

Title: AGREEMENT ON SOCIAL SECURITY BETWEEN AUSTRALIA
AND NEW ZEALAND
MRN: CH812754 03/04/2001 05:10:00 PM
To: WELLINGTON (RR)
Cc:
From: CANBERRA
From File:
EDRMS Files:
References:
Response: , Information Only

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FROM FILE: 92/014246-04

THE ABOVE AGREEMENT WAS SIGNED ON WEDNESDAY, 28 MARCH 2001 AT
PARLIAMENT HOUSE BY THE FEDERAL MINISTER FOR FAMILY AND COMMUNITY
SERVICES, SENATOR AMANDA VANSTONE, AND HIGH COMMISSIONER H E MR
SIMON MURDOCH.

2. THE AGREEMENT IS EXPECTED TO ENTER INTO FORCE ON 1 JULY 2002.
A COPY OF THE PRESS RELEASE WILL FOLLOW BY E-MAIL s22(1)(a)(ii)

MD. C8AD5000D6707598AE7871D130EC45304796

XC. O.CH812754

CM. s22(1)(a)(ii)

text ends

s22(1)(a)(ii)

s22(1)(a)(ii)

CH812754

s22(1)(a)(ii)

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s22(1)(a)(ii)

WL13619

Title: NEW ZEALAND: SOCIAL SECURITY AGREEMENT 3
MRN: WL13619 18/05/2001 04:19:02 PM
To: CANBERRA (PP)
Cc:
From: WELLINGTON
From File:
EDRMS Files:
References: CH812754
Response: , Information Only

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++THIS DOCUMENT CONTAINS MATERIAL FOR AUSTRALIAN EYES ONLY++

START OF SUMMARY

THE AUSTRALIA-NEW ZEALAND SOCIAL SECURITY AGREEMENT WAS TABLED IN PARLIAMENT AND HAS BEEN REFERRED TO THE FOREIGN AFFAIRS, DEFENCE AND TRADE SELECT COMMITTEE FOR CONSIDERATION. A DECISION HAS NOT YET BEEN TAKEN ON WHETHER PUBLIC SUBMISSIONS WILL BE CALLED FOR. THE NEW ZEALAND GOVERNMENT INTENDS TO RELEASE, UNDER ITS OFFICIAL INFORMATION ACT, THE MAJORITY OF ITS DOCUMENTS RELATING TO THE NEGOTIATION OF THE AGREEMENT. s.33(a)(iii)
s.33(a)(iii)

END OF SUMMARY

FOR PM&C, DFACS, DIMA AND DFAT

THE AGREEMENT ON SOCIAL SECURITY BETWEEN AUSTRALIA AND NEW ZEALAND WAS TABLED IN THE NEW ZEALAND PARLIAMENT ON WEDNESDAY 16 MAY AND REFERRED TO THE FOREIGN AFFAIRS, DEFENCE AND TRADE SELECT COMMITTEE FOR CONSIDERATION AS PART OF THE TREATY PROCESS. THE COMMITTEE HELD A PROCEDURAL HEARING ON 17 MAY AND SET ASIDE 14 JUNE FOR THE FIRST DAY OF HEARINGS. IT HAS NOT YET DETERMINED WHETHER IT WILL CALL FOR PUBLIC SUBMISSIONS. WITH A VERY HEAVY WORKLOAD, THE COMMITTEE MAY WELL DECIDE AGAINST PUBLIC SUBMISSIONS.

2. SEPARATE FROM THE PARLIAMENTARY EXERCISE, THE GOVERNMENT HAS DECIDED TO RELEASE UNDER THE OFFICIAL INFORMATION ACT (OIA) THE BULK OF PAPERS RELATING TO THE SOCIAL SECURITY NEGOTIATIONS. EIGHT SEPARATE REQUESTS WERE RECEIVED UNDER THE OIA, BUT THE GOVERNMENT VIEW (ENDORSED DIRECTLY BY PRIME MINISTER CLARK) IS THAT IT WOULD BE PREFERABLE TO RELEASE AS MUCH OF THE DOCUMENTATION AS POSSIBLE IN ONE HIT s.33(a)(iii) RATHER THAN HAVE IT COME OUT PIECEMEAL. INDEED, MUCH IS IN THE PUBLIC DOMAIN ALREADY. IT SEEMS LIKELY ALSO THAT THE DOCUMENTS WILL BE RELEASED TO THE ENTIRE PRESS GALLERY (RATHER THAN SIMPLY THOSE WHO HAVE LODGED APPLICATIONS UNDER THE ACT) WITH AN ACCOMPANYING STATEMENT BY FOREIGN MINISTER GOFF. THE PROPOSED RELEASE ON 28 MAY, JUST AFTER THE BUDGET AND AS PARLIAMENT GOES INTO RECESS HAS BEEN THOUGHTFULLY TIMED. s.33(a)(iii)
s.33(a)(iii)

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3. WITH MFAT, WE HAVE READ THROUGH SOME HUNDREDS OF PAGES OF DOCUMENTS TO BE RELEASED, INCLUDING ALL THE CABINET SUBMISSIONS. NZ'S ACT IS SOMEWHAT MORE LIBERAL THAN OUR FOI ACT ALTHOUGH THERE WILL BE QUITE A RANGE OF DELETIONS - NOT WHOLE DOCUMENTS, BUT SELECTED PARAGRAPHS.

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s.33(a)(iii)

CABINET DOCUMENTS

6. THE CABINET DOCUMENTS WILL HAVE INDIVIDUAL MINISTERIAL COMMENTS AND TALKING POINTS DELETED TO ENSURE THE "COLLECTIVE RESPONSIBILITY" OF CABINET. SIMILARLY, ANY INDIVIDUAL MINISTER'S VIEWS IN LETTERS OR OTHER BRIEFINGS WILL BE DELETED. s.33(b)

s.33(b)

s.33(b) THE DOCUMENTS REFLECT A CLEAR CONCERN BY THE GOVERNMENT THAT IT DID NOT WANT SOCIAL SECURITY TO SPILL OVER INTO CER, DEFENCE AND TTTA ISSUES.

s.33(a)(iii)

s.33(a)(iii)

9. A 14 DECEMBER MINUTE FROM MFAT DEPUTY SECRETARY JOHN WOOD TO FOREIGN MINISTER GOFF (COPIED TO OTHER CABINET MEMBERS) NOTES, "... (AUSTRALIA) WILL INTRODUCE NEW MEASURES OF FINANCIAL CONDITIONALITY TO PROTECT ALL NEW ZEALANDERS IN AUSTRALIA FROM KNOCK-ON EFFECTS ON HEALTH AND EDUCATION AT STATE LEVEL AND PRIME MINISTER HOWARD WILL WRITE TO PREMIERS AND CHIEF MINISTERS TO EXPLAIN

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THE LIMITED PURPOSE OF THE NEW APPROACH". QUERIED WHAT WAS MEANT IN 5
THE MINUTE BY THE WORDING "NEW MEASURES OF FINANCIAL CONDITIONALITY"
IT WAS EXPLAINED THAT NEW ZEALAND UNDERSTOOD THE FEDERAL GOVERNMENT
WOULD PUT IN PLACE ARRANGEMENTS WITH THE STATES WHEREBY THEY WOULD BE
PENALISED IN THE BUDGET PROCESS SHOULD THEY INTRODUCE EDUCATION OR
HEALTH FEES FOR NEW ZEALAND CITIZENS. s.33(a)(iii), s.33(b)
s.33(a)(iii), s.33(b)

s.33(a)(iii)

CONSULTANTS' PAPERS

11. THERE ARE EIGHT RESEARCH REPORTS UNDERTAKEN FOR THE MINISTRY OF
SOCIAL POLICY BY CONSULTANTS INCLUDING THE JOINTLY COMMISSIONED HARRY
CLARKE PAPER. ALL EIGHT REPORTS HAVE BEEN SPECIFICALLY REQUESTED
UNDER THE OIA BY OPPOSITION LEADER, JENNY SHIPLEY. ON THE WHOLE, THE
REPORTS (FOR EXAMPLE, AN ECONOMIC IMPACT STUDY AND AN "OPPORTUNITY
COSTS OF UNRESTRICTED TRANS-TASMAN MIGRATION") SUPPORT NEW ZEALAND
INTERPRETATIONS OF THEIR STATISTICS AND CONTRIBUTIONS TO AUSTRALIA.
s.33(a)(iii)

s.33(a)(iii)

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s.33(a)(iii)

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HUMAN RIGHTS

14. A 19 FEBRUARY 2001 BRIEFING DOCUMENT PREPARED BY THE LEGAL AREA OF MFAT ON THE BASIS OF LEGAL ADVICE FROM ATTORNEY-GENERAL'S ADDRESSES HUMAN RIGHTS IMPLICATIONS OF THE SOCIAL SECURITY AGREEMENT. THE AG'S ADVICE WILL BE WITHHELD ON THE BASIS OF LEGAL PRIVILEGE BUT THE MFAT DOCUMENT WILL BE RELEASED. WHILE THE VERY NATURE OF SOCIAL SECURITY PAYMENTS OR BENEFITS WILL ALWAYS BE DISCRIMINATORY (IE ON THE BASIS OF ELIGIBILITY), s.33(a)(iii)

s.33(a)(iii)

s.33(a)(iii)

TREASURY PAPERS

16. MOST OF THE TREASURY PAPERS FOCUSED ON COSTS, THE NEED TO PROTECT LABOUR PAYMENTS, TTTA AND CER. s.33(a)(iii)

s.33(a)(iii)

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s.33(a)(iii)

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20. WE HAVE REQUESTED MFAT TO PROVIDE US A COMPLETE SET OF THE FINAL DOCUMENTS PRIOR TO RELEASE. THE NEW ZEALAND RELEASE MAY WELL GENERATE APPLICATIONS FOR THE RELEASE OF AUSTRALIAN DOCUMENTS UNDER FOI.

22. GRATEFUL ANY COMMENTS YOU MAY HAVE ON THE ABOVE OR ADVICE ON ANY ISSUES YOU WOULD WISH US TO PURSUE FURTHER WITH MFAT.

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CM. s22(1)(a)(ii)

text ends

s22(1)(a)(ii)

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s22(1)(a)(ii)

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s22(1)(a)(ii)

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Title: AUSTRALIA NEW ZEALAND AGREEMENT ON SOCIAL SECURITY: PROGRESS 9
MRN: CH831700 11/07/2001 12:30:26 PM
To: WELLINGTON (PP)
Cc:
From: CANBERRA
From File:
EDRMS Files:
References:
Response: , Information Only

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++THE FOLLOWING CONTAINS SENSITIVE INFORMATION++

TOWARDS IMPLEMENTATION

START OF SUMMARY

s.33(a)(iii)

END OF SUMMARY

AUSTRALIAN ARRANGEMENTS FOR IMPLEMENTATION OF THE NEW SOCIAL SECURITY AGREEMENT WITH NEW ZEALAND ARE ON SCHEDULE. THE JOINT STANDING COMMITTEE HAS COMPLETED ITS PUBLIC HEARINGS AND WE EXPECT THEIR REPORT SHORTLY. THE CENTRELINK OFFICE IN HOBART IS DEVELOPING PROCEDURES AND COMPUTER SYSTEMS TO IMPLEMENT THE NEW AGREEMENT ACCORDING TO SCHEDULE. INTERNAL PROCESSES FOR HANDLING CLAIMS IN AUSTRALIA UNDER THIS AGREEMENT HAVE BEEN AGREED. COMPUTER SYSTEMS FOR THE PAYMENT OF PENSIONS GRANTED UNDER THE AGREEMENT ARE IN THE FINAL STAGES OF DEVELOPMENT AND COMPREHENSIVE TESTING HAS BEEN SCHEDULED FOR LATER THIS YEAR.

2. WHILE WINZ HAVE COMUNICATED ON MINOR DAY-TO-DAY ISSUES, ISSUES OF SUBSTANCE (TECHNICAL AND PRCEDURAL ISSUES SEE BELOW) RAISED AS EARLY AS THE LAST ROUND OF DISCUSSIONS IN MAY 2001 HAVE NOT BEEN ADDRESSED. PEOPLE CONNECTED WITH THEIR OUTSOURCED INFORMATION TECHNOLOGY PROVIDER INDICATE THAT THE ISSUES BEING DISCUSSED WITHIN WINZ/MOSP ARE AT A VERY BASIC LEVEL. THE STANDARD RESPONSE TO ENQUIRIES IS THAT THEY ARE QUOTE DOING ANALYSIS UNQUOTE.

s.33(a)(iii), s.33(b)

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s.33(a)(iii), s.33(b)

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s.22(1)(a)(ii)

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s22(1)(a)(ii) ,

WL13822

Title: AUSTRALIA/NEW ZEALAND AGREEMENT ON SOCIAL SECURITY : 12
MRN: WL13822 13/07/2001 11:04:27 AM
To: CANBERRA (PP)
Cc:
From: WELLINGTON
From File:
EDRMS Files:
References: CH831700
Response: , Information Only

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IMPLEMENTATION

++ THE FOLLOWING CONTAINS SENSITIVE INFORMATION ++

START OF SUMMARY

MFAT OFFICIALS HAVE UNDERTAKEN TO MAKE INQUIRIES WITH THE MINISTRY OF SOCIAL POLICY (MOSP) AND WORK AND INCOME NEW ZEALAND (WINZ), TO RESPOND TO OUR CONCERNS ABOUT NEW ZEALAND'S ABILITY TO IMPLEMENT THE SOCIAL SECURITY AGREEMENT FROM 1 JULY 2002. DISCUSSION AT THE FOREIGN MINISTERS' MEETING NEXT WEEK, IS DESIGNED TO REVIEW PROGRESS SINCE SIGNATURE OF THE AGREEMENT, AND TO NOTE ANY ISSUES THAT REMAIN TO BE RESOLVED.

END OF SUMMARY

FROM HIGH COMMISSIONER

ON 12 JULY, I CALLED ON s22(1)(a)(ii) DIRECTOR AUSTRALIA DIVISION MFAT, AND s22(1)(a)(ii) THE OFFICER IN CHARGE OF MFAT'S TASK FORCE ON THE SOCIAL SECURITY AGREEMENT. I SET OUT THE POINTS IN REFTEL. I NOTED THAT AUSTRALIAN PROCEDURES FOR IMPLEMENTATION WERE MOVING FORWARD WELL AND WE WERE LOOKING FORWARD TO IMPLEMENTING THE AGREEMENT ON SCHEDULE ON 1 JULY 2002. I MENTIONED THE CONCERNS THAT WE HAD PICKED UP ABOUT THE ABILITY OF WINZ TO IMPLEMENT THE AGREEMENT ON TIME, GIVEN SOME OF THE TECHNICAL AND INFORMATION TECHNOLOGY ISSUES WE UNDERSTOOD WINZ WAS FACING. I ASKED FOR A RESPONSE TO THE EARLIER PROPOSAL ABOUT PROCEDURES FOR TREATING DISABLED PENSIONERS. I ALSO STRESSED THE IMPORTANCE OF AUSTRALIA BEING TOLD WELL IN ADVANCE, IF NEW ZEALAND BELIEVED IT WOULD HAVE PROBLEMS IN MEETING THE DEADLINE. I ADDED THAT WE REMAINED READY TO COOPERATE FULLY WITH NEW ZEALAND TO OVERCOME ANY TECHNICAL DIFFICULTIES.

2. s22(1)(a)(ii) SAID THAT MFAT CONTINUED TO MONITOR IMPLEMENTATION CLOSELY. MFAT'S MAIN FOCUS IN RECENT WEEKS HAD BEEN THE PARLIAMENTARY SELECT COMMITTEE'S DELIBERATIONS ON THE NEW SOCIAL SECURITY AGREEMENT AND ITS CALL FOR PUBLIC SUBMISSIONS. s22(1)(a)(ii) NOTED THAT TO DATE, THE COMMITTEE HAD RECEIVED NO PUBLIC SUBMISSIONS ON THE NEW AGREEMENT AND HAD EXTENDED IT'S DEADLINE OUT TO 9 AUGUST. IT WAS QUITE POSSIBLE THAT WHEN THAT DEADLINE HAD BEEN REACHED, THERE WOULD BE NO PUBLIC SUBMISSIONS RECEIVED. THE COMMITTEE COULD THEN PROCEED QUICKLY WITH ITS RECOMMENDATIONS AND PROPOSED LEGISLATION. s22(1)(a)(ii) NOTED THAT AT

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THAT POINT, THE MINISTER FOR SOCIAL SECURITY WOULD RESUME CONTROL OF ISSUES. HE WOULD THEN BE THE LEAD MINISTER IN NEGOTIATING LEGISLATION THROUGH THE PARLIAMENT. MFAT HOWEVER, WOULD CONTINUE TO TAKE A CLOSE INTEREST IN IMPLEMENTATION. 13

3. s22(1)(a)(ii) SAID THAT HE WAS NOT AWARE OF PARTICULAR CONCERNS ABOUT IMPLEMENTATION OF THE KIND I HAD MENTIONED. MFAT WAS AWARE IN A GENERAL WAY, THAT WINZ HAD A LOT ON ITS PLATE WITH INFORMATION TECHNOLOGY ISSUES. ITS ABILITY TO MOVE FORWARD ON THE IMPLEMENTATION OF THE AUSTRALIAN/NEW ZEALAND SOCIAL SECURITY AGREEMENT COULD BE A SUB-SET OF THAT. HE WAS CONFIDENT HOWEVER, THAT WITH PASSAGE OF THE LEGISLATION THROUGH PARLIAMENT, WHICH THE GOVERNMENT EXPECTED TO BE BY THE END OF THE CALENDAR YEAR, AND FURTHER DEVELOPMENTAL WORK BY WINZ, NEW ZEALAND PROCEDURES WOULD BE IN PLACE WELL IN TIME. HE ADDED THAT MINISTERS WOULD BE VERY KEEN TO SEE NEW ZEALAND BENEFICIARIES IN A POSITION TO BENEFIT FROM THE NEW ARRANGEMENTS FROM 1 JULY 2002. THEY WOULD LEAVE NO STONE UNTURNED TO MAKE SURE THAT THAT HAPPENED.

4. s22(1)(a)(ii) UNDERTOOK TO MAKE FURTHER INQUIRIES WITHIN THE NEW ZEALAND SYSTEM, INCLUDING ABOUT PROCEDURES FOR DISABLED PEOPLE, AS HAD BEEN AGREED AT IMPLEMENTATION TALKS. THEIR INITIAL VIEW WAS THAT THIS MATTER SHOULD BE STRAIGHT FORWARD, AS IT DID NOT REQUIRE AMENDMENT AT THE NEW ZEALAND END AND THEREFORE AUSTRALIA WOULD BE FREE TO MOVE AHEAD. THAT HOWEVER NEEDED TO BE CHECKED, WHICH THEY UNDERTOOK TO DO AND WOULD GET BACK TO US.

5. s22(1)(a)(i) THEN SAID THE INTENTION BEHIND THE AGENDA ITEM FOR TALKS BETWEEN FOREIGN MINISTERS DOWNER AND GOFF NEXT WEEK ON SOCIAL SECURITY, WAS SIMPLY TO ALLOW BOTH MINISTERS THE CHANCE TO REVIEW IMPLEMENTATION SINCE THE RECENT SIGNATURE AND TO DISCUSS ANY ISSUES THAT NEEDED TO BE RESOLVED. IT HAD BEEN ON THE AGENDA FOR SO LONG, IT WAS TIME NOW FOR MINISTERS TO REPORT PROGRESS.

s.33(a)(iii)

7. s22(1)(a)(ii) ALSO SAID THAT THERE WERE SEVERAL "TIDYING UP" ISSUES TO BE DONE TO THE AGREEMENT ON BOTH SIDES OF THE TASMAN. NONE OF THIS WAS OF CONCERN, BUT IT HAD TO BE DONE BEFORE IMPLEMENTATION. THE MECHANISM FOR PROGRESSING THIS WAS WORKING WELL.

8. WE WILL REPORT FURTHER WHEN MFAT HAS COME BACK TO US.

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CM. s22(1)(a)(ii)

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s22(1)(a)(ii)

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s.22(1)(a)(ii)

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