

# Commerce Commission Performance Update

1 July 2018 to 31 December 2018

## Non-financial Performance

### Output Performance Measures Results

	Year to date		Full year
	Actual	Budget	Budget
<b>Competition</b>			
Number of merger clearance applications processed (demand driven)	5		5–20
Number of authorisation applications processed (demand driven)	2		0–5
Percentage of merger clearance decisions made within 40 working days when no letter of issues is sent to parties <sup>1</sup>	100%		75%
Average number of working days from date of decision to date of publication of reasons for declined clearance applications	N/A		10 days
Number of Commerce Act cases completed	2		5–20
Percentage of competition investigations decided within 18 months of the investigation being opened	100%		95%
<b>Consumer</b>			
Number of Fair-Trading Act cases completed	86		175–300
Number of product safety and information standards matters completed	47		75–150
Number of Credit Contracts and Consumer Finance Act cases completed	27		50–100
Percentage of consumer investigations decided within 12 months of the investigation being opened	89%		95%
<b>Regulation</b>			
Number of determinations (includes determinations, clarifications, reviews and amendments)			
<i>Telecommunications</i>	3		0–3
<i>Electricity lines services</i>	4		2–10
<i>Gas pipeline services</i>	3		2–7
<i>Specified airports services</i>	1		2–4
Average time to complete telecommunications determinations <sup>2</sup>			
<i>Telecommunications</i>	4.5 months		6 months
Percentage of Part 4 of the Commerce Act determinations completed by statutory deadlines			
<i>Electricity lines services</i>	100%		100%
<i>Gas pipeline services</i>	100%		100%
<i>Specified airports services</i>	100%		100%
Number of reports completed (monitoring reports, summary and analysis reports and information disclosure reports)			
<i>Telecommunications</i>	4		0–5
<i>Electricity lines services</i>	4		0–7
<i>Gas pipeline services</i>	1		0–3
<i>Specified airports services</i>	2		0–3
<i>Dairy</i>	2		2
Number of Part 4 inquiries completed	0		0–1
<b>Major litigation</b>			
Using the Fund according to conditions for use	Achieved		Achieved

## Financial Performance

### Income Statement

	Year to date		Full year
	Actual \$000	Budget \$000	Budget \$000
<b>Revenue</b>			
Revenue from the Crown	22,755	23,682	48,294
Other revenue	455	463	1,402
<b>Total revenue</b>	<b>23,210</b>	<b>24,145</b>	<b>49,696</b>
<b>Expenditure</b>			
Personnel	15,363	15,761	31,597
Legal and other professional fees	3,592	7,095	13,960
Other expenses	3,780	3,786	7,632
<b>Total expenditure</b>	<b>22,735</b>	<b>26,642</b>	<b>53,190</b>
<b>Surplus/(deficit)</b>	<b>475</b>	<b>(2,497)</b>	<b>(3,494)</b>

### Expenditure by Output Class

	Year to date		Full year
	Actual \$000	Budget \$000	Budget \$000
<b>Operating expenditure</b>			
Competition	3,984	4,201	8,391
Consumer	5,528	5,808	11,601
Competition Studies	591	755	1,507
Telecommunications	3,081	3,236	6,517
Fibre	1,647	1,733	3,497
Electricity	3,652	3,955	7,979
Gas	722	925	1,864
Airports	312	380	766
Dairy	200	297	597
Internal Major Litigation	1,713	1,746	3,489
External Major Litigation	1,304	3,606	6,981
<b>Total operating expenditure</b>	<b>22,735</b>	<b>26,642</b>	<b>53,190</b>

### Balance Sheet

	As at 31 December 2018 \$000	As at 30 June 2018 \$000
<b>Equity</b>		
General funds	13,518	13,043
Litigation cost reserve	2,716	2,716
<b>Total equity</b>	<b>16,235</b>	<b>15,760</b>
<b>Assets</b>		
Current assets	19,378	17,172
Non-current assets	5,610	5,736
<b>Total assets</b>	<b>24,988</b>	<b>22,909</b>
<b>Liabilities</b>		
Current liabilities	7,478	5,783
Non-current liabilities	1,275	1,366
<b>Total liabilities</b>	<b>8,753</b>	<b>7,149</b>
<b>Net assets</b>	<b>16,235</b>	<b>15,760</b>

- This measure includes a 'stop the clock' provision. The criteria for stopping the clock are:
  - requests from the merger parties or third parties for further time to respond to information requests if this would cause delay to the Commerce Commission's investigation
  - time spent assessing divestment undertakings, or
  - if the review of the merger by another jurisdiction(s) is causing delays to the Commerce Commission's investigation.
- This measure only includes routine determinations that are completed on a regular basis under the existing Telecommunications Act 2001. Distinct one-off determinations are excluded as inclusion would skew the average for the year in which they were completed so it is no longer comparable with other years.