

Social Security (Working for Families) Amendment Act 2004

Public Act 2004 No 51
Date of assent 3 June 2004

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Social Security (Working for Families) Amendment Act 2004.

- (2) In this Act the Social Security Act 1964 is called “the principal Act”.

2 Commencement

- (1) Section 19 and Schedule 1 come into force on 1 October 2004.
- (2) Section 11 comes into force on 4 October 2004.
- (3) Sections 5 and 15 come into force on 1 July 2004.
- (4) Sections 6, 7, 9, 13, 14, 16, 20(1), and 22(1), and Schedules 2 and 4 come into force on 1 April 2005.
- (5) Sections 10, 21, and 23, and Schedule 3 come into force on 1 April 2006.
- (6) The rest of this Act comes into force on the day after the date on which this Act receives the Royal assent.

3 Purpose

The purpose of this Act is to—

- (a) provide targeted financial incentives for certain persons to enter into, and stay in, employment;
- (b) address accommodation affordability issues for those persons eligible for the accommodation supplement;
- (c) take steps towards simplifying the benefit system and making it easier to understand (for example, by introducing a new benefit rate structure for families);
- (d) make related amendments to the Social Security Act 1964.

4 Interpretation

The definition of **income** in section 3(1) of the principal Act is amended by adding to paragraph (f), the following subparagraph:

- “(xviii) any tax credit or amount received under subpart KD of the Income Tax Act 2004 or subpart KD of the Income Tax Act 1994 or under Part 11A of the Income Tax Act 1976”.

5 New section 44A inserted

- (1) The principal Act is amended by inserting, after section 44, the following section:

“44A Beneficiary receiving invalid’s benefit may establish whether open employment is sustainable

- “(1) The purpose of this section is to encourage persons who are receiving an invalid’s benefit to undertake open employment in order to establish whether they can sustain that employment and cease receiving that benefit.
- “(2) This section applies to a person who—
- “(a) is receiving an invalid’s benefit granted on the ground of permanent and severe restriction of capacity for work; and
 - “(b) with the agreement of the chief executive, is undertaking open employment for a period agreed with the chief executive to establish whether he or she can sustain such employment.
- “(3) The period of open employment agreed with the chief executive under subsection (2)(b) must not exceed 26 weeks but the anticipated duration of that employment may be for a longer period than the agreed period.
- “(4) A person to whom subsection (2) applies does not lose his or her entitlement to an invalid’s benefit by reason only of working 15 or more hours a week in open employment during the agreed period.”
- (2) Section 40 of the principal Act is consequentially amended by inserting, after subsection (3), the following subsection:
- “(3A) Subsection (3) is subject to section 44A.”

6 Payment of funeral grants where there is surviving spouse or children

Section 61DB of the principal Act is amended—

- (a) by omitting from paragraph (d)(ii) the words “the value of an amount equivalent to 400 percent of the maximum weekly rate of invalid’s benefit which a married couple is entitled to receive”, and substituting the words “the amount in clause 2 of Part 1 of Schedule 31” ; and
- (b) by omitting from paragraph (e) the words “would not be sufficient to disentitle a person in receipt of that income from receiving an invalid’s benefit”, and substituting the words “is less than 52 times the appropriate amount in Part 2 of Schedule 31”.

7 Children's funeral grants

Section 61DD of the principal Act is amended—

- (a) by omitting from paragraph (a)(ii) the words “the value of an amount equivalent to 400 percent of the maximum weekly rate of invalid's benefit which a married couple is entitled to receive”, and substituting the words “the amount in clause 2 of Part 1 of Schedule 31” ; and
- (b) by omitting from paragraph (b) the words “would not be sufficient to disentitle a person in receipt of that income from receiving an invalid's benefit”, and substituting the words “is less than 52 times the appropriate amount in Part 2 of Schedule 31”.

8 New section 61DH inserted

The principal Act is amended by inserting, before section 61E, the following section:

“61DH Purpose of accommodation supplement

The purpose of sections 61E to 61EC and the Eighteenth Schedule is to provide targeted financial assistance to help certain people with high accommodation costs to meet those costs.”

9 Accommodation supplement

Section 61EA(3) of the principal Act is amended—

- (a) by omitting the word “if”, and substituting the word “unless” ; and
- (b) by omitting the words “is such as would prevent payment of an invalid's benefit under this Act”, and substituting the words “is less than the appropriate amount in Part 2 of Schedule 31”.

10 New heading and new section 61G substituted

The principal Act is amended by repealing section 61G and the heading immediately above section 61G, and substituting the following heading and section:

*“Temporary additional support***“61G Temporary additional support**

- “(1) The purpose of temporary additional support is to provide temporary financial assistance within the prescribed limits as a last resort to alleviate the financial hardship of people whose essential costs cannot be met from their chargeable income and other resources, while ensuring that people seeking or granted that assistance take reasonable steps to reduce their costs or increase their chargeable incomes.
- “(2) An applicant is eligible for temporary additional support if—
- “(a) his or her chargeable income is less than his or her essential costs; and
 - “(b) he or she has cash assets of not more than the prescribed amount; and
 - “(c) he or she meets any prescribed criteria and any other requirements set out in regulations made under section 132AB.
- “(3) Temporary additional support granted to an applicant in accordance with this section and regulations made under section 132AB must be granted—
- “(a) in the prescribed amount; and
 - “(b) for the prescribed period.
- “(4) Despite subsection (2), temporary additional support must not be granted in respect of the costs of residential care services supplied to a person who has a psychiatric, intellectual, physical, or sensory disability if—
- “(a) the person’s accommodation costs (as that term is defined in section 61E(1)) are wholly or partly funded under the New Zealand Public Health and Disability Act 2000; or
 - “(b) the person’s care (other than care in his or her own home) is wholly or partly funded under the New Zealand Public Health and Disability Act 2000.
- “(5) Subsection (6) applies in respect of an applicant for temporary additional support if the chief executive is satisfied, at any time after that applicant has applied for temporary additional support or while he or she is receiving that support, that—

- “(a) the applicant or the applicant’s spouse has arranged, or rearranged, his or her financial affairs in order to qualify for temporary additional support; or
 - “(b) the applicant or the applicant’s spouse has failed to take reasonable steps to reduce his or her costs or increase his or her chargeable income; or
 - “(c) the applicant or the applicant’s spouse has failed to take all necessary steps to obtain any assistance towards his or her essential costs from any other source from which he or she may be entitled to assistance.
- “(6) If this subsection applies, the chief executive may—
- “(a) refuse to grant temporary additional support; or
 - “(b) grant temporary additional support at a reduced rate; or
 - “(c) reduce the rate of temporary additional support already granted; or
 - “(d) terminate any temporary additional support already granted.
- “(7) In this section and section 132AB—
- “**allowable costs** has the meaning prescribed in regulations made under section 132AB; but does not include standard costs
- “**applicant** includes a recipient of temporary additional support
- “**cash assets** has the meaning prescribed in regulations made under section 132AB
- “**chargeable income** has the meaning prescribed in regulations made under section 132AB
- “**essential costs** means the sum of a person’s allowable costs and standard costs
- “**standard costs** has the same meaning as in section 132AB(1)(b)
- “**tax credit** means a credit of tax or amount received under subpart KD of the Income Tax Act 2004 or subpart KD of the Income Tax Act 1994.”

11 New heading and new section 61GA inserted

- (1) The principal Act is amended by inserting, before section 61H, the following heading and section:

*“Childcare assistance***“61GA Childcare assistance**

- “(1) The purpose of childcare assistance is to provide targeted financial assistance to help certain people meet the costs of childcare.
- “(2) The principal caregiver of a dependent child is eligible for financial assistance (**childcare assistance**) if he or she satisfies any prescribed criteria and any other requirements set out in regulations made under section 132AC.
- “(3) Childcare assistance granted to an applicant, in accordance with this section and regulations made under section 132AC, must be granted—
- “(a) in the prescribed amount; and
- “(b) for the prescribed period.”
- (2) The definition of **benefit** in section 3(1) of the principal Act is consequentially amended by inserting, after paragraph (b)(iv), the following subparagraph:
- “(iva) childcare assistance payable under section 61GA:”.

12 Rates of benefits, etc, may be increased by Order in Council

Section 61H(1) of the principal Act is amended by—

- (a) omitting from paragraph (d) the words “Schedules 3 and 16”, and substituting the words “Schedules 3, 16, and 31” ; and
- (b) inserting after the words “asset limit,”, the words “income limit,”.

13 Areas for accommodation supplement purposes may be altered by Order in Council

- (1) Section 61I of the principal Act is amended by repealing subsection (1), and substituting the following subsection:
- “(1) The Governor-General may by Order in Council, amend the definitions of the terms **Area 1**, **Area 2**, and **Area 3** —
- “(a) by adding to any 1 of those definitions any urban area, urban zone, or area unit of New Zealand (as those terms are from time to time defined by the Government Statistician) that is in **Area 4** ; or

- “(b) by omitting any urban area, urban zone, or area unit of New Zealand from the definition of **Area 2** or **Area 3** and adding it to the definition of **Area 1**; or
 - “(c) by omitting any urban area, urban zone, or area unit of New Zealand from the definition of **Area 3** and adding it to the definition of **Area 2**; or
 - “(d) by making any adjustments that are required to maintain a part of New Zealand within the same accommodation supplement area as a result of any new or altered definition of any urban area, urban zone, or area unit of New Zealand adopted by the Government Statistician.”
- (2) Section 61I of the principal Act is amended by adding the following subsection:
- “(3) In this section **Area 1**, **Area 2**, **Area 3**, and **Area 4** refer to the terms defined in clause 1 of Part 1 of the Schedule 18.”

14 Disability allowance

Section 69C(1)(c) of the principal Act is amended by omitting the words “is such that the income less 7.47% of that income would not prevent the payment of an invalid’s benefit”, and substituting the words “is less than the appropriate amount in Part 3 of Schedule 31”.

15 Commencement of benefits

Section 80(5) of the principal Act is amended by inserting, after paragraph (c), the following paragraph:

- “(ca) the benefit is an invalid’s benefit, and the applicant—
- “(i) is sick or is suffering from an injury or disability from accident or congenital defect; and
 - “(ii) has applied for an invalid’s benefit on the grounds of that sickness, injury, or disability on a prior occasion; or”.

16 Money payable out of Crown Bank Account

- (1) Section 124(1)(a) of the principal Act is amended by omitting the words “Part 1 or Part 2 of”.
- (2) Section 124(1A) of the principal Act is amended by omitting the words “Part 1 of” in both places where they appear.

17 New section 132AB inserted

The principal Act is amended by inserting, after section 132AA, the following section:

“132AB Regulations relating to temporary additional support

- “(1) Without limiting the general power to make regulations under section 132, the Governor-General may, by Order in Council, make regulations for the purposes of section 61G (which relates to temporary additional support) including, without limitation, provisions that—
- “(a) prescribe or provide for the setting of eligibility criteria for receiving temporary additional support:
 - “(b) prescribe amounts allowed for standard living costs that ought to be met from chargeable income (**standard costs**), or 1 or more means of calculating amounts of standard costs, which may differ depending on—
 - “(i) whether the applicant or the applicant’s spouse, or both of them, is or are receiving a benefit or tax credit:
 - “(ii) the kind and amount of benefit or benefits or tax credit or credits received by the applicant or his or her spouse:
 - “(iii) whether the applicant has a spouse or dependent children:
 - “(iv) whether the applicant’s spouse is lawfully or unlawfully in New Zealand:
 - “(v) the number and ages of the applicant’s dependent children:
 - “(c) define the kinds of costs that are allowable costs, including any limits on the extent to which any such costs are allowable costs:
 - “(d) define the kinds of income, benefits, credits, and receipts that are chargeable income, including any limits on the extent to which any income, benefit, credit, or receipt of that kind is chargeable income:
 - “(e) prescribe amounts of temporary additional support that may be granted or 1 or more means for calculating the amount of temporary additional support to be granted, which may differ depending on whether the applicant—
 - “(i) has a dependent spouse; or

- “(ii) has a dependent child; or
 - “(iii) is in any other prescribed circumstances:
 - “(f) define the kinds of assets that are cash assets, including any limits on the extent to which any such assets are cash assets, and prescribe 1 or more cash asset limits, which may differ depending on whether the applicant—
 - “(i) has a dependent spouse; or
 - “(ii) has a dependent child; or
 - “(iii) is in any other prescribed circumstances:
 - “(g) prescribe the period or periods for which temporary additional support may be granted:
 - “(h) authorise the payment of temporary additional support in a lump sum up to a specified maximum amount in any prescribed circumstances.
- “(2) For the purposes of any calculation made under section 61G or any regulations made under subsection (1), the allowable costs, cash assets, and chargeable income of an applicant include the allowable costs, cash assets, and chargeable income of the applicant’s spouse.”

18 New section 132AC inserted

The principal Act is amended by inserting, before section 132B, the following section:

“132AC Regulations relating to childcare assistance

- “(1) Without limiting the general power to make regulations under section 132, the Governor-General may, by Order in Council, make regulations for the purposes of section 61GA (which relates to childcare assistance) including, without limitation, provisions that—
- “(a) prescribe or provide for the setting of eligibility criteria for receiving childcare assistance, and which may include (without limitation) criteria based on—
 - “(i) the income of the principal caregiver and his or her spouse:
 - “(ii) the age of the dependent child and whether the child attends school:
 - “(iii) whether the principal caregiver or the dependent child or any of the principal caregiver’s other de-

- pendent children has a disability or serious illness:
- “(iv) whether there is another person available to care for the child:
 - “(v) whether the principal caregiver is undertaking employment or is engaged in—
 - “(A) an employment-related activity arranged or approved by the department; or
 - “(B) an approved course of study; or
 - “(C) an approved rehabilitation programme:
 - “(b) prescribe the kinds of childcare assistance to be provided, which may differ depending on the purposes of the childcare and the age of the child, or in any other prescribed circumstances:
 - “(c) prescribe the amounts of childcare assistance to be paid, which may differ depending on the kind of assistance to be provided, the income of the principal caregiver and his or her spouse, the number of dependent children in the family, and the kind of childcare, or in any other prescribed circumstances:
 - “(d) prescribe the number of hours a week for the weeks during the year for which childcare assistance is available, which may differ depending on the purposes of the childcare or the principal caregiver’s activity, employment, or study, or whether the assistance is granted for the school term or during school holidays, or in any other prescribed circumstances:
 - “(e) provide for childcare assistance to be available to keep a child’s place open in a childcare facility or programme during temporary absence:
 - “(f) prescribe kinds of childcare facilities or programmes for which childcare assistance may be paid:
 - “(g) authorise the chief executive to approve other kinds of childcare facilities or programmes for which childcare assistance may be paid and regulate—
 - “(i) the period for which approval may be granted; and
 - “(ii) the criteria for their approval:

- “(h) regulate the method of application for, and payment of, childcare assistance (which may include provision for payment to be made directly to a childcare facility or provider of a programme, and conditions relating to the payment of childcare assistance applicable to any such facility or provider):
 - “(i) provide for the recovery of any overpayments of assistance from a childcare facility or the provider of a programme or from the person granted the assistance:
 - “(j) define the kinds of income, benefits, credits, and receipts to be treated as income for the purposes of section 61GA, including any limits on the extent to which any income, credit, benefit, or receipt of that kind is to be treated as income for those purposes:
 - “(k) prescribe transitional arrangements.
- “(2) If regulations made under subsection (1) prescribe eligibility criteria or amounts of childcare assistance based on the income of the principal caregiver and his or her spouse, the income limits so prescribed must be adjusted, by regulations made under subsection (1), by an amount equal to the percentage movement referred to in paragraph (a) or (b), as the case requires, if,—
- “(a) the total percentage increase in the movements in the quarterly all groups index number of the New Zealand Consumers Price Index from that applying on 4 October 2004 is 5% or more:
 - “(b) the total percentage increase in the movements in the quarterly all groups index: number of the New Zealand Consumers Price Index from that applying on the date when the requirement to make the immediately preceding adjustment under this subsection arose is 5% or more.
- “(3) For the purposes of any adjustment required under subsection (2), the amount of any increase must be rounded up to the nearest whole dollar amount, but any subsequent adjustment must be calculated on the amount of the increase without the rounding.

“(4) Any adjustment required by subsection (2) contained in regulations made under subsection (1) takes effect on the first day of April following the making of those regulations.”

19 Amendments to Schedule 18

The Schedule 18 of the principal Act is amended in the manner set out in Schedule 1.

20 Amendments to various schedules

- (1) Schedules 3, 4, 6, 9, 16, 17, 18 and 28 of the principal Act are amended in the manner set out in Schedule 2.
- (2) Subsection (1) and Schedule 2 are subject to any Order in Council made under section 61H of the principal Act amending 1 or more of the schedules referred to in subsection (1) that comes into force on 1. April 2005.

21 Consequential amendments to other enactments relating to temporary additional support

The enactments set out in Schedule 3 are amended in the manner set out in that schedule.

22 New Schedule 31 added to principal Act

- (1) The principal Act is amended by adding, as Schedule 31, the schedule set out in Schedule 4.
- (2) Subsection (1) and Schedule 4 are subject to any Order in Council made under section 61H of the principal Act amending Schedule 31 that comes into force on 1 April 2005.

Transitional provisions

23 Savings in respect of existing special benefits

- (1) A special benefit continues to be payable to a person receiving or who had applied for a special benefit immediately before this section comes into force as if the former section 61G continued in force, until the earlier of—
 - (a) the date on which the chief executive determines, under section 81 or otherwise, that the person is—
 - (i) no longer qualified to receive the special benefit under the former section 61G; and

- (ii) no longer entitled to have fixed in respect of him or her, under the former section 61G, a special entitlement to a special benefit; or
 - (b) if the special benefit was granted under the former section 61G for a specific period, the end of that period.
- (2) The following provisions continue to apply to a person referred to in subsection (1) and the person's spouse until the earlier of the dates referred to in paragraphs (a) and (b) of that subsection:
 - (a) the former section 61G:
 - (b) any direction given under section 5 relating to the former section 61G (being a direction in force immediately before the commencement of this section).
- (3) To avoid doubt, the Minister may from time to time, under section 5, amend or revoke any direction referred to in subsection (2)(b).
- (4) While the former section 61G continues to apply to a person, the person and his or her spouse may not apply for or be granted, temporary additional support under section 61G of the principal Act.
- (5) In this section, **former section 61G**, means section 61G of the principal Act as it read immediately before the commencement of this section.

24 Savings in respect of income assessments

For the purpose of determining the validity of any income assessment, the principal Act must be read as if the definition of **income** in section 3(1) of the principal Act at all material times contained paragraph (f)(xviii) (as inserted by section 4 of this Act).

25 Transitional arrangements for financially disadvantaged persons

- (1) The purpose of this section is to enable the making of regulations authorising the provision of financial assistance to any persons who are financially disadvantaged as a consequence of the net effects of the amendments made by this Act, the

Taxation (Working for Families) Act 2004, and any related regulations or other instruments.

- (2) The chief executive may from time to time grant to a person referred to in subsection (1) financial assistance—
 - (a) of the prescribed kind and in the prescribed amount; and
 - (b) for the prescribed period; and
 - (c) in accordance with the prescribed criteria; and
 - (d) in accordance with any other requirements set out in the regulations made under subsection (3).
- (3) The Governor-General may from time to time, by Order in Council, make regulations for the purposes of this section.
- (4) Regulations made under subsection (3) must state the date on and after which they are to have effect (which may be a date earlier than the date on which they were made).

Schedule 1

Amendments to Schedule 18 of Social Security Act 1964

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Part 1 clause 1

Insert in paragraph (d) of the definition of **base rate**, after the words “abatement or deduction, plus”, the words “(where he or she has 1 or more dependent children)”.

Repeal paragraphs (e) to (g) of the definition of **base rate**, and substitute:

- “(e) in relation to a single non-beneficiary with 1 or more dependent children,—
- “(i) the appropriate maximum weekly rate of unemployment benefit; plus
 - “(ii) the annual rate of family support (divided by 52) that is payable in respect of a first dependent child who is under 16 years under subpart KD of the Income Tax Act 2004 or subpart KD of the Income Tax Act 1994 (whichever is applicable):
- “(f) in relation to any other single non-beneficiary, the weekly rate of unemployment benefit at the rate in clause 1(b) of the Schedule 9 before any abatement or deduction:

- “(g) in relation to a married non-beneficiary,—
- “(i) the appropriate maximum weekly rate of unemployment benefit; plus
- “(ii) (if he or she has 1 or more dependent children) the maximum annual rate of family support (divided by 52) that is payable in respect of a first dependent child who is under 16 years under subpart KD of the Income Tax Act 2004 or subpart KD of the Income Tax Act 1994 (whichever is applicable); plus
- “(iii) the maximum weekly rate of unemployment benefit that would have been payable in respect of his or her, spouse”.

Part 1 clause 2

Repeal paragraph (a).

Repeal paragraph (b), and substitute:

- “(b) in the case of a non-beneficiary, by 25 cents for every \$1 of the combined weekly income of the applicant and any spouse of the applicant in excess of the amount of income that would prevent payment of an unemployment benefit—
- “(i) in the case of a single applicant without dependent children, at the maximum rate in clause 1(b) of Schedule 9; or
- “(ii) in the case of any other applicant, at the appropriate maximum rate in Schedule 9.”

Schedule 2

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Amendments to Schedules 3, 4, 6, 9, 16, 17, 18, and 28 of Social Security Act 1964

Schedule 3

Repeal clause 1 and substitute:

1	To a beneficiary with 1 or more dependent children	\$235.12 a week, subject to Income Test 1
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Schedule 4

Omit from clause 1(a) the expression “\$113.97” and substitute the expression “\$128.97”.

Omit from clause 1(b) the expression “\$105.43” and substitute the expression “\$120.43”.

Omit from clause 1(c) the expression “\$96.88” and substitute the expression “\$111.88”.

Omit from clause 1(d) the expression “\$79.77” and substitute the expression “\$94.77”.

Schedule 6

Repeal clause 1(c) and (d) and substitute:

(c)	To an unmarried beneficiary with 1 or more dependent children	\$269.54 a week subject to Income Test 1
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Schedule 9

Repeal clause 1(c) to (j) and substitute:

- | | | |
|-----|--|---|
| (c) | To an unmarried beneficiary with 1 or more dependent children | \$235.12 a week,
subject to Income Test
3 |
| (d) | To a married beneficiary (with or without dependent children) whose spouse is granted, in his or her own right, a benefit (other than a veteran’s pension) | \$136.79 a week,
subject to Income Test
4 |

- | | | |
|-----|---|--|
| (e) | To a married beneficiary (with or without dependent children) whose spouse is not granted a benefit in his or her own right | \$136.79 a week, increased by \$136.79 a week in respect of his or her spouse, the total rate to be subject to Income Test 3 |
| (f) | To a married beneficiary (with or without dependent children) whose spouse is granted, in his or her own right, a veteran's pension | \$136.79 a week, subject to Income Test 3 |

Schedule 16

Repeal clause 1 and substitute:

- | | | |
|---|--|---|
| 1 | To a beneficiary with 1 or more dependent children | \$235.12 a week, subject to Income Test 1 |
|---|--|---|

Schedule 17

Repeal clauses 3 and 4 and substitute:

3	To an unmarried beneficiary with 1 or more dependent children	\$269.54 a week, subject to Income Test 1
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Schedule 18

Repeal the definitions in clause 1 of Part 1 of **Area 1**, **Area 2**, **Auckland**, and **Wellington**.

Insert in clause 1 of Part 1, before the definition of **base rate**, the following definitions:

Area 1 means the following parts of New Zealand (as from time to time defined by the Government Statistician)

- Central Auckland urban zone
- Northern Auckland urban zone

Area 2 means the following parts of New Zealand (as from time to time defined by the Government Statistician)

- Algies Bay—Mahurangi area unit
- Arrowtown urban area
- Awhitu area unit
- Bombay area unit
- Brightwater urban area
- Cape Rodney area unit
- Clevedon area unit
- Glenbrook area unit
- Great Barrier Island area unit
- Helensville urban area
- Hunua area unit
- Islands—Motutapu, Rangitoto, Rakino area unit
- Karekare area unit
- Kaukapakapa area unit
- Kawau area unit
- Kingseat area unit
- Leigh area unit
- Little Barrier Island area unit
- Mangatawhiri area unit
- Maramarua area unit
- Matheson Bay area unit
- Meremere area unit
- Muriwai Beach area unit
- Nelson urban area
- Onewhero area unit
- Otaua area unit
- Parakai area unit
- Patumahoe area unit
- Pokeno area unit
- Pukekohe urban area
- Queenstown urban area
- Rewiti area unit

- Riverhead area unit
- Snells Beach urban area
- South Head area unit
- Southern Auckland urban zone
- Tahekeroa area unit
- Tauhoa-Puhoi area unit
- Tauranga urban area
- Waiheke Island urban area
- Waiuku urban area
- Wakefield urban area
- Wanaka urban area
- Warkworth urban area
- Wellington urban zone
- Wellsford urban area
- Western Auckland urban zone

Area 3 means the following parts of New Zealand (as from time to time defined by the Government Statistician)

- Alexandra urban area
- Blenheim urban area
- Cambridge urban zone
- Christchurch urban area
- Cloustonville area unit
- Cromwell urban area
- Darfield urban area
- Dunedin urban area
- Feilding urban area
- Hamilton urban zone
- Hanmer Springs urban area
- Hastings urban zone
- Kaitaia urban area
- Kapiti Island area unit
- Kapiti urban area
- Katikati Community urban area
- Kerikeri urban area

- Leeston urban area
- Lincoln urban area
- Lower Hutt urban zone
- Makara-Ohariu area unit
- Mana Island area unit
- Mangaroa area unit
- Matamata urban area
- Maungakotukutuku area unit
- Motueka urban area
- Nabhra area unit
- Napier urban zone
- New Plymouth urban area
- Opiki area unit
- Otaki urban area
- Paekakariki Hill area unit
- Paihia urban area
- Palmerston North urban area
- Pencarrow area unit
- Porirua urban zone
- Raglan urban area
- Rangiora urban area
- Rolleston urban area
- Rotorua urban area
- Russell urban area
- Taipa Bay-Mangonui urban area
- Tairua urban area
- Takaka urban area
- Taupo urban area
- Te Awamutu urban zone
- Te Puke Community urban area
- Thames urban area
- Tokomaru area unit
- Upper Hutt urban zone
- Waihi Beach urban area

- Whakatane urban area
- Whangamata urban area
- Whangarei urban area
- Whitianga urban area
- Woodend urban area

Area 4 means any part of New Zealand not included in Area 1, Area 2, or Area 3.

Omit from clauses 1(a) and 4(a) of Part 2 the expression "\$150" and substitute in each case the expression "\$225".

Omit from clauses 1(b) and 4(b) of Part 2 the expression "\$100" and substitute in each case the expression "\$165".

Omit from clauses 2(a) and 5(a) of Part 2 the expression "\$115" and substitute in each case the expression "\$160".

Omit from clauses 2(b) and 5(b) of Part 2 the expression "\$75" and substitute in each case the expression "\$125".

Omit from clauses 3(a) and 6(a) of Part 2 the expression "\$100" and substitute in each case the expression "\$145".

Omit from clauses 3(b) and 6(b) of Part 2 the expression "\$65" and substitute in each case the expression "\$100".

Repeal clause 1(c) of Part 2 and substitute:

“(c) \$120 a week, if the applicant resides in Area 3:

“(d) \$75 a week, if the applicant resides in Area 4.”

Repeal clause 2(c) of Part 2 and substitute:

“(c) \$75 a week, if the applicant resides in Area 3:

“(d) \$55 a week, if the applicant resides in Area 4.”

Repeal clause 3(c) of Part 2 and substitute:

“(c) \$65 a week, if the applicant resides in Area 3:

“(d) \$45 a week, if the applicant resides in Area 4.”

Repeal paragraph 4(c) of Part 2 and substitute:

“(c) \$120 a week, if the applicant resides in Area 3:

“(d) \$75 a week, if the applicant resides in Area 4.”

Repeal paragraph 5(c) of Part 2 and substitute:

“(c) \$75 a week, if the applicant resides in Area 3:

“(d) \$55 a week, if the applicant resides in Area 4.”

Repeal paragraph 6(c) of Part 2 and substitute:

“(c) \$65 a week, if the applicant resides in Area 3:

“(d) \$45 a week, if the applicant resides in Area 4.”

Schedule 28

Omit the expression “\$50” wherever it appears and substitute in each case the expression “\$80”.

Schedule 3

Consequential amendments relating to temporary additional support

s 21

1

Amendments to Acts

New Zealand Superannuation and Retirement Income Act 2001 (2001 No 84)

Insert in section 29(2) after the words “special benefit,” the words “temporary additional support.”

Insert in section 34(a) after the words “special benefit,” the words “temporary additional support.”

“New Zealand Superannuation and Retirement Income Act 2001”: this item was amended, as from 21 April 2005, by section 9(1) New Zealand Superannuation and Retirement Income Amendment Act 2005 (2005 No 42) by substituting the words “New Zealand Superannuation and Retirement Income Act 2001” for the words “New Zealand Superannuation Act 2001”.

Social Security Act 1964 (1964 No 136)

Insert in paragraph (b) of the definition of **benefit** in section 3(1) of the principal Act, before subparagraph (v), the following subparagraph:

“(ivb) temporary additional support payable under section 61G:”.

Omit from section 68A(2) the words “section 61G of this Act (which relates to special benefits)” and substitute the words “section 61G (which relates to temporary additional support) or a special benefit continued under section 23 of the Social Security (Working for Families) Amendment Act 2004”.

1—*continued*

Omit from section 68A(6)(b) the words “of this Act” and substitute the words “or a special benefit that continues under section 23 of the Social Security (Working for Families) Amendment Act 2004”.

Omit from section 74A(1) the words “a special benefit under section 61G of this Act” and substitute the words “temporary additional support under section 61G, or may continue, under section 23 of the Social Security (Working for Families) Amendment Act 2004, a special benefit already granted”.

Omit from section 80C(1) the words “a special benefit under section 61G of this Act” and substitute the words “temporary additional support under section 61G or a special benefit continued under section 23 of the Social Security (Working for Families) Amendment Act 2004”.

Summary Proceedings Act 1957 (1957 No 87)

Repeal paragraph (b)(iv) of the definition of **benefit** in section 2(1) and substitute the following:

“(iv) temporary additional support under section 61G of that Act or a special benefit continued under section 23 of the Social Security (Working for Families) Amendment Act 2004; or”.

War Pensions Act 1954 (1954 No 54)

Insert in section 74M(3) after the words “special benefit,” the words “temporary additional support,”.

Insert in section 74R(a) after the words “special benefit,” the words “temporary additional support,”.

2

Amendments to Regulations

Student Allowances Regulations 1998 (SR 1998/277)

Insert in paragraph (a) of the definition of **personal income** in regulation 2(1) after subparagraph (vi), the following subparagraph:

“(via) temporary additional support; Zor”.

2—*continued*

Insert in paragraph (a) of the definition of **spousal income** in regulation 2(1) after subparagraph (vi), the following subparagraph:
“(via) temporary additional support; or”.

Schedule 4 s 22
**New Schedule 31 of Social Security Act
1964**
Schedule 31 ss 61DB, 61DD, 61EA(3),
69C(1), 124(1A)
**Asset and income limits that may be
applied to certain assistance**

1

Asset limits

1	For a single person without dependent children	\$821
2	For a married person with or without dependent children	\$1,368
3	For a sole parent with 1 dependent child	\$1,078
4	For any other sole parent	\$1,158

2

Per week Income limits

		Per week
5	For a single person aged 16 or 17 years without dependent children	\$375
6	For any other single person without dependent children	\$431

Schedule 31—*continued*
2—*continued*

7	For a married person with or without dependent children	\$626
8	For a sole parent with 1 dependent child	\$523
9	For any other sole parent	\$551

3

Per week Disability allowance income limits

		Per week
10	For a single person aged 16 or 17 years without dependent children	\$405.27
11	For any other single person without dependent children	\$465.79
12	For a married person with or without dependent children	\$686.54
13	For a sole parent with 1 dependent child	\$565.22
14	For any other sole parent	\$598.48

Legislative history

27 May 2004

Divided from Future Directions (Working for Families) Bill (Bill 146-1), third reading
