



Proactive Release

The following documents have been proactively released by the Department of the Prime Minister and Cabinet (DPMC), on behalf of the Prime Minister, Rt Hon Jacinda Ardern:

Governor-General (Allowance) Order 2022

The following documents have been included in this release:

Title of paper: Governor-General (Allowance) Order 2022 (CAB-22-SUB-0565 refers)

Title of minute: Governor-General (Allowance) Order 2022 (CAB-22-MIN-0565 refers)

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~~In Confidence~~

Office of the Prime Minister

Chair, Cabinet

GOVERNOR-GENERAL (ALLOWANCE) ORDER 2022

Proposal

- 1 This paper proposes that Cabinet authorise the submission of the Governor-General (Allowance) Order 2022 to the Executive Council. The order sets the rate of the Governor-General's allowance for expenses at \$37,536, as at 1 October 2022.

Policy

- 2 Under the Governor-General Act 2010, the Governor-General must be paid an allowance for official expenses. The allowance is currently set at \$35,004 a year. The allowance is exempt income and is therefore free from income tax.
- 3 The allowance is provided to help meet expenses incurred by the Governor-General personally in undertaking her duties.
- 4 The allowance is adjusted annually, to reflect the percentage movement in the Consumer Price Index (CPI) between the September quarter of that year and the September quarter of the immediately preceding year.
- 5 The movement in the CPI between the September 2021 and September 2022 quarters is a 7.2 per cent increase. This translates to an increase in the Governor-General's allowance of \$2,532.
- 6 Under section 6(3) of the Governor-General Act, an Order in Council setting the allowance comes into force on the date specified in the order, which may be a date that is before the date the order is made.
- 7 The permanent appropriation for the salary and allowance is in Vote Prime Minister and Cabinet, Governor-General's Salary and Allowance PLA.

Timing and 28-day rule

- 8 The order will come into effect on 1 October 2022. A waiver of the 28-day rule is permitted as the proposed order has no effect on the public (Cabinet Manual at [7.97(a)]).

Compliance

- 9 The regulations are consistent with:
 - 9.1 The principles of the Treaty of Waitangi.
 - 9.2 The rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

- 9.3 The principles and guidelines set out in the Privacy Act 1993.
- 9.4 Relevant international standards and obligations.
- 9.5 The *Legislation Guidelines* (2021 edition), a publication by the Legislation Design and Advisory Committee.

Regulations Review Committee

- 10 There are no grounds for the Regulations Review Committee to draw the regulations to the attention of the House under Standing Order 327.

Certification by Parliamentary Counsel

- 11 The Parliamentary Counsel Office has certified that the order is in order for submission to Cabinet.

Impact Analysis

- 12 A regulatory impact statement is not required as the proposal is of a minor machinery nature.

Publicity

- 13 No publicity is envisaged.

Consultation

- 14 Treasury has been advised.

Proactive release

- 15 This paper will be proactively released, subject to any redactions.

Recommendations

- 16 I recommend that Cabinet:
 - 16.1 **note** that the allowance for the Governor-General under the Governor-General Act 2010 is currently set at \$35,004 a year and is exempt from income tax;
 - 16.2 **note** that the allowance for the Governor-General helps meet expenses incurred by the Governor-General;
 - 16.3 **note** that the Governor-General's allowance is adjusted annually to reflect the movement in the CPI;
 - 16.4 **note** that movement in the CPI translates to an increase in the Governor-General's allowance of \$2,532, giving a total for the allowance of \$37,536;
 - 16.5 **note** that, as provided for in section 6(3) of the Governor-General Act, payment of the allowance will commence from 1 October 2022;

- 16.6 **note** that a waiver of the 28-day rule is sought on the grounds that the amendment regulations have no effect on the public;
- 16.7 **agree** to waive the 28-day rule;
- 16.8 **authorise** the submission to the Executive Council of the Governor-General (Allowance) Order 2022 [PCO 25166/1.0].

Authorised for lodgement

Rt Hon Jacinda Ardern
Prime Minister

Proactively Released

Governor-General (Allowance) Order 2022

Order in Council

At Wellington this day of 2022

Present:
in Council

This order is made under section 6 of the Governor-General Act 2010 on the advice and with the consent of the Executive Council.

Contents

		Page
1	Title	1
2	Commencement	1
3	Governor-General's allowance	1
4	Revocation	2

Order

- 1 Title**
This order is the Governor-General (Allowance) Order 2022.
- 2 Commencement**
This order is deemed to have come into force on 1 October 2022.
- 3 Governor-General's allowance**
The allowance payable to the Governor-General under section 6 of the Governor-General Act 2010 is payable at the rate of \$37,536 per annum.

4 Revocation

The Governor-General (Allowance) Order (No 2) 2021 (SL 2021/413) is deemed to have been revoked at the close of 30 September 2022.

Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which is deemed to have come into force on 1 October 2022, adjusts the rate of the Governor-General's tax-exempt allowance to reflect the increase in the New Zealand Consumers Price Index between September 2021 and September 2022.

The allowance is fixed at a rate of \$37,536 per annum (an increase of \$2,532 per annum).

The allowance is confined to the purpose of meeting expenses incurred by the Governor-General personally in undertaking the duties of office. It does not extend to programme costs, which are separately funded. The order setting the previous allowance is deemed to have been revoked at the close of 30 September 2022.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

This order is administered by the Department of the Prime Minister and Cabinet.



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Governor-General (Allowance) Order 2022

Portfolio **Prime Minister**

On 12 December 2022, Cabinet:

- 1 **noted** that the allowance for the Governor-General under the Governor-General Act 2010 is currently set at \$35,004 a year and is exempt from income tax;
- 2 **noted** that the allowance for the Governor-General helps meet expenses incurred by the Governor-General;
- 3 **noted** that the Governor-General's allowance is adjusted annually to reflect the movement in the Consumer Price Index (CPI);
- 4 **noted** that movement in the CPI translates to an increase in the Governor-General's allowance of \$2,532, giving a total for the allowance of \$37,536;
- 5 **noted** that, as provided for in section 6(3) of the Governor-General Act 2010, payment of the allowance commenced from 1 October 2022;
- 6 **noted** that a waiver of the 28-day rule is sought on the grounds that the Governor-General (Allowance) Order 2022 has no effect on the public;
- 7 **agreed** to waive the 28-day rule;
- 8 **noted** that the Order is deemed to have come into force on 1 October 2022;
- 9 **authorised** the submission to the Executive Council of the Governor-General (Allowance) Order 2022 [PCO 25166/2.0].

Rachel Hayward
Secretary of the Cabinet.