings, in which the relevant Commissioners, legal and policy advisers meet with the President and the General Manager. The General Manager reports on the overall progress of the work programme at the monthly Commission meeting and four monthly work programme reports are provided to the Minister.

Timeliness

The Commission is committed to completing its work within the timeframes specified in the annual work programme, as agreed with the Minister at the start of the financial year. Inevitably as work progresses through the year, circumstances will dictate the need to modify original dates and deadlines. This situation has arisen in the year under review, as the review of the regulatory framework relating to the sale and supply of liquor was added to the Commission's programme in August 2008 and required a significant resource commitment. The election of a new Government also made a significant impact on the Commission's work programme. The new Minister identified the Government's priority projects within our work programme and directed the Commission to deliver a number of these within revised timelines. At year end the actual status of projects as against the SOI forecast timelines was as follows:

2008/2009 MAJOR LAW REFORM PROJECTS	WORK PRODUCT	SOI Timeline	Published Timeline	EXPLANATION FOR TIMELINE VARIANCE	Timeline 2009/10
Review of the Civil List	Issues Paper	Q1	Q1		
	Final Report	Q2		Delay at the request of key stakeholder agencies	Q1
Review of the law relating to private schools	Issues Paper	Q1	Q2	Delay in final report. Extension to IP consultation to include questionnaire to private schools.	Q1
	Final Report	Q2			
Review of the Misuse of Drugs Act 1975	Issues Paper	Q3		Delay arising from staff resourcing pressures	Q2
Presentation of New Zealand statute law Pt 1	Final Report	Q1	Q2	Tabling deferred to post election	
Presentation of New Zealand statute law Pt 2	Advisory Paper	Q2	Q4	No advisory paper. Final report tabled in June 09.	
Review of the law of privacy 3	Issues Paper	Q2	Q3	Wider and more complex legal issues than originally scoped	
Review of the Privacy Act 1991	Issues Paper	Q4		Delay arising from staff resourcing pressures	Q2
Unified tribunals framework	Study Paper	Q1	Q2	Final publication deferred to post election	
Simplification of criminal procedure <i>Offence categories</i>	TBD	TBD	Q4	Consultation completed and new proposal developed by Commission	
<i>Case management (with MOJ)</i>	Pilot evaluation	Q3	Q3/Q4	Three month & six month evaluations completed	
<i>Legislation drafting (with MOJ)</i>	TBD	TBD		Ongoing with Working Group (PCO, MOJ, Crown Law & Police)	
Name Suppression	Issues Paper	Q2	Q2		
Review of the Land Transfer Act 1952	Issues Paper	Q2	Q2		
	Final Report	Q4		Delay following extended consultation period to accommodate key stakeholder organisations	Q2
Review of maximum penalties	Market Research	Q2	Q3	Delays in the tendering process	
Review of Crimes Act (Part 8) 1961	Issues Paper	Q4		Scope of policy analysis increased and new deadline negotiated	Q1
Review of prerogative writs	Issues Paper	Q1	Q1		
	Final Report	Q3	Project closed	No support for reform following publication of issues paper	
Review of the War Pensions Act 1954	Issues Paper	Q1	Q1		
	Final Report	Q4		Delay at the request of key stakeholder agencies	Q2
Public safety and security	Issues Paper	Q3		Resources diverted to higher priority project	TBD
Admissibility of previous convictions	Cabinet Paper	Q1		Minister accepted recommendation for further report in February 2010	
Search & surveillance powers	Draft Bill	Q1		Bill introduced Q1 (September 08)	
Review of public inquiries	Cabinet Paper	Q1		Bill introduced Q1 (September 08)	
Limitation defences	Cabinet Paper	Q1		Limitation Bill introduced Q4 (June 09)	
Victims compensation	Issues Paper	Q1	Q2	Delay as resources diverted to higher priorities	
Review of the law of trusts	TBD			Delay as resources diverted to higher priorities	Issues Paper end of 2010
Review of the Official Information Act 1981	TBD			Delay as resources diverted to higher priorities	Issues Paper Q2

Cost

The final measure of the Commission's performance is the requirement to complete projects within the budgeted cost.

The budgeted expenditure of \$489,325 as stated in the prospective financial statements within the Commission's 2008–2011 Statement of Intent was well above the actual project expenditure of \$343,848 at year end. The reason for the variance arises from the early closure of one project (review of prerogative writs), reduced publication costs from a move to online publication of issues papers, a reduction in the numbers of hard copy printed, and publication costs not incurred in the financial year in review. (See timeline table on previous page.)

Executive committees

Over the past three years, the Commission has had a developing role in providing advice to Ministers and government agencies on the design, and adherence to legal principles, of legislation being prepared for and presented to the House. This role is primarily performed through the support that the Commission provides to the Legislation Design Committee and the Legislation Advisory Committee.

Legislation Design Committee (LDC)

Under Cabinet directive, the LDC provides departments with high level advice on the architecture of legislation referred by the department or the Cabinet Office. The primary reason for referral is to ensure advice is given early on the framework of new legislation, which in turn assists compliance with the LAC Guidelines. LAC receives legislative proposals too late to be effective in advising on the architecture of legislation. In the first half of the financial year LDC work was put on hold in light of the upcoming election and uncertainty as to whether particular proposals would proceed with the new Government. Subsequent to the election the LDC has met with Ministry of Economic Development officials and Parliamentary Counsel to consider the *Securities Disclosure and Financial Advisers Amendment Bill*, and with Reserve Bank officials to consider the draft *Insurance (Prudential Supervision) Bill*. Law Commissioners George Tanner QC and John Burrows QC were responsible for the Commission's advisory contribution to the LDC in relation to both these Bills.

Legislation Advisory Committee (LAC)

The Commission writes reports for the LAC as a starting point for the Committee to consider all Government bills. Each report is an analysis of the bill against the LAC Guidelines for best legislative practice, using a standard template.

New bills and the Commission reports on them are discussed at the LAC monthly meeting. If significant issues have been identified in the report or the LAC has concerns about a bill, the most usual action is for the Committee to provide the relevant select committee with comments.

The Commission's performance standards apply to the reports provided to the LAC. The process for the allocation, supervision and monitoring of the reports is routinised within the Commission to ensure the quality, timeliness and cost standards are met. This works as follows:

- New Government bills are entered by the Librarian into a Commission database that provides a standard analysis template.
- Bills are allocated to Legal and Policy Advisers and Commissioners on the basis of expertise in the particular content and sharing the workload equally.
- Legal and Policy Advisers do the analysis and complete the report, discussing it with the supervising Commissioner prior to finalising.
- A date for completion of each report is set, based on the date it is introduced, the date of the next LAC meeting, allowing about 3 weeks for completion of the work, and ensuring the report will be completed before the date when submissions are due at select committee.
- Reports completed to the satisfaction of the supervising Commissioner are sent to the Secretary of LAC in the MOJ, who sends out the papers for each LAC meeting. (MOJ provides administrative services for LAC.)
- Reports are usually sent from the Commission to MOJ a week before the LAC meeting.
- After LAC has considered the bills at its monthly meeting, Commission staff may carry out follow-up work such as preparing a submission to Select Committee, contacting officials or writing to the Minister. This work is supervised by the relevant Commissioner and signed out by the President, as the Chair of the LAC.

All bills, their relevant dates and outcomes are recorded by the Commission on a status report, with an update being provided for each LAC meeting. The Commission status report records the date the report was considered by LAC. The Commission also maintains an allocation report for internal management.

The election during the financial year meant the above process was varied to some extent. The LAC did not consider bills from September 2008 until the incoming Government's legislative programme was available. Commission reports were therefore not written for bills introduced after this date.

The new Government held over almost all bills from the previous Parliament in their first sittings in 2009. After the 2009 Legislative Programme was developed several bills were discharged and this process is continuing. Some of the retained bills have still not had their first reading and been sent to select committee, so it is unknown whether they will proceed.

Others have now had a first reading, sometimes after revision or under a new name and also sometimes with a short time between first reading and the due date for submissions to select committee. The new Government also passed several bills under urgency in the first months, without time for them to be considered by the LAC.

The Commission's March status report for LAC noted that nine bills had been discontinued, leaving 13 bills carried over for which no reports had been prepared in 2008.

Reports on 63 bills were provided in the 2008/09 year. The months when reports were provided illustrate the point that in election year the usual timeframes could not operate for some months. Twenty five Commission reports went to LAC before September 2008, 16 reports to the first LAC meeting in February 2009, and 23 reports were provided from March to the end of June.

The LAC requires the Commission to manage the provision of reports so as to enable the Committee to consider the reports before the date on which submissions are due with select committee. The current performance standard which requires the Commission to provide the reports within one month of the introduction of a bill will be revised, as the Committee does not need to consider a bill in advance of it having its first reading and being sent to the select committee.

The Commission meets the service standards required by LAC. Where the timing of the next LAC meeting means that it cannot consider the bill before the due date of submissions, the Commission either forwards the report to LAC members outside of the meeting and co-ordinates the LAC response, or seeks agreement from the Clerk of the select committee for a late submission. It is sometimes preferable for LAC members to have a full discussion at the regular meeting and make a late submission.

Other advisory work

In addition to the work of the two executive committees, the Commission has provided advice directly to Government on other matters pertaining to policy and/or legislation. The burden of this work usually falls on Commissioners. In 2008/09, of the total substantive hours available for

project work, Commissioners expended 10% of this time on advisory work. Advisory work included contributions to Cabinet papers on sex offences, Customs legislation and adoption.

Sentencing Council support

The Sentencing Council was not set up before the election. Until the election the Sentencing Establishment Unit continued to do some work to prepare supporting material for draft guidelines so they would be ready to handover to the Council when established.

After the election the new government signalled that it didn't wish to proceed with the Council and no appointments were made. Some resources continued to be devoted to the work until the end of February to enable work to be concluded and available for future use if required. The Commission received reimbursement of \$0.223m for the work in the financial year in review.

Outcome performance – implementation of reports

A significant measure of the quality of the Commission's work remains the extent to which government accepts our recommendations for law reform and takes steps to implement them. In taking this approach, we note that legislative enactment is only one measure of our effectiveness, as not all our projects are undertaken to alter legislation and in some cases it is not always possible to determine the degree to which recommendations have been taken up. Judgments can differ on how to characterise the achievement. Recommendations for legislative reform in particular may not be actioned because of higher government priorities, lack of parliamentary time and lack of resources within government to implement proposed reforms. While some reports focus on the administration of the statute book others have the updating, re-presenting and reprinting of a statute as the desired outcome.

We have developed a methodology using a rolling five year cycle, to track the acceptance of our report recommendations over time. The methodology identifies the number of reports published in the last five years and categorises them as having been fully or substantially accepted, partially accepted or not accepted. This approach does not lend itself to a formulaic approach and each report is considered on its merits to determine its correct categorisation. The rolling cycle is consistent with the Commission's annual work programme which has new projects added each year as current projects are completed. The first rolling five year period commenced 1 July 2005 and finishes 30 June 2010.

Methodology definitions

Accepted

The Commission's report recommendations are fully or substantially accepted.

Partially accepted

The Commission's report recommendations are accepted in part.

Not accepted

The Commission's report recommendations are not accepted.

The table below demonstrates the application of the Commission's methodology for the period from 1 July 2005 to 30 June 2009.

Outcome of report recommendations 1 July 2005 to 30 June 2009

REPORT NAME	REPORT REFERENCE	ACCEPTED FULLY OR SUBSTANTIALLY	PARTIALLY ACCEPTED	NOT ACCEPTED	COMMENT
New Issues in Legal Parenthood	NZLC R88 April 2005			✓	
Criminal Pre-Trial Processes: Justice Through Efficiency	NZLC R89 June 2005		✓		Interagency work to incorporate in new legislation is underway
Forfeiture under the Customs and Excise Act 1996	NZLC R91 Jan 2006		✓		Revised after further interagency work, <i>Customs and Excise Amendment Act (No 3) 2008</i>
Waka Umanga: A Proposed Law For Māori Governance Entities	NZLC R92 May 2005		✓		Revised after further Māori consultation, <i>Waka Umanga (Māori Corporations) Bill</i> introduced 10/07
Access to Court Records	NZLC R93 June 2006		✓		Unknown – High Court Rules Committee is preparing new rules on access to court records
Sentencing Guidelines and Parole Reform	NZLC R94 Aug 2006	✓			<i>Criminal Justice Reform Act 2007</i>
Reforming the Law of Sedition	NZLC R96 March 2007	✓			<i>Crimes (Repeal of Seditious Offences) Act 2007</i>

REPORT NAME	REPORT REFERENCE	ACCEPTED FULLY OR SUBSTANTIALLY	PARTIALLY ACCEPTED	NOT ACCEPTED	COMMENT
Search and Surveillance Powers	NZLC R97 June 2007	✓			<i>Search and Surveillance Powers Bill</i> introduced 9/08
The Partial Defence of Provocation	NZLC R98 Oct 2008	✓			Legislation being drafted
Habeas Corpus: Refining the Procedure	NZLC R100 Feb 2008				Government yet to consider <i>Habeas Corpus Amendment Bill</i> drafted
Public Registers: Review of the Law of Privacy Stage 2	NZLC R101 Feb 2008				Govt will consider after completion of whole Privacy project in late 2009
A New Inquiries Act	NZLC R102 May 2008	✓			<i>Inquiries Bill</i> introduced 9/08
Disclosure to Courts of Defendants' Previous Convictions, Similar Offending, and Bad Character	NZLC R103 May 2008	✓			Commission to report to Minister of Justice on the veracity and propensity provisions February 2010
Presentation of New Zealand Statute Law	NZLC R104 Dec 2008				Government to consider in conjunction with R107 below
Review of Regulatory Framework for the Sale and Supply of Liquor: Part 1: Alcohol Legislation & the Conscience Vote	NZLC R106 May 2009				Government yet to consider
Review of Drafting, and Statutes Compilation Act 1920	NZLC R107 June 2009				Government yet to consider
TOTALS	16	6	4	1	5 AWAITING CONSIDERATION

Summary

Sixteen reports were published in this period. Six reports were accepted, four partially accepted and one has not been accepted. Five reports are yet to be considered by Government – two will be considered when further project reports are published later in 2009 and two have only recently been presented. Six bills from reports published in this period were introduced to Parliament, three of which have been passed.

Audit Report

AUDIT NEW ZEALAND
Mana Arotake Aotearoa

To the readers of The Law Commission's financial statements and statement of service performance for the year ended 30 June 2009

The Auditor General is the auditor of the Law Commission (the Commission). The Auditor General has appointed me, Clare Helm, using the staff and resources of Audit New Zealand, to carry out the audit. The audit covers the financial statements and statement of service performance included in the annual report of the Commission for the year ended 30 June 2009.

Unqualified Opinion

In our opinion:

- The financial statements of the Commission on pages 15 to 42:
 - comply with generally accepted accounting practice in New Zealand; and
 - fairly reflect:
 - the Commission's financial position as at 30 June 2009; and
 - the results of its operations and cash flows for the year ended on that date.
- The statement of service performance of the Commission on pages 43 to 53:
 - complies with generally accepted accounting practice in New Zealand; and
 - fairly reflects for each class of outputs:
 - its standards of delivery performance achieved, as compared with the forecast standards outlined in the statement of forecast service performance adopted at the start of the financial year; and
 - its actual revenue earned and output expenses incurred, as compared with the forecast revenues and output expenses outlined in the statement of forecast service performance adopted at the start of the financial year.

The audit was completed on 18 September 2009 and is the date at which our opinion is expressed.

The basis of our opinion is explained below. In addition, we outline the responsibilities of the Members of the Commission and the Auditor, and explain our independence.

Basis of Opinion

We carried out the audit in accordance with the Auditor General's Auditing Standards, which incorporate the New Zealand Auditing Standards.

We planned and performed the audit to obtain all the information and explanations we considered necessary in order to obtain reasonable assurance that the financial statements and statement of service performance did not have material misstatements, whether caused by fraud or error.

Material misstatements are differences or omissions of amounts and disclosures that would affect a reader's overall understanding of the financial statements and statement of service performance. If we had found material misstatements that were not corrected, we would have referred to them in our opinion.

The audit involved performing procedures to test the information presented in the financial statements and statement of service performance. We assessed the results of those procedures in forming our opinion.

Audit procedures generally include:

- determining whether significant financial and management controls are working and can be relied on to produce complete and accurate data;
- verifying samples of transactions and account balances;
- performing analyses to identify anomalies in the reported data;
- reviewing significant estimates and judgements made by the Members of the Commission;
- confirming year-end balances;
- determining whether accounting policies are appropriate and consistently applied; and
- determining whether all financial statement and statement of service performance disclosures are adequate.

We did not examine every transaction, nor do we guarantee complete accuracy of the financial statements and statement of service performance.

We evaluated the overall adequacy of the presentation of information in the financial statements and statement of service performance. We obtained all the information and explanations we required to support our opinion above.

Responsibilities of the Members of the Commission and the Auditor

The Members of the Commission are responsible for preparing the financial statements and statement of service performance in accordance with generally accepted accounting practice in New Zealand. The financial statements must fairly reflect the financial position of the Commission as at 30 June 2009 and the results of its operations and cash flows for the year ended on that date. The statement of service performance must fairly reflect, for each class of outputs, the Commission's standards of delivery performance achieved and revenue earned and expenses incurred, as compared with the forecast standards, revenue and expenses adopted at the start of the financial year. The Members' responsibilities arise from the Crown Entities Act 2004.

We are responsible for expressing an independent opinion on the financial statements and statement of service performance and reporting that opinion to you. This responsibility arises from section 15 of the Public Audit Act 2001 and the Crown Entities Act 2004.

Independence

When carrying out the audit we followed the independence requirements of the Auditor General, which incorporate the independence requirements of the Institute of Chartered Accountants of New Zealand.

Other than the audit, we have no relationship with or interests in the Commission.



Clare Helm
Audit New Zealand
On behalf of the Auditor General
Wellington, New Zealand

Matters Relating to the Electronic Presentation of the Audited Financial Statements and Statement of Service Performance

This audit report relates to the financial statements and statement of service performance of the Law Commission for the year ended 30 June 2009 included on the Law Commission's website. The Members of the Commission are responsible for the maintenance and integrity of the Law Commission's website. We have not been engaged to report on the integrity of the Law Commission's website. We accept no responsibility for any changes that may have occurred to the financial statements and statement of service performance since they were initially presented on the website.

The audit report refers only to the financial statements and statement of service performance named above. It does not provide an opinion on any other information which may have been hyperlinked to or from the financial statements and statement of service performance. If readers of this report are concerned with the inherent risks arising from electronic data communication they should refer to the published hard copy of the audited financial statements and statement of service performance and related audit report dated 18 September 2009 to confirm the information included in the audited financial statements and statement of service performance presented on this website.

Legislation in New Zealand governing the preparation and dissemination of financial information may differ from legislation in other jurisdictions.

Crown Entities Act reporting

Report on equal employment opportunities programme in terms of the Crown Entities Act 2004, s. 151 (1)(g)

The Law Commission complies with the principles of being a good employer.

It operates personnel policies containing provisions generally accepted as necessary for the fair and proper treatment of its employees in all aspects of their employment. It provides good and safe working conditions to its employees. It provides opportunities for the enhancement of the abilities of individual employees. The Commission also recognises the aims and aspirations and employment requirements and cultural differences of ethnic or minority groups.

The Commission operates an equal employment opportunities policy where the best person for the job is employed. The Commission has flexible employment arrangements, for example, to cater for those with childcare responsibilities and those approaching retirement. There is one woman Commissioner. Excluding secondees, 83 % of employees as at the balance date are women.

Report on acts in breach of statute in terms of the Crown Entities Act 2004, s. 20(3)

The Law Commission did not carry out any act that is contrary to, or outside the authority of an Act. All its actions were for the purpose of performing its functions.

Report on permission to act despite being interested in a matter in terms of the Crown Entities Act 2004, s. 68(6)

As a former Member of Parliament and a former Prime Minister, the President of the Commission, Sir Geoffrey Palmer SC, is entitled to certain payments under the Civil List Act 1979. As the Commissioner leading the Commission's project reviewing this Act, the President declared this interest to the Minister Responsible for the Law Commission by letter to Hon Annette King (28 August 2008). The Commission's review of the Act is not looking at the amount of the payments under the Act but rather seeking to clarify the legislative framework and improve transparency. On this basis the Minister gave her permission for Sir Geoffrey to continue his role as Commissioner in charge of this review.

Appendix A

Members and staff of the Law Commission

as at 30 June 2009

Commissioners

Rt Hon Sir Geoffrey Palmer SC *President*

Dr Warren Young *Deputy President*

Emeritus Professor John Burrows QC

George Tanner QC

Val Sim

Staff

*General
Manager*

Brigid Corcoran

*Review of regulatory
framework relating to
the sale and supply of
liquor*

Helen Fielding
(secondment from ALAC)

*Special Projects
Adviser*

Margaret Thompson

Susan Joy
*(secondment from
Ministry of Health)*

*Senior Legal &
Policy Advisers*

Allison Bennett

Cate Brett

Claire Browning

Jo Dinsdale

Susan Hall

Joanna Hayward

Rachel Hayward

Andrea King

Ewan Morris

Janet November

Lecretia Seales

Marion Wilson

(secondment from VANZ)

Susan Roberts
(secondment from NZ Police)

Fiona Stirling
*(secondment from
Ministry Justice)*

Principal Librarian

Peter Adamson

Librarian

Jacqueline Kitchen

Assistant Librarian

Katherine Narbey

*Management Support
Adviser*

Brenda van Heezik

Finance Officer

Felicity Reid

Personal Assistants

Catriona Boyes
Christelle Vorster

Consultant

Geoff Lawn
(secondment from PCO)

*Legal and Policy
Advisers*

Sara Jackson

Ryan Malone

Steven Melrose

Zoe Prebble

Julia Rendell

Appendix B

Law Commission publications

as at 30 June 2009

Report series

NO.	NAME	RELEASED	GOVERNMENT RESPONSE
NZLC R 1	Imperial Legislation in Force in New Zealand	March 1987	Largely implemented by the Imperial Laws Application Act 1988 and associated legislation
NZLC R 2	Annual Report	1987	
NZLC R 3	The Accident Compensation Scheme: Interim Report on Aspects of Funding	November 1987	Considered in preparing the Accident Rehabilitation and Compensation Insurance Act 1992 and some recommendations reflected in its provisions
NZLC R 4	Personal Injury: Prevention and Recovery (Report on the Accident Compensation Scheme)	May 1988	Considered also in connection with reviews of the Accident Rehabilitation and Compensation Insurance Act 1992 and implementing regulations undertaken in 1994
NZLC R 5	Annual Report	1988	
NZLC R 6	Limitation Defences in Civil Proceedings	October 1988	Update review completed November 2008, Limitation Bill introduced June 2009
NZLC R 7	The Structure of the Courts	March 1989	Substantial effect given to the recommendations in various enactments reforming courts' jurisdiction in 1991 and 1992
NZLC R 8	A Personal Property Securities Act for New Zealand	April 1989	Implemented by the Personal Property Securities Act 1999
NZLC R 9	Company Law: Reform and Restatement	June 1989	Companies Act 1993, Receiverships Act 1993 and amendments to the Property Law Act 1952 and the Companies Act 1955 entered into force on 1 July 1994
NZLC R 10	Annual Report	1989	
NZLC R 11	Legislation and its Interpretation: Statutory Publications Bill	September 1989	Implemented in part by the Regulations (Disallowance) Act 1989 and the Acts and Regulations Publications Act 1989
NZLC R 12	First Report on Emergencies: Use of the Armed Forces	February 1990	Implemented in the Defence Act 1990
NZLC R 13	Intellectual Property: The Context for Reform	March 1990	For use as a resource No law changes recommended
NZLC R 14	Criminal Procedure: Part One: Disclosure and Committal	June 1990	Amendments contained in the Criminal Procedure Bill – assent given 25 June 2008, split between several statutes

NO.	NAME	RELEASED	GOVERNMENT RESPONSE
NZLC R 15	Annual Report	1990	
NZLC R 16	Company Law Reform: Transition and Revision	September 1990	A supplement to NZLC R9
NZLC R 17	A New Interpretation Act: To Avoid “Proximity and Tautology”	December 1990	Recommendations reflected in the Interpretation Act 1999
NZLC R 18	Aspects of Damages: Employment Contracts and the Rule in <i>Addis v Gramophone Co</i>	March 1991	Implemented almost in entirety by the Employment Contracts Act 1991
NZLC R 19	Aspects of Damages: The Rules in <i>Bain v Fothergill</i> and <i>Joyner v Weeks</i>	May 1991	Abolition of the rule in <i>Bain v Fothergill</i> implemented by the Property Law Amendment Act 1994 Problems with the rule in <i>Joyner v Weeks</i> partially addressed in <i>Māori Trustee v Rogross Farms Ltd</i> [1994] 3 NZLR 410 (CA)
NZLC R 20	Arbitration	October 1991	Implemented by the Arbitration Act 1996
NZLC R 21	Annual Report	1991	
NZLC R 22	Final Report on Emergencies	December 1991	A supplement to NZLC R 12. Materially influenced the Biosecurity Act 1993.
NZLC R 23	The United Nations Convention on Contracts for the International Sale of Goods: New Zealand’s Proposed Acceptance	June 1992	Implemented by the Sale of Goods (United Nations Convention) Act 1994
NZLC R 24	Annual Report	1992	
NZLC R 25	Contract Statutes Review	May 1993	Many of the recommendations have been included in the Statutes Amendment Bill 2001. Others are not a high Ministerial priority.
NZLC R 26	Annual Report	1993	
NZLC R 27	The Format of Legislation	December 1993	Adopted by Chief Parliamentary Counsel
NZLC R 28	Aspects of Damages: The Award of Interest on Money Claims	May 1994	Interest on Money Claims Bill in draft 2008/9
NZLC R 29	A New Property Law Act	June 1994	Property Law Act – assent 4/10/2007
NZLC R 30	Community Safety: Mental Health and Criminal Justice Issues	August 1994	Included in the Criminal Procedure (Mentally Impaired Persons) Act passed in October 2003
NZLC R 31	Police Questioning	October 1994	Not advanced by successive governments
NZLC R 32	Annual Report	1994	
NZLC R 33	Annual Report	1995	
NZLC R 34	A New Zealand Guide to International Law and its Sources	May 1996	For use as a resource – no law changes recommended

NO.	NAME	RELEASED	GOVERNMENT RESPONSE
NZLC R 35	Legislation Manual: Structure and Style	May 1996	For use as a resource Proposals on structure and style substantially adopted by the Parliamentary Counsel Office and in widespread use
NZLC R 36	Annual Report	1996	
NZLC R 37	Crown Liability and Judicial Immunity: A response to <i>Baigent's</i> case and <i>Harvey v Derrick</i>	May 1997	Recommendations as to <i>Baigent's</i> case accepted. Implemented in part by section 27 Interpretation Act 1999.
NZLC R 38	Succession Law: Homicidal Heirs	July 1997	Succession (Homicide) Act – assent 17/10/2007
NZLC R 39	Succession Law: A Succession (Adjustment) Act	August 1997	Some issues addressed in the Property (Relationships) Amendment Act 2001
NZLC R 40	Review of the Official Information Act 1982	October 1997	Some proposals have been included in the Statutes Amendment Bill (No 3) which was passed in Oct 2003
NZLC R 41	Succession Law: A Succession (Wills) Act	October 1997	Wills Act – assent 28/8/2007
NZLC R 42	Evidence Law: Witness Anonymity	October 1997	Largely implemented by the Evidence (Witness Anonymity) Act 1997
NZLC R 43	Annual Report	1997	
NZLC R 44	Habeas Corpus: Procedure	November 1997	Implemented by Habeas Corpus Act 2001, further bill drafted to address deficiencies, refer (NZLC R100 2008)
NZLC R 45	The Treaty Making Process Reform and the Role of Parliament	December 1997	Partially implemented by changes to Standing Orders (SO 382-385)
NZLC R 46	Some Insurance Law Problems	May 1998	Key recommendations included in Life Insurance report (NZLC R87), see Government response to that report
NZLC R 47	Apportionment of Civil Liability	May 1998	Reform proposals not advanced by successive governments
NZLC R 48	Annual Report	September 1998	
NZLC R 49	Compensating the Wrongly Convicted (1998)	September 1998	Implemented by adoption of cabinet policy (prerogative)
NZLC R 50	Electronic Commerce Part One: A Guide for the Legal and Business Community	October 1998	Report explores basis for reform to accommodate electronic commerce and invites submissions, followed by Part Two (see NZLC R58)
NZLC R 51	Dishonestly Procuring Valuable Benefits	December 1998	Reflected in Crimes Amendment Act 2003
NZLC R 52	Cross Border Insolvency: Should NZ Adopt the UNCITRAL Model Law on Cross-Border Insolvency?	February 1999	Reflected in Insolvency (Cross-border) Act 2006
NZLC R 53	Justice: The Experience of Māori Women	April 1999	Resource only: no specific measures proposed

NO.	NAME	RELEASED	GOVERNMENT RESPONSE
NZLC R 54	Computer Misuse	May 1999	Included in the Crimes Amendment Act 2003
NZLC R 55	Evidence	August 1999	Reflected in Evidence Act 2006
NZLC R 56	Annual Report	September 1999	
NZLC R 57	Retirement Villages	September 1999	Reflected in Retirement Villages Act 2003
NZLC R 58	Electronic Commerce Part Two: A Basic Legal Framework	November 1999	Reflected in Electronic Transactions Act 2002 (Part One NZLC R50)
NZLC R 59	Shared Ownership of Land	November 1999	Department of Building & Housing, with Justice and LINZ, reviewed the Unit Titles Act, including Law Commission's recommendations relating to unit title developments. Unit Title Bill introduced 05/08, report back 07/08.
NZLC R 60	Costs in Criminal Cases	May 2000	Legislation drafted 2007/08, awaiting introduction
NZLC R 61	Tidying the Limitation Act	July 2000	Update review completed November 2008, Limitation Bill introduced June 2009
NZLC R 62	Coroners	August 2000	Reflected in Coroners Act 2006
NZLC R 63	Annual Report 2000	August 2000	
NZLC R 64	Defaming Politicians: A Response to <i>Lange v Atkinson</i>	August 2000	Govt thought draft amendment unnecessary. C/Appeal held S19 of Act adequately balances protection of reputation versus freedom of speech, procedural recommendations considered in relation to Evidence Act 2006.
NZLC R 65	Adoption and Its Alternatives: A Different Approach and a New Framework	September 2000	Policy proposals developed but proposals not advanced by successive governments
NZLC R 66	Criminal Prosecution	October 2000	Some amendments contained in Criminal Procedure Bill – assent 25/6/2008, divided between several statutes
NZLC R 67	Tax and Privilege: Legal Professional Privilege and the Commissioner of Inland Revenue's Powers to Obtain Information	October 2000	The Taxation (Base Maintenance and Miscellaneous Provisions) Act 2005 extends a non-disclosure right to tax advisors
NZLC R 68	Electronic Commerce Part Three: Remaining Issues	December 2000	Most recommendations relate to ongoing review by relevant agencies. NZ is now a member of the Hague Conference on Private International Law.
NZLC R 69	Juries in Criminal Trials	February 2001	Some amendments contained in Criminal Procedure Bill – assent 25/6/2008, divided between several statutes

NO.	NAME	RELEASED	GOVERNMENT RESPONSE
NZLC R 70	Acquittal Following Perversion of the Course of Justice	March 2001	Some amendments contained in Criminal Procedure Bill – assent 25/6/2008, divided between several statutes
NZLC R 71	Misuse of Enduring Powers of Attorney	April 2001	Protection of Personal and Property Rights Amendment Act – assent 25/9/07
NZLC R 72	Subsidising Litigation	May 2001	A conditional fee regime is included in the Lawyers & Conveyancers Act 2006
NZLC R 73	Some Criminal Defences with Particular Reference to Battered Defendants	May 2001	<i>The Partial Defence of Provocation</i> NZLC R 98 2007 under consideration by Government 07/09
NZLC R 74	Minority Buy-outs	August 2001	Companies (Minority Buy-out Rights) Amendment Act – assent 16/9/2008
NZLC R 75	Annual report	August 2001	
NZLC R 76	Proof of Disputed Facts on Sentence	December 2001	Incorporated in the Sentencing Act 2002
NZLC R 77	The Future of the Joint Family Homes Act	January 2002	Reform proposals not advanced by successive governments
NZLC R 78	General Discovery	February 2002	No Government action expected. Recommendations were made to the High Court Rules Committee.
NZLC R 79	Some Problems in the Law of Trusts	May 2002	Trustee Amendment Bill introduced 9/07, report back 07/08
NZLC R 80	Protections Some Disadvantaged People May Need	April 2002	Not advanced by successive governments and overtaken by Protection of Personal and Property Rights Amendment Act 2007
NZLC R 81	Annual Report 2002	August 2002	
NZLC R 82	Dispute Resolution in the Family Court	April 2003	A number of recommendations reflected in Family Courts Matters Bill introduced 8/07, including non-judicial led mediation – assent to divided bills 09/08
NZLC R 83	Improving the Arbitration Act 1996	February 2003	Arbitration Amendment Act – assent 17/10/2007
NZLC R 84	Annual Report 2003	August 2003	
NZLC R 85	Delivering Justice for All	March 2004	Main structural changes rejected, some recs advanced in service improvement & communications strategies for Courts; civil & criminal process recs considered in later, related policy work of Rules Cttee and MOJ; tribunals proposals followed by NZLC SP20 2008; recs re duty solicitors and Police custody legal aid advanced by LSA; open justice recs reflected in the Family Court Matters Act (see NZLC R82 above)
NZLC R 86	Annual Report 2004	August 2004	
NZLC R 87	Life Insurance	December 2004	Incorporated in MED/ Reserve Bank review of regulation of financial products and providers 07/08; Insurance (Prudential Supervision) Bill in draft 08/09

NO.	NAME	RELEASED	GOVERNMENT RESPONSE
NZLC R 88	New Issues in Legal Parenthood	April 2005	Reform proposals not advanced by successive governments
NZLC R 89	Criminal Pre-Trial Processes: Justice Through Efficiency	June 2005	Justice interagency project on Simplification of Criminal Justice Processes underway, including development of legislative proposals
NZLC R 90	Annual Report 2004–05		
NZLC R 91	Forfeiture under the Customs and Excise Act 1996	January 2006	Customs and Excise Amendment Act (No 3) – assent 16/9/08
NZLC R 92	Waka Umanga: A Proposed Law For Māori Governance Entities	May 2006	Waka Umanga (Māori Corporations) Bill introduced 10/07, report back 09/08
NZLC R 93	Access to Court Records	June 2006	New High Court Rules, including changes to access rules, in effect from 6/09; similar rules planned for District Court
NZLC R 94	Sentencing Guidelines and Parole Reform	June 2007	Criminal Justice Reform Act – assent 31/7/07
NZLC R 95	Annual Report 2005–2006		
NZLC R 96	Reforming the Law of Sedition	March 2007	Crimes (Repeal of Seditious Offences) Act – assent 5/11/2007
NZLC R 97	Search and Surveillance Powers	June 2007	Search and Surveillance Powers Bill introduced 09/08, replaced by Search and Surveillance Bill 07/09
NZLC R 98	The Partial Defence of Provocation	October 2007	Legislation in draft, cabinet decision expected 07/09
NZLC R 99	Annual Report 2006–2007		
NZLC R 100	Habeas Corpus Refining the Procedure	February 2008	Habeas Corpus Amendment Bill drafted (NZLC R100 2008)
NZLC R 101	Public Registers: Review of the Law of Privacy stage 2	February 2008	Full consideration awaiting completion of whole LC Privacy project
NZLC R 102	A New Inquiries Act	May 2008	Inquiries Bill introduced 9/08
NZLC R 103	Disclosure to Courts of Defendants' Previous Convictions, Similar Offending, and Bad Character	May 2008	Recommendation for LC to report to Minister of Justice on the working in practice of veracity and propensity provisions by 28/2/2010 accepted
NZLC R 104	Presentation of New Zealand Statute Law	December 2008	Under consideration by Government
NZLC R 105	Annual Report 2007–2008		
NZLC R 106	Review of Regulatory Framework for the Sale and Supply of Liquor: Part 1: Alcohol Legislation and the Conscience Vote	May 2009	Full consideration awaiting completion of whole LC Liquor project
NZLC R 107	Review of the Statutes Drafting & Compilation Act 1920	June 2009	Under consideration by Government

Issues paper series

NO.	NAME	RELEASED	OUTCOME
NZLC IP1	The Role of Public Inquiries	January 2007	Followed by IP5
NZLC IP2	Presentation of New Zealand Statute Law	September 2007	Contribution to Presentation of New Zealand Statute Law project
NZLC IP3	Public Registers – Review of the Law of Privacy: Stage 2	September 2007	Followed by Report NZLC R101
NZLC IP4	Disclosure of Previous Convictions	November 2007	Followed by Report NZLC R103
NZLC IP5	Public Inquiries: Draft Report	November 2007	Followed by report NZLC R102
NZLC IP6	Tribunals in New Zealand	January 2008	Contribution to Unified Tribunal Framework project, see also SP20
NZLC IP7	Towards a New Veterans' Entitlements Scheme: Discussion paper on a Review of the War Pensions Act 1954	July 2008	Contribution to Review of War Pensions Act 1954 project, ongoing 2008/09
NZLC IP8	Review of The Civil List Act 1979	July 2008	Contribution to Review of Civil List Act project, ongoing 2008/09
NZLC IP9	Review of Prerogative Writs	August 2008	Contribution to review of prerogative writs, decision not to pursue in light of submissions received
NZLC IP10	Review of the Land Transfer Act 1952	October 2008	Contribution to Review of Land Transfer Act 1952 project, ongoing 2008/09
NZLC IP11	Compensating Crime Victims	October 2008	Contribution to Victims' Compensation project, ongoing 2008/09
NZLC IP12	Private Schools and the Law	December 2008	Contribution to project reviewing the legislative provisions for private schools, ongoing 2008/09
NZLC IP13	Suppressing Names and Evidence,	December 2008	Contribution to Criminal Procedure (Simplification) project, ongoing 2008/09
NZLC IP14	Invasion of Privacy: Penalties and Remedies	March 2009	Contribution to Review of Privacy project, ongoing 2008/09

Study Paper series

NO.	NAME	RELEASED	OUTCOME
NZLC SP1	Women's Access to Legal Services	June 1999	Many recommendations implemented by relevant Government agencies
NZLC SP2	Priority Debts in the Distribution of Insolvent Estates: An Advisory Report to the Ministry of Commerce	October 1999	Insolvency Act – assent 7/11/06
NZLC SP3	Protecting Construction Contractors	November 1999	Adopted in Construction Contracts Act 2002
NZLC SP4	Recognising Same-Sex Relationships	December 1999	Submission to the Ministry of Justice – no further action required
NZLC SP5	International Trade Conventions	November 2000	Resource only
NZLC SP6	To Bind Their Kings in Chains: An Advisory Report to the Ministry of Justice	December 2000	Reflected in provisions of Crown Organisations (Criminal Liability) Act 2002
NZLC SP7	Simplification of Criminal Procedure Legislation: An Advisory Report to the Ministry of Justice	January 2001	Justice interagency project on Simplification of Criminal Justice Processes underway, including development of legislative proposals
NZLC SP8	Determining Representation Rights under Te Ture Whenua Māori Act 1993: An Advisory Report for Te Puni Kokiri	March 2001	No further action by Government
NZLC SP9	Māori Custom and Values in New Zealand Law	March 2001	Resource only
NZLC SP10	Mandatory Orders Against the Crown and Tidying Judicial Review	March 2001	No further action by Government
NZLC SP11	Insolvency Law Reform: Promoting Trust and Confidence	May 2001	Considered by the Ministry of Economic Developments in review of Insolvency Law, Insolvency Act – assent 7/11/06
NZLC SP12	Electronic Technology and Police Investigations	February 2002	Advice to the Ministry of Justice, followed by <i>Search and Surveillance Powers</i> NZLC R97 2007
NZLC SP13	Treaty of Waitangi Claims: Addressing the Post-Settlement Phase: An Advisory Report for Te Puni Kokiri, the Office of Treaty Settlements and the Chief Judge of the Māori Land Court	August 2002	Advice to the Ministry for Māori Development, followed by <i>Waka Umanga: A Proposed Law for Māori Governance Entities</i> NZLC R92 2006
NZLC SP14	Liability for Loss Resulting from the Development, Supply or Use of Genetically Modified Organisms	August 2002	No further action by Government

NO.	NAME	RELEASED	OUTCOME
NZLC SP15	Intimate Covert Filming	June 2004	Crimes (Intimate Covert Filming) Amendment Act 2006
NZLC SP16	The Infringements System: A framework for Reform	August 2005	This was a joint review with MOJ and LC developed a statutory framework to guide establishment and operation of infringement offences. MOJ provided guidelines for legislating for infringements on their website.
NZLC SP17	Converging Currents: Custom and Human Rights in the Pacific	October 2006	Advice to Minister, Ministry of Foreign Affairs and Trade, and of interest to Pacific countries, No further action by Government
NZLC SP18	Further Reform of Habeas Corpus Procedure	August 2007	Habeas Corpus Amendment Bill drafted (NZLC R100 2008)
NZLC SP19	Privacy Concepts and Issues	February 2008	Contribution to LC Privacy project, ongoing 2008/09
NZLC SP20	Tribunal Reform	December 2008	Further progressed deferred 08/09

Preliminary paper series

NO.	NAME	RELEASED	OUTCOME
NZLC PP1	Legislation and its Interpretation: The Acts Interpretation Act 1924 and Related Legislation	June 1987	Followed by report NZLC R17
NZLC PP2	The Accident Compensation Scheme	September 1987	Followed by reports NZLC R3 and NZLC R4
NZLC PP3	The Limitation Act 1950	September 1987	Followed by report NZLC R6
NZLC PP4	The Structure of the Courts	December 1987	Followed by report NZLC R7
NZLC PP5	Company Law	December 1987	Followed by reports NZLC R9 and NZLC R16
NZLC PP6	Reform of Personal Property Security Law (report by Prof JH Farrar and MA O'Regan)	1988	Followed by report NZLC R8
NZLC PP7	Arbitration	November 1988	Followed by report NZLC R20
NZLC PP8	Legislation and its Interpretation	December 1988	Followed by report NZLC R17
NZLC PP9	The Treaty of Waitangi and Māori Fisheries – Mataitai Nga Tikanga Māori me te Tiriti o Waitangi	March 1989	For use as a resource, reference withdrawn by Minister of Justice at Law Commission's request
NZLC PP10	Hearsay Evidence	June 1989	Followed by report NZLC R55
NZLC PP11	“Unfair” Contracts	September 1990	No further consideration intended
NZLC PP12	The Prosecution of Offences	November 1990	Followed by further discussion paper NZLC PP28
NZLC PP13	Evidence Law: Principles for Reform	April 1991	Followed by report NZLC R55

NO.	NAME	RELEASED	OUTCOME
NZLC PP14	Evidence Law: Codification	April 1991	Followed by report NZLC R55
NZLC PP15	Evidence Law: Hearsay	April 1991	Followed by report NZLC R55
NZLC PP16	The Property Law Act 1952	July 1991	Followed by report NZLC R29
NZLC PP17	Aspects of Damages: Interest on Debts and Damages	November 1991	Followed by report NZLC R28
NZLC PP18	Evidence Law: Expert Evidence and Opinion Evidence	December 1991	Followed by report NZLC R55
NZLC PP19	Apportionment of Civil Liability	March 1992	Followed by report NZLC R47
NZLC PP20	Tenure and Estates in Land	June 1992	No further consideration intended
NZLC PP21	Criminal Evidence: Police Questioning	September 1993	Followed by report NZLC R31
NZLC PP22	Evidence Law: Documentary Paper	May 1994	Followed by report NZLC R55
NZLC PP23	Evidence Law: Privilege	May 1994	Followed by report NZLC R55
NZLC PP24	Succession Law: Testamentary Claims	August 1996	Followed by reports NZLC R38, NZLC R39, and NZLC R41
NZLC PP25	The Privilege Against Self-Incrimination	September 1996	Followed by report NZLC R55
NZLC PP26	The Evidence of Children and Other Vulnerable Witnesses	October 1996	Followed by report NZLC R55
NZLC PP27	Evidence Law: Character and Credibility	February 1997	Followed by report NZLC R55
NZLC PP28	Criminal Prosecution	March 1997	Followed by report NZLC R66
NZLC PP29	Evidence Law: Witness Anonymity	September 1997	Followed by report NZLC R42
NZLC PP30	Repeal of the Contracts Enforcement Act 1956	December 1997	No further action
NZLC PP31	Compensation for Wrongful Conviction or Prosecution	April 1998	Followed by report NZLC R49
NZLC PP32	Juries in Criminal Trials: Part One	July 1998	Followed by Juries in Criminal Trials: Part Two NZLC PP37 and Report NZLC R69
NZLC PP33	Defaming Politicians: A Response to <i>Lange v Atkinson</i>	September 1998	Followed by report NZLC R64
NZLC PP34	Retirement Villages	October 1998	Followed by report NZLC R57
NZLC PP35	Shared Ownership of Land	January 1999	Followed by report NZLC R59
NZLC PP36	Coroners: A Review	August 1999	Followed by report NZLC R62
NZLC PP37	Juries in Criminal Trials: Part Two	November 1999	Followed by report NZLC R69

NO.	NAME	RELEASED	OUTCOME
NZLC PP38	Adoption: Options for Reform	October 1999	Followed by report NZLC R65
NZLC PP39	Limitation of Civil Actions	February 2000	Followed by report NZLC 61
NZLC PP40	Misuse of Enduring Powers of Attorney	May 2000	Followed by report NZLC R71
NZLC PP41	Battered Defendants: Victims of Domestic Violence Who Offend	August 2000	Followed by report NZLC R73
NZLC PP42	Acquittal Following Perversion of the Course of Justice: A Response to <i>R v Moore</i>	September 2000	Followed by report NZLC R70
NZLC PP43	Subsidising Litigation	December 2000	Followed by report NZLC R72
NZLC PP44	The Future of the Joint Family Homes Act	August 2001	Followed by report NZLC R77
NZLC PP45	Reforming the Rules of General Discovery	September 2001	Followed by report NZLC R78
NZLC PP46	Improving the Arbitration Act 1996	September 2001	Followed by report NZLC R83
NZLC PP47	Family Court Dispute Resolution	January 2002	Followed by report NZLC R82
NZLC PP48	Some Problems in the Law of Trusts	January 2002	Followed by report NZLC R79
NZLC PP49	Protecting Personal Information From Disclosure	February 2002	As requested by the Ministry of Justice no further work will be done
NZLC PP50	Entry, search and Seizure	April 2002	Followed by report NZLC R97
NZLC PP51	Striking the balance, Your opportunity to have your say on the New Zealand Court System	May 2002	Followed by options paper, Seeking Solutions, PP52 and R85
NZLC PP52	Seeking Solutions: Options for Change to the New Zealand Court System	December 2002	Followed by report NZLC R85
NZLC PP53	Life Insurance – A Discussion Paper	December 2003	Followed by report NZLC R87
NZLC PP54	New Issues in Legal Parenthood – A discussion paper	March 2004	Followed by report NZLC R88
NZLC PP55	Reforming Criminal Pre-Trial Processes/Status Hearings Evaluation	August 2004	Followed by report NZLC R89
NZLC PP0	Reforms to the Sentencing and Parole Structure: Consultation Draft	August 2006	Followed by report NZLC R94

Miscellaneous paper series

NO.	NAME	RELEASED	OUTCOME
NZLC MP1	What Should Happen to your Property when you Die?	August 1996	Preliminary to NZLC PP24 and NZLC R41
NZLC MP2	Succession Law Wills Reforms	October 1996	Preliminary to NZLC PP24 and NZLC R41
NZLC MP3	Information about Lawyers' Fees	October 1996	Preliminary to NZLC SP1
NZLC MP4	Women's Access to Legal Information	March 1997	Preliminary to NZLC SP1
NZLC MP5	The Law of Parliamentary Privilege	December 1996	Resource only
NZLC MP6	The Taking into Account of Te Ao Māori in Relation to Reform of the Law of Succession	July 1996	Resource only
NZLC MP7	Strategic Business Plan 1996/97	December 1996	Resource only
NZLC MP8	Women's Access to Civil Legal Aid	March 1997	Preliminary to NZLC SP1
NZLC MP9	Women's Access to Legal Advice and Representation	April 1997	Preliminary to NZLC SP1
NZLC MP10	Lawyers' Costs in Family Law Disputes	June 1997	Preliminary to NZLC SP1
NZLC MP11	The Education and Training of Law Students and Lawyers	September 1997	Preliminary to NZLC SP1
NZLC MP12	Costs in Criminal Cases	November 1997	Followed by report NZLC R60
NZLC MP13	Total Recall: The reliability of witness testimony	August 1999	Resource only
NZLC MP14	The Role of Public Inquiries	January 2006	Preliminary to NZLC IP1
NZLC MP15	Waka Umanga (Māori Corporations) Bill	May 2007	Draft bill for consultation with Māori and interest groups, superseded by revised bill introduced 10/07
NZLC MP16	Limitation Defences in Civil Cases: Update Report for Law Commission	June 2007	Resource for review of limitation issues, Limitation Bill introduced June 2009
NZLC MP19	A Conceptual Approach to Privacy	November 2007	Contribution to LC Privacy project, ongoing 2008/09

