

Reprint  
as at 26 November 2018



## Social Security (Income and Cash Assets Exemptions) Amendment Regulations 2012 (SR 2012/4)

Social Security (Income and Cash Assets Exemptions) Amendment Regulations 2012: revoked, on 26 November 2018, pursuant to regulation 295(12) of the Social Security Regulations 2018 (LI 2018/202).

Jerry Mateparae, Governor-General

### Order in Council

At Wellington this 13th day of February 2012

Present:

His Excellency the Governor-General in Council

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

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#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

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

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## Regulations

### 1 Title

These regulations are the Social Security (Income and Cash Assets Exemptions) Amendment Regulations 2012.

### 2 Commencement

These regulations come into force on 17 February 2012.

### 3 Principal regulations amended

These regulations amend the Social Security (Income and Cash Assets Exemptions) Regulations 2011.

### 4 Regulation 20 amended (Application)

*[Revoked]*

Regulation 4: revoked, on 1 April 2012, by regulation 6 of the Social Security (Income and Cash Assets Exemptions) Amendment Regulations (No 2) 2012 (SR 2012/20).

### 5 Regulation 21 amended (Payments declared not to be income)

*[Revoked]*

Regulation 5: revoked, on 1 April 2012, by regulation 6 of the Social Security (Income and Cash Assets Exemptions) Amendment Regulations (No 2) 2012 (SR 2012/20).

### 6 New Part 14 inserted

After regulation 48, insert:

|   |   |
|---|---|
| <b>Part 14</b>  |   |
| <b>Payments under Sleepover Wages (Settlement) Act 2011</b> |   |
| <b>49</b>   | <b>Interpretation</b>                                 |
| (1)   | In this Part, unless the context otherwise requires,— |

**Sleepover Act** means the Sleepover Wages (Settlement) Act 2011

**specified employer** means—

- (a) Idea Services; or
  - (b) Timata Hou; or
  - (c) any other employer in the health and disability sector to whom subpart 2 of Part 2 of the Sleepover Act applies (with or without modifications) because of an order made under section 24(1)(b) of the Sleepover Act; or
  - (d) any other employer to whom subparts 1 and 2 of Part 2 of the Sleepover Act apply (with or without modifications) because of an order made under section 24(1)(a) of the Sleepover Act.
- (2) A term that is defined in section 4 or 23 of the Sleepover Act and that is used but not defined in this Part has the same meaning as in section 4 or 23 of the Sleepover Act.

**50 Application**

- (1) The exemption in regulation 51 applies on and after the date on which the performance of the sleepover concerned ended.
- (2) The exemption in regulation 52 applies only for the first 12 months after the payment concerned is made.

**51 Items declared not to be income**

- (1) This subclause applies to every payment—
  - (a) of back wages that are for a sleepover that began to be performed on or after 1 June 2004; and
  - (b) made by a specified employer, made on or after 18 October 2011, and made to any of the following who is entitled to the payment under any of sections 14 to 16 of the Sleepover Act:
    - (i) a current employee;
    - (ii) a recent employee;
    - (iii) a historic employee.
- (2) Any payment to which subclause (1) applies is not income for the purposes of the Act.

**52 Items declared not to be cash assets**

- (1) This subclause applies to every payment—
  - (a) of back wages that are for a sleepover that began to be performed on or after 1 June 2004; and
  - (b) made by a specified employer, made on or after 18 October 2011, and made to any of the following who is entitled to the payment under any of sections 14 to 16 of the Sleepover Act:

- (i) a current employee:
  - (ii) a recent employee:
  - (iii) a historic employee.
- (2) Any payment to which subclause (1) applies is not cash assets for the purposes of the Act.

Rebecca Kitteridge,  
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 16 February 2012.

## **Reprints notes**

### **1    *General***

This is a reprint of the Social Security (Income and Cash Assets Exemptions) Amendment Regulations 2012 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

### **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 Regulations 2018 (LI 2018/202): regulation 295(12)

Social Security (Income and Cash Assets Exemptions) Amendment Regulations (No 2) 2012: (SR 2012/20)