



ANALYSIS

<p>Title</p> <p>1. Short Title and commencement</p> <p>2. Applications for veteran's pension by members of "J Force"</p>	<p>3. Effect of absence from New Zealand on New Zealand superannuation and veterans' pensions</p> <p>4. Living alone payments</p>
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1997, No. 65

An Act to amend the Social Welfare (Transitional Provisions) Act 1990 [16 September 1997]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Social Welfare (Transitional Provisions) Amendment Act 1997, and is part of the Social Welfare (Transitional Provisions) Act 1990 ("the principal Act").

(2) This Act comes into force on the day after the date on which it receives the Royal assent.

2. Applications for veteran's pension by members of "J Force"—Section 10 of the principal Act (as substituted by section 3 (1) of the Social Welfare (Transitional Provisions) Amendment Act (No. 2) 1990) is amended by adding the following subsections:

"(2) Despite the provisions of subsection (1), where—

"(a) Any person applies for a veteran's pension after 6 March 1995; and

"(b) The service qualifying that person for a veteran's pension under section 8 (1) (a) was solely with the Japan section of the Second New Zealand Expeditionary Force on or after 14 August 1945 and before 28 April 1952,—

that person's application for a veteran's pension is deemed to have been received on 1 April 1990.

“(3) Nothing in subsection (2) limits section 8 (3).”

3. Effect of absence from New Zealand on New Zealand superannuation and veterans' pensions—Section 17A of the principal Act (as inserted by section 7 (1) of the Social Welfare (Transitional Provisions) Amendment Act (No. 2) 1991) is amended by inserting, after subsection (3), the following subsections:

“(3A) The Director-General may pay New Zealand superannuation or a veteran's pension to any person who—

“(a) Is otherwise entitled to receive it; and

“(b) Is absent from New Zealand for a period not exceeding 52 weeks; and

“(c) Is engaged, while absent from New Zealand, in full-time voluntary and unpaid humanitarian work for a recognised aid agency that—

“(i) Has as its principal function the giving of aid and assistance to less advantaged communities in 1 or more other countries; and

“(ii) Has not deprived another person of paid employment to engage the person to do that work on an unpaid basis.

“(3B) If any question arises as to whether an aid agency fulfils the qualifications set out in subsection (3A), the chief executive of the Ministry of Foreign Affairs and Trade must determine it.”

4. Living alone payments—(1) Section 18A (3) of the principal Act (as inserted by section 4 (1) of the Social Welfare (Transitional Provisions) Amendment Act 1990) is amended by inserting, after paragraph (a), the following paragraph:

“(aa) A boat or craft moored within—

“(i) The territorial sea of New Zealand or any internal waters of New Zealand; or

“(ii) Any waters within New Zealand, being any lake, estuary, lagoon, river, stream, creek, or other waters,—

whether or not it is from time to time travelling within that sea or any such waters; or”.

(2) Section 18A of the principal Act (as so inserted) is amended by adding the following subsection:

“(4) In this section, ‘territorial sea of New Zealand’ and ‘internal waters’ have the same meanings as in the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977.”

This Act is administered in the Department of Social Welfare.
