

**Reprint
as at 26 November 2018**



Department of Social Welfare Act 1971

Public Act 1971 No 60
Date of assent 25 November 1971
Commencement see section 1(2)

Department of Social Welfare Act 1971: repealed, on 26 November 2018, by section 457(1) of the Social Security Act 2018 (2018 No 32).

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Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
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This Act is administered by the Ministry of Social Development.

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An Act to establish a Department of Social Welfare to provide for the development and administration of effective social welfare policies and social welfare services for New Zealand and to promote co-operation in and the co-ordination of social welfare activities

1 Short Title and commencement

- (1) This Act may be cited as the Department of Social Welfare Act 1971.
- (2) This Act shall come into force on a date to be appointed by the Governor-General by Order in Council.

Section 1(2): this Act brought into force, on 1 April 1972, by the Department of Social Welfare Act Commencement Order 1972 (SR 1972/37).

2 Interpretation

[Repealed]

Section 2: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

Part 1

Department of Social Welfare

[Repealed]

Part 1: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

3 Department of Social Welfare

[Repealed]

Section 3: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

4 Functions of department

[Repealed]

Section 4: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

5 Powers of Minister

[Repealed]

Section 5: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

6 Director-General of Social Welfare

[Repealed]

Section 6: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

6A Deputy Directors-General of Social Welfare

[Repealed]

Section 6A: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7 Assistant Directors-General of Social Welfare

[Repealed]

Section 7: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7A Social Welfare Commission

[Repealed]

Section 7A: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7B Term of office of members

[Repealed]

Section 7B: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7C Extraordinary vacancies

[Repealed]

Section 7C: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7D Presiding member

[Repealed]

Section 7D: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7E Deputies of members

[Repealed]

Section 7E: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7F Meetings of Commission

[Repealed]

Section 7F: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7G Administrative services

[Repealed]

Section 7G: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7H Fees and travelling allowances

[Repealed]

Section 7H: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7I Functions of Commission

[Repealed]

Section 7I: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7J Powers of Commission

[Repealed]

Section 7J: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7K District Executive Committees and Area Welfare Executive Committees

[Repealed]

Section 7K: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7L Functions of District Executive Committees and Area Welfare Executive Committees

[Repealed]

Section 7L: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7M Institution management committees

[Repealed]

Section 7M: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

7N Functions of institution management committees

[Repealed]

Section 7N: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

8 Social workers

[Repealed]

Section 8: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

9 Honorary social workers

[Repealed]

Section 9: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

9A Social welfare volunteers

[Repealed]

Section 9A: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

10 Other officers and employees of the department

[Repealed]

Section 10: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

11 Delegation of powers by Minister

[Repealed]

Section 11: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

12 Delegation of powers by Director-General

[Repealed]

Section 12: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

13 Committees

[Repealed]

Section 13: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

14 Regulations

[Repealed]

Section 14: repealed, on 1 April 1990, by section 33(1) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

Part 2 Amendments to other enactments

Social security

15 Administration of Part 1 of Social Security Act 1964

(1) *[Repealed]*

(2) *[Repealed]*

(3) *[Repealed]*

(4) *Amendment(s) incorporated in the Act(s).*

Section 15(1): repealed, on 1 April 1994, by section 6(a) of the Social Welfare (Transitional Provisions) Amendment Act (No 2) 1993 (1993 No 149).

Section 15(2): repealed, on 23 June 1987, by section 2(5) of the Social Security Amendment Act 1987 (1987 No 106).

Section 15(3): repealed, on 1 April 1990, by section 34(3)(a) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

16 Social Security Commission

[Repealed]

Section 16: repealed, on 23 June 1987, by section 2(5) of the Social Security Amendment Act 1987 (1987 No 106).

17 Acting Commissioners

[Repealed]

Section 17: repealed, on 23 June 1987, by section 2(5) of the Social Security Amendment Act 1987 (1987 No 106).

18 Consequential amendments

(1) *Amendment(s) incorporated in the Act(s).*

(2) *[Repealed]*

(3), (4) *Amendment(s) incorporated in the Act(s).*

Section 18(2): repealed, on 17 September 1997, by section 24(3)(a) of the Social Security Amendment Act (No 4) 1997 (1997 No 63).

*Family benefits (home ownership)***19 Amendments to Family Benefits (Home Ownership) Act 1964**

Amendment(s) incorporated in the Act(s).

War pensions

[Repealed]

Heading: repealed, on 1 October 1998, pursuant to section 12(a) of the Employment Services and Income Support (Integrated Administration) Act 1998 (1998 No 96).

20 Amendments to War Pensions Act 1954

[Repealed]

Section 20: repealed, on 1 October 1998, by section 12(a) of the Employment Services and Income Support (Integrated Administration) Act 1998 (1998 No 96).

Child welfare

[Repealed]

Heading: repealed, on 1 April 1975, pursuant to section 109 of the Children and Young Persons Act 1974 (1974 No 72).

21 Amendments to Child Welfare Act 1925

[Repealed]

Section 21: repealed, on 1 April 1975, by section 109 of the Children and Young Persons Act 1974 (1974 No 72).

Infants

[Repealed]

Heading: repealed, on 19 December 1989, pursuant to section 2(j) of the Infants Act Repeal Act 1989 (1989 No 145).

22 Amendments to Infants Act 1908

[Repealed]

Section 22: repealed, on 19 December 1989, by section 2(j) of the Infants Act Repeal Act 1989 (1989 No 145).

*Adoption***23 Amendments to Adoption Act 1955**

(1) *Amendment(s) incorporated in the Act(s).*

(2) *[Repealed]*

(3) *Amendment(s) incorporated in the Act(s).*

(4) Subject to the foregoing provisions of this section, and unless the context otherwise requires, every reference in the Adoption Act 1955 and its amendments—

(a) *[Repealed]*

- (b) to a Child Welfare Officer shall hereafter be read as a reference to a social worker.

Section 23(2): repealed, on 1 April 1990, by section 36(6) of the Social Welfare (Transitional Provisions) Act 1990 (1990 No 26).

Section 23(4)(a): repealed, on 1 October 1999, by section 14(a) of the Department of Child, Youth and Family Services Act 1999 (1999 No 82).

Maori welfare

24 Amendment to Maori Welfare Act 1962

Amendment(s) incorporated in the Act(s).

Matrimonial proceedings

[Repealed]

Heading: repealed, on 1 October 1981, by section 189(1) of the Family Proceedings Act 1980 (1980 No 94).

25 Amendments to Matrimonial Proceedings Act 1963

[Repealed]

Section 25: repealed, on 1 October 1981, by section 189(1) of the Family Proceedings Act 1980 (1980 No 94).

Domestic proceedings

[Repealed]

Heading: repealed, on 1 October 1981, by section 189(1) of the Family Proceedings Act 1980 (1980 No 94).

26 Amendments to Domestic Proceedings Act 1968

[Repealed]

Section 26: repealed, on 1 October 1981, by section 189(1) of the Family Proceedings Act 1980 (1980 No 94).

Guardianship

27 Amendments to Guardianship Act 1968

(1) *[Repealed]*

(2) *[Repealed]*

(3) Subject to the foregoing provisions of this section, and unless the context otherwise requires, every reference in the Guardianship Act—

(a) *[Repealed]*

(b) to a Child Welfare Officer shall hereafter be read as a reference to a social worker.

Section 27(1): repealed, on 1 January 1980, by section 3(2) of the Guardianship Amendment Act 1979 (1979 No 52).

Section 27(2): repealed, on 1 January 1980, by section 3(2) of the Guardianship Amendment Act 1979 (1979 No 52).

Section 27(3)(a): repealed, on 1 October 1999, by section 14(a) of the Department of Child, Youth and Family Services Act 1999 (1999 No 82).

Parliamentary Commissioner (Ombudsman)

[Repealed]

Heading: repealed, on 26 June 1975, pursuant to section 33(1) of the Ombudsmen Act 1975 (1975 No 9).

28 Amendment to Parliamentary Commissioner (Ombudsman) Act 1962

[Repealed]

Section 28: repealed, on 26 June 1975, by section 33(1) of the Ombudsmen Act 1975 (1975 No 9).

State services

29 Amendments to State Services Act 1962

(1) *Amendment(s) incorporated in the Act(s).*

(2) *[Repealed]*

Section 29(2): repealed, on 8 August 1973, by section 4(2) of the State Services Amendment Act 1973 (1973 No 15).

Consequential amendments

30 General consequential amendments

Subject to the foregoing provisions of this Part, and unless in any case the context otherwise requires, every reference in any enactment, regulation, rule, order, agreement, deed, instrument, application, notice, licence, or other document whatsoever in force at the commencement of this Act,—

(a) *[Repealed]*

(b) *[Repealed]*

(c) *[Repealed]*

(d) to a Child Welfare Officer shall hereafter be read as a reference to a social worker.

Section 30(a): repealed, on 1 October 1999, by section 14(a) of the Department of Child, Youth and Family Services Act 1999 (1999 No 82).

Section 30(b): repealed, on 1 October 1999, by section 14(a) of the Department of Child, Youth and Family Services Act 1999 (1999 No 82).

Section 30(c): repealed, on 1 October 1999, by section 14(a) of the Department of Child, Youth and Family Services Act 1999 (1999 No 82).

Reprints notes

1 *General*

This is a reprint of the Department of Social Welfare Act 1971 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Social Security Act 2018 (2018 No 32): section 457(1)

Department of Child, Youth and Family Services Act 1999 (1999 No 82): section 14(a)

Employment Services and Income Support (Integrated Administration) Act 1998 (1998 No 96): section 12(a)

Social Security Amendment Act (No 4) 1997 (1997 No 63): section 24(3)(a)

Social Welfare (Transitional Provisions) Amendment Act (No 2) 1993 (1993 No 149): section 6(a)

Social Welfare (Transitional Provisions) Act 1990 (1990 No 26): sections 33(1), 34(3)(a), 36(6)

Infants Act Repeal Act 1989 (1989 No 145): section 2(j)

Social Security Amendment Act 1987 (1987 No 106): section 2(5)

Family Proceedings Act 1980 (1980 No 94): section 189(1)

Guardianship Amendment Act 1979 (1979 No 52): section 3(2)

Ombudsmen Act 1975 (1975 No 9): section 33(1)

Children and Young Persons Act 1974 (1974 No 72): section 109

State Services Amendment Act 1973 (1973 No 15): section 4(2)

Department of Social Welfare Act Commencement Order 1972 (SR 1972/37)