

**Reprint  
as at 26 November 2018**

## **Social Security Amendment Act (No 2) 1991**

Public Act      1991 No 78  
Date of assent    1 August 1991

Social Security Amendment Act (No 2) 1991: repealed, on 26 November 2018, pursuant to section 455(1) of the Social Security Act 2018 (2018 No 32).

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### **An Act to amend the Social Security Act 1964**

#### **1      Short Title and commencement**

- (1) This Act may be cited as the Social Security Amendment Act (No 2) 1991, and shall be read together with and deemed part of the Social Security Act 1964 (hereinafter referred to as the principal Act).
- (2) Except as provided in sections 5(2), 18(3) and 23(2) of this Act, this Act shall come into force on the 1st day of August 1991.

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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.

**This Act is administered by the Ministry of Social Development.**

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**4 Domestic purposes benefits for sole parents**

- (1) *This subsection substituted a new paragraph for para (a) of s 27B(2) of the principal Act.*
- (2) Notwithstanding the provisions of section 27B(2)(a) of the principal Act (as substituted by subsection (1) of this section), a person who is under the age of 18 years but who would otherwise be entitled to receive a domestic purposes benefit, shall be entitled to receive a domestic purposes benefit if he or she was a sole parent in receipt of a benefit immediately before the commencement of this section.

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6 *[Repealed]*

Section 6 was repealed, as from 1 July 1992, by section 7(2)(l) Social Security Amendment Act (No 5) 1991 (1991 No 143).

**7 Invalids' benefits**

- (1) *This subsection amended s 40 of the principal Act.*
- (2) Notwithstanding the provisions of section 40 of the principal Act (as amended by subsection (1) of this section), a person who is under the age of 16 years but who would otherwise be entitled to receive an invalid's benefit, shall be entitled to receive an invalid's benefit if he or she was in receipt of, or had applied for, an invalid's benefit before the 1st day of August 1991.

**8 Sickness benefits**

- (1) *This subsection amended s 54 of the principal Act.*
- (2) Notwithstanding the provisions of section 54 of the principal Act (as amended by subsection (1) of this section), a person who is under the age of 16 years but who would otherwise be entitled to receive a sickness benefit, shall be entitled to receive a sickness benefit if he or she was in receipt of, or had applied for, a sickness benefit before the 1st day of August 1991.

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10 *[Repealed]*

Section 10 was repealed, as from 1 April 1997, by sections 12(2) and 45(2) Social Security Amendment Act 1996 (1996 No 20).

11 *[Repealed]*

Section 11 was repealed, as from 1 April 1997, by section 45(2) Social Security Amendment Act 1996 (1996 No 20).

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12 *[Repealed]*

Sections 12–13 were repealed, as from 1 April 1997, by section 45(2) Social Security Amendment Act 1996 (1996 No 20).

13 *[Repealed]*

Sections 12–13 were repealed, as from 1 April 1997, by section 45(2) Social Security Amendment Act 1996 (1996 No 20).

14 *[Repealed]*

Section 14 was repealed, as from 1 April 1997, by section 24(2) Social Security Amendment Act 1996 (1996 No 20).

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(1) *This subsection repealed ss 61D to 61F and substituted therefor ss 61D to 61DE of the principal Act.*

(2) The following enactments are hereby consequentially repealed:

(a) Section 9 of the Social Security Amendment Act 1982:

(b) Section 7(2) of the Social Security Amendment Act (No 2) 1982:

(c) Sections 8 to 10 and 12 of the Social Security Amendment Act (No 2) 1985:

(d) Section 15 of the Social Security Amendment Act (No 2) 1988:

(e) Sections 14(5) and 37(6) of the Social Welfare (Transitional Provisions) Act 1990:

(f) Sections 18 to 21 of the Social Security Amendment Act 1991.

(3) Clause 2 of the Social Security (Miscellaneous Rates) Order 1990 (SR 1990/258) is hereby consequentially revoked.

(4) This section shall apply in respect of persons who die on or after the date of commencement of this section. In respect of persons who died before that date, the provisions of the principal Act shall continue to apply as if this section had not been enacted.

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(1) *This subsection inserted s 70B in the principal Act.*

(2) If—

(a) Both parents of a dependent child were in receipt of a benefit immediately before the commencement of this section; and

(b) Section 70B of the principal Act (as inserted by subsection (1) of this section) applies to those parents; and

- (c) The child was taken into account in assessing both parents' entitlement to a benefit or the rate of benefit payable to both parents—

each of the parents, in the Director-General's discretion, shall be entitled to continue to receive the benefit at the same rate as he or she received it before the commencement of this section until a review under section 81 of the principal Act has taken place. The Director-General shall undertake that review between the 1st day of October 1991 and the 1st day of January 1993.

- (3) This section shall come into force on the 1st day of October 1991.

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- (1) *This subsection substituted s 77 of the principal Act.*

- (2) The following enactments are hereby consequentially repealed:

- (a) The Social Security Amendment Act 1985:  
(b) Section 20 of the Social Security Amendment Act (No 2) 1988:  
(c) Section 35(4) of the Finance Act 1989.

- (3) Any person who, immediately before the commencement of this section, was overseas and was entitled to receive a benefit pursuant to section 77 of the principal Act, shall continue to be so entitled as if this section had not been enacted.

20 *[Repealed]*

Section 20 was repealed, as from 1 April 1997, by section 45(2) Social Security Amendment Act 1996 (1996 No 20).

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23 *[Repealed]*

Section 23 was repealed, as from 1 July 1996, by section 45(1) Social Security Amendment Act 1996 (1996 No 20).

## **Eprint notes**

### **1    *General***

This is an eprint of the Social Security Amendment Act (No 2) 1991 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **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 Act 2018 (2018 No 32): section 455(1)