

Reprint
as at 26 November 2018



Social Security (Income and Cash Assets Exemptions) Amendment Regulations (No 3) 2018

(LI 2018/175)

Social Security (Income and Cash Assets Exemptions) Amendment Regulations (No 3) 2018: revoked, on 26 November 2018, pursuant to regulation 295(12) of the Social Security Regulations 2018 (LI 2018/202).

Patsy Reddy, Governor-General

Order in Council

At Wellington this 24th day of September 2018

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 132 and 132AA of the Social Security Act 1964 on the advice and with the consent of the Executive Council.

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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 (No 3) 2018.

2 Commencement

These regulations come into force on 1 October 2018.

3 Principal regulations

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

4 Regulation 16 replaced (Interpretation)

Replace regulation 16 with:

16 Interpretation

In this Part, unless the context otherwise requires,—

disability support services has the same meaning as in section 6(1) of the New Zealand Public Health and Disability Act 2000

health or disability dependant, in relation to any person (A), means any other person who—

- (a) is not a dependent child of A; but
- (b) has an illness or a sickness, an injury, or a disability; and
- (c) is a person for whose care A has the primary responsibility, other than on a temporary basis

health services has the same meaning as in section 6(1) of the New Zealand Public Health and Disability Act 2000.

Compare: SR 2007/167 r 3

5 Regulation 17 replaced (Application)

Replace regulation 17 with:

17 Application

- (1) The exemptions in regulation 18(1) and (2) apply to a service provided, or a payment made, on or after 18 August 2017 and have effect, in respect of the income or cash assets specified in regulation 18(4), on and after that date.

- (2) The exemption in regulation 18(2A) applies to a payment made on or after 1 October 2018 and has effect, in respect of the income or cash assets specified in regulation 18(4), on and after that date.

6 Regulation 18 amended (Items and payments declared not to be income or cash assets)

- (1) After regulation 18(2), insert:
- (2A) This subclause applies to any direct payment of disability support to a person **(B)**, or a person on B’s behalf,—
- (a) made on or after 1 October 2018 for the purpose of purchasing or obtaining disability support services for B; and
 - (b) made (in whole or in part) by or on behalf of the Crown.
- (2) In regulation 18(3), replace “(1) and (2)” with “(1), (2), and (2A)”.
- (3) In regulation 18(4), replace “or (2)” with “(2), or (2A)”.

Michael Webster,
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 1 October 2018, are made under the Social Security Act 1964 (the **Act**). They amend regulations 17 and 18 of the Social Security (Income and Cash Assets Exemptions) Regulations 2011 to ensure that any direct payments of disability support to a person, or another person on that person’s behalf, made on or after 1 October 2018 by or on behalf of the Crown for the purpose of purchasing or obtaining disability support services for the person are not income or cash assets for the purposes of the Act.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 27 September 2018.

Reprints notes

1 *General*

This is a reprint of the Social Security (Income and Cash Assets Exemptions) Amendment Regulations (No 3) 2018 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)