

**Reprint
as at 18 October 2011**



**Social Security (Rates of Benefits
and Allowances) Order 2011**
(SR 2011/16)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 21st day of February 2011

Present:
His Excellency the Governor-General in Council

Pursuant to sections 61H and 61HA of the Social Security Act 1964 and section 15 of the New Zealand Superannuation and Retirement Income Act 2001, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Ministry of Social Development.

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Order

- 1 Title**
This order is the Social Security (Rates of Benefits and Allowances) Order 2011.
- 2 Commencement**
- (1) Clause 5 and Schedule 1 come into force as stated in clause 5(2).
 - (2) Clause 6 and Schedule 2 come into force as stated in clause 6(2).
 - (3) Clauses 7 and 8, and Schedule 3, come into force immediately after the commencement of clause 6.
 - (4) The rest of this order comes into force on 1 April 2011.
- Order: validated and confirmed, on 18 October 2011, by section 10 of the Subordinate Legislation (Confirmation and Validation) Act 2011 (2011 No 96).

- 3 Date from which certain provisions to have effect**
Clauses 4, 5, and 7, and Schedules 1 and 3, have effect from 31 March 2011 (that is to say, at the beginning of 1 April 2011).
- 4 Increasing amounts of funeral grants**
- (1) Sections 61DB, 61DC, and 61DD of the Social Security Act 1964 are amended by omitting “\$1,855.75” and substituting in each case “\$1,925.34”.
 - (2) The amendments made by subclause (1) apply only in respect of people who die on or after 1 April 2011.
- 5 Increasing asset and income limits and certain benefits and allowances payable under Social Security Act 1964**
- (1) Each provision of the Social Security Act 1964 listed in the first column of Schedule 1 is amended by omitting the expression set out opposite it in the second column and substituting the expression set out opposite it in the third column.
 - (2) By virtue of section 61HA(5) of the Social Security Act 1964, this clause and Schedule 1—
 - (a) come into force on 1 April 2011; and
 - (b) apply to benefits (within the meaning of that Act) payable on and after that date.
- 6 Increasing New Zealand superannuation, etc, payable under New Zealand Superannuation and Retirement Income Act 2001**
- (1) Each provision of the New Zealand Superannuation and Retirement Income Act 2001 listed in the first column of Schedule 2 is amended by omitting the expression set out opposite it in the second column and substituting the expression set out opposite it in the third column.
 - (2) By virtue of section 15(6) of the New Zealand Superannuation and Retirement Income Act 2001, this clause and Schedule 2—
 - (a) come into force on 1 April 2011; and
 - (b) apply to New Zealand superannuation (within the meaning of that Act) payable on and after that date.

7 Further increases to certain amounts

- (1) The amounts set out in clauses 1(a) to (c) and 2(a) and (b) of Schedule 1 of the New Zealand Superannuation and Retirement Income Act 2001 (as substituted by clause 6) are further increased in the manner provided in subclause (2) of this clause.
- (2) Each provision of Schedule 1 of the New Zealand Superannuation and Retirement Income Act 2001 listed in the first column of Schedule 3 of this order is amended by omitting the expression set out opposite it in the second column and substituting the expression set out opposite it in the third column.

8 Consequential revocations

The following orders are revoked:

- (a) the Social Security (Rates of Benefits and Allowances) Order 2010 (SR 2010/21);
- (b) the Social Security (Rates of Benefits and Allowances) Order (No 2) 2010 (SR 2010/289).

Schedule 1

cl 5

Increases to asset and income limits and certain benefits and allowances payable under Social Security Act 1964

Provisions amended	Expressions omitted (\$)	Expressions substituted (\$)
<i>Schedule 3</i>		
Clause 1	278.04	288.47
Clause 2	202.20	209.78
<i>Schedule 4</i>		
Clause 1(a)	188.88	195.96
Clause 1(b)	172.77	179.25
Clause 1(c)	156.56	162.43
Clause 1(d)	134.91	139.97

Provisions amended	Expressions omitted (\$)	Expressions substituted (\$)
<i>Schedule 6</i>		
Clause 1(a)	196.35	203.71
Clause 1(b)	242.63	251.73
Clause 1(c)	318.75	330.70
Clause 1(e)	202.20	209.78
Clause 1(f)	202.20	209.78
Clause 1(g)	202.20	209.78
Clause 2	332.20	339.78
	40.43	41.95
<i>Schedule 9</i>		
Clause 1(aa)	129.41	134.26
Clause 1(a)	161.76	167.83
Clause 1(b)	194.12	201.40
Clause 1(c)	278.04	288.47
Clause 1(d)	161.76	167.83
Clause 1(e)	161.76	167.83
Clause 1(f)	161.76	167.83
Clause 2	161.76	167.83
Clause 5	161.76	167.83
<i>Schedule 16</i>		
Clause 1	278.04	288.47
Clause 2	202.20	209.78
<i>Schedule 17</i>		
Clause 1	196.35	203.71
Clause 2	242.63	251.73
Clause 3	318.75	330.70
Clause 5	202.20	209.78
Clause 6	202.20	209.78
Clause 7	202.20	209.78
Clause 8	202.20	209.78

Provisions amended	Expressions omitted (\$)	Expressions substituted (\$)
<i>Schedule 19</i>		
Clause 1	43.81	44.55
Clause 2	58.13	59.12
Clause 3	35.55	36.88
<i>Schedule 22</i>		
Clause 1	35.55	41.64
<i>Schedule 26</i>		
Clause 1	161.76	167.83
Clause 2	161.76	167.83
Clause 3	161.76	167.83
<i>Schedule 31</i>		
Clause 1	970.87	1,007.28
Clause 2	1,617.73	1,678.39
Clause 3	1,274.79	1,322.59
Clause 4	1,369.39	1,420.74
Clause 5	443.46	460.09
Clause 6	509.68	528.79
Clause 7	740.27	768.03
Clause 8	618.46	641.65
Clause 9	651.58	676.01
Clause 10	479.24	497.21
Clause 11	554.68	575.48
Clause 12	821.04	851.83
Clause 13	668.39	693.45
Clause 14	704.19	730.60

Schedule 2
Increases to New Zealand superannuation,
etc, payable under New Zealand

**Superannuation and Retirement Income
Act 2001**

Provisions amended	Expressions omitted (\$)	Expressions substituted (\$)
<i>Schedule 1</i>		
Clause 1(a)	373.56	386.52
Clause 1(b)	342.58	355.10
Clause 1(c)	280.62	292.11
Clause 2(a)	561.24	584.22
Clause 2(b)	531.72	552.84
Clause 3	35.55	41.64
Clause 4	35.55	36.88

Schedule 3

cl 7

**Further increases to New Zealand
superannuation, etc, payable under New
Zealand Superannuation and Retirement
Income Act 2001**

Provisions amended	Expressions omitted (\$)	Expressions substituted (\$)
<i>Schedule 1</i>		
Clause 1(a)	386.52	389.14
Clause 1(b)	355.10	357.40
Clause 1(c)	292.11	294.08
Clause 2(a)	584.22	588.16
Clause 2(b)	552.84	556.62

Michael Webster,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 April 2011, does 2 things.

First, it increases most benefits, pensions, and allowances.

The rate of benefit payable to long-term hospital patients (if they have no dependent children and are married or in a civil union or a de facto relationship, or are single and in receipt of a benefit) is increased to maintain parity with the personal allowance payable to people with age-related care needs receiving subsidised residential care.

The increases to Child Disability Allowance and Disability Allowance reflect the extent to which the 3.75% increase in the New Zealand Consumers Price Index from the December 2009 quarter to the December 2010 quarter (calculated using the CPI All Groups for the first quarter and the CPI All Groups excluding cigarettes and other tobacco products for the other quarters) has not already been compensated for by the increases made on 1 October 2010 to reflect the increase in the rate of goods and services tax.

The other increases reflect the 3.75% increase fully.

Clauses 4 and 5 amend the Social Security Act 1964. *Clause 4* increases the amounts of funeral grants. *Clause 5* increases—

- the following benefits or allowances: widow's, orphan's, unsupported child's, invalid's, unemployment, sickness, domestic purposes, child disability, disability, independent youth, and related emergency benefits; and
- the rate of benefit payable to long-term hospital patients.

The maximum amount of income that a blind beneficiary may earn, and still receive a subsidy, is also increased, as are the asset and income limits in Schedule 31 of the Social Security Act 1964.

Clause 6 amends the New Zealand Superannuation and Retirement Income Act 2001 so as to increase the rates of New Zealand superannuation entitlements. The rates of New Zealand superannuation that are amended are the gross rates, but the CPI adjustment has been calculated in relation to the net rate in each case.

Secondly, *clause 7* makes some additional increases to figures already increased by *clause 6*, to honour the Government's commitments in relation to the level of New Zealand superannuation.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 24 February 2011.

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Notes

1 *General*

This is a reprint of the Social Security (Rates of Benefits and Allowances) Order 2011. The reprint incorporates all the amendments to the order as at 18 October 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Subordinate Legislation (Confirmation and Validation) Act 2011 (2011 No 96):
section 10
