

New Zealand Superannuation Amendment Act 2005

Public Act 2005 No 17
Date of assent 24 March 2005

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the New Zealand Superannuation and Retirement Income Amendment Act 2005.
- (2) In this Act, the New Zealand Superannuation and Retirement Income Act 2001 is called “the principal Act”.

Subsections (1) and (2) were amended, as from 21 April 2005, by section 9(1) New Zealand Superannuation and Retirement Income Amendment Act 2005 (2005 No 42) by inserting the words “and Retirement Income” after the words “New Zealand Superannuation”.

2 Commencement

- (1) Except as provided in subsection (2), this Act comes into force on 26 April 2005.
- (2) Section 4 comes into force on 1 April 2007.

3 Amendments to principal Act in Schedule 1

The principal Act is amended in the manner set out in Schedule 1.

4 Amendments to principal Act on 1 April 2007 in Schedule 2

The principal Act is amended in the manner set out in Schedule 2.

Schedule 1

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Amendments to principal Act to come into force on 26 April 2005

Section 10

Insert in subsections (1) and (2), after the word “spouse” wherever it appears, the words “or partner”.

Section 12

Omit from subsection (2) the words “married person” and substitute the words “person who is married or in a civil union and”.

Insert in subsection (2), after the word “spouse”, the words “or partner”.

Omit from subsection (3)(a) and (b) the word “married”.

Insert in subsection (3)(a) and (b), after the word “spouse”, the words “or partner”.

Section 13(1)

Omit the word “unmarried”, and substitute the word “single”.

Section 14(2)

Insert, after the word “spouse”, the words “or partner”.

Section 16

Omit the words “married couple” wherever they appear, and substitute in each case the words “couple who are married or in a civil union”.

Section 17

Insert in the heading, after the word “spouses”, the words “or partners”.

Insert in subsections (1)(a) and (c), (2)(b)(ii), and (3), after the word “spouse”, the words “or partner”.

Omit from subsection (1)(b) the words “spouse’s financial means” and substitute the words “financial means of the spouse or partner”.

Omit from subsection (2) the word “unmarried” wherever it appears, and substitute in each case the word “single”.

Section 18

Insert in the heading, after the word “spouses”, the words “or partners”.

Section 19

Omit from subsection (2) the words “married person with no dependent children and an unmarried” and substitute the words “person who is married or in a civil union and who has no dependent children, and a single”.

Repeal subsection (7) and substitute:

“(7) If, after 13 weeks’ hospitalisation, the New Zealand superannuation of a person who is married or in a civil union is reduced under subsection (4) or subsection (5), and that per-

son's spouse or partner is either not in hospital or has been in hospital for less than 13 weeks, any New Zealand superannuation payable to or for the spouse or partner must be increased, on the same date as the effective date of that reduction, by an amount equal to the difference between—

- “(a) the maximum rate of New Zealand superannuation payable to a single person; and
- “(b) the maximum rate of New Zealand superannuation payable to a person who is married or in a civil union and whose spouse or partner is receiving New Zealand superannuation.”

Omit from subsection (9) the words “an unmarried person or a married couple” and substitute the words “a single person or a couple who are married or in a civil union”.

Section 20

Insert in subsection (1)(b) and (c), after the word “spouse”, the words “or partner”.

Insert in subsection (2), after the word “spouse’s”, the words “or partner’s”.

Section 23

Insert, after the word “spouse”, the words “or partner”.

Section 26

Omit from subsection (2) the words “married person”, in the first place where they appear, and substitute the words “person who is married or in a civil union and”.

Insert in subsection (2), after the word “spouse”, the words “or partner”.

Omit from subsection (2) the words “married person”, in the second place where they appear, and substitute the words “person who is married or in a civil union”.

Section 32(2)(b)

Omit the words “married person” and substitute the words “person who is married or in a civil union”.

Schedule 1

Omit from clause 1(a) and (b) the words “an unmarried” and substitute in each case the words “a single”.

Omit from clause 1(c) the words “married person” and substitute the words “person who is married or in a civil union”.

Omit from clause 2 the words “married person” in the first place where they appear and substitute the words “person who is married or in a civil union and”.

Insert in clause 2, after the word “spouse”, the words “or partner”.

Omit from clause 2(a) the words “married person” and substitute the words “person who is married or in a civil union and”.

Omit from clause 2(b) the words “married person” and substitute the words “person who is married or in a civil union”.

Omit from clause 3 the words “married person with no dependent children, or an unmarried” and substitute the words “person who is married or in a civil union and who has no dependent children, or a single”.

Schedule 2

s 4

**Amendments to principal Act to come
into force on 1 April 2007****Section 12(2)**

Insert, after the word “union”, the words “or in a de facto relationship”.

Section 16(a)

Insert, after the word “union” wherever it appears, the words “or in a de facto relationship”.

Section 19

Insert in subsection (2), after the word “union”, the words “or in a de facto relationship”.

Insert in subsection (7), after the word “union” in both places where it appears, the words “or in a de facto relationship”.

Insert in subsection (9), after the word “union”, the words “or in a de facto relationship”.

Section 26(2)

Insert, after the word “union” in both places where it appears, the words “or in a de facto relationship”.

Section 32(2)(b)

Insert, after the word “union”, the words “or in a de facto relationship”.

Schedule 1

Insert in clauses 1(c), 2, and 3, after the word “union” wherever it appears, the words “or in a de facto relationship”.

Legislative history

10 March 2005

Divided from Relationships (Statutory References)

15 March 2005

Bill (Bill 151-2) as Bill 151-3N

Third reading
