

**Reprint  
as at 26 November 2018**

**Social Security (Exemptions under Section 105)  
Amendment Regulations 2001  
(SR 2001/175)**

Social Security (Exemptions under Section 105) Amendment Regulations 2001: revoked, on 26 November 2018, pursuant to regulation 295(10) of the Social Security Regulations 2018 (LI 2018/202).

Pursuant to sections 123D and 132 of the Social Security Act 1964, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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**1 Title**

- (1) These regulations are the Social Security (Exemptions under Section 105) Amendment Regulations 2001.
- (2) In these regulations, the Social Security (Exemptions under Section 105) Regulations 1998<sup>1</sup> (formerly called the Social Security (Reciprocal Obligations: Exemptions and Deferrals) Regulations 1998) are called “the principal regulations”.

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

**These regulations are administered by the Ministry of Social Development.**

<sup>1</sup> SR 1998/270

## 2 Commencement

These regulations come into force on 13 July 2001.

## 3 Exemption from obligations under section 60HA

Regulation 3(3) of the principal regulations is amended by revoking paragraph (b), and substituting the following paragraph:

- (b) the person is actively engaged in teaching a dependent child of the person, and the child is—
  - (i) aged 5 years; or
  - (ii) exempt from enrolment in school under an exemption granted under section 21 or section 22 of the Education Act 1989; or

## 4 Exemption from work test: all work-tested beneficiaries

Regulation 4(2) of the principal regulations is amended by adding to paragraph (d) the expression “; or”, and by adding the following paragraphs:

- (e) the person is serving a sentence by way of home detention under the Criminal Justice Act 1985; or
- (f) the person’s capacity to meet the obligations of the work test is limited because that person is subject to—
  - (i) a sentence of supervision under the Criminal Justice Act 1985; or
  - (ii) conditions of release on parole under that Act; or
  - (iii) conditions of release on bail under any enactment; or
  - (iv) any other sentence or order imposed by a court.

## 5 Exemption from work test: work-tested spouses, domestic purposes beneficiaries, and widows

Regulation 5(2) of the principal regulations is amended by revoking paragraph (c), and substituting the following paragraph:

- (c) the person is actively engaged in teaching a dependent child of the person, and the child is—
  - (i) aged 5 years; or
  - (ii) exempt from enrolment in school under an exemption granted under section 21 or section 22 of the Education Act 1989; or.

## 6 Revocations

Regulations 6 and 8 of the principal regulations are revoked.

Marie Shroff,

Clerk of the Executive Council.

## **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 13 July 2001, amend the Social Security (Exemptions under Section 105) Regulations 1998. They—

- • allow an exemption to be granted from the obligations under section 60HA of the Social Security Act 1964 to a person who is home schooling a dependent child aged 5 years:
- • allow an exemption to be granted from the work test to a person who is subject to a restrictive sentence or court order or condition of probation, parole, or bail:
- • allow an exemption to be granted from the work test to a work-tested spouse, work-tested domestic purposes beneficiary, or work-tested widow's beneficiary, who is home schooling a dependent child aged 5 years:
- • revoke regulation 6 (relating to exemptions from the work test for beneficiaries who receive provisional or reduced benefits):
- • revoke regulation 8 (a transitional provision).

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 12 July 2001.

**Eprint notes****1    *General***

This is an eprint of the Social Security (Exemptions under Section 105) Amendment Regulations 2001 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

**2    *About this eprint***

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

**3    *Amendments incorporated in this eprint***

Social Security Regulations 2018 (LI 2018/202): regulation 295(10)