

**Reprint
as at 26 November 2018**



Social Welfare (Transitional Provisions) Amendment Act 2013

Public Act 2013 No 132
Date of assent 4 December 2013
Commencement see section 2

Social Welfare (Transitional Provisions) Amendment Act 2013: repealed, on 26 November 2018, pursuant to section 456(1) of the Social Security Act 2018 (2018 No 32).

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal Act	2
<i>Principal Act renamed: amendments to principal Act</i>	
4 Name of principal Act changed	2
5 Title repealed	3
6 Section 1 amended (Short Title and commencement)	3
7 Part 1 heading amended	3
8 Cross-heading above section 19 repealed	3
<i>Principal Act renamed: consequential amendments to other enactments</i>	
9 Child Support Act 1991 amended consequentially	3
10 Child Support Amendment Act 2013 amended consequentially	3
11 Customs and Excise Act 1996 amended consequentially	3

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.

This Act is administered by the Ministry of Social Development.

12	Income Tax Act 2007 amended consequentially	4
13	New Zealand Superannuation and Retirement Income Act 2001 amended consequentially	4
14	Public Bodies Contracts Act 1959 amended consequentially	4
15	Social Security Act 1964 amended consequentially	4
16	Tax Administration Act 1994 amended consequentially	6
17	War Pensions Act 1954 amended consequentially	6
	<i>New Zealand Artificial Limb Board renamed</i>	
18	Part 3 heading amended	6
19	Section 42 amended (Interpretation)	6
20	Section 43 amended (New Zealand Artificial Limb Board)	6
21	Section 44 amended (Functions)	7
22	Section 46 amended (Membership of Board)	7
23	Section 48 amended (Review of operation of Board)	7
24	Section 49 amended (Further provisions applying to Board)	7
25	Schedule 3 amended	7
26	Crown Entities Act 2004 amended consequentially	8
27	Ombudsmen Act 1975 amended consequentially	8
28	Public Bodies Contracts Act 1959 amended consequentially	8
29	Social Security Act 1964 amended consequentially	8

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Social Welfare (Transitional Provisions) Amendment Act 2013.

2 Commencement

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

3 Principal Act

This Act amends the Social Welfare (Transitional Provisions) Act 1990 (the **principal Act**).

Principal Act renamed: amendments to principal Act

4 Name of principal Act changed

(1) After the commencement of this Act,—

- (a) the principal Act is called the Social Welfare (Reciprocity Agreements, and New Zealand Artificial Limb Service) Act 1990; and
- (b) every reference to the principal Act in any enactment, or in any document, in force on that commencement must, unless the context otherwise

requires, be read as a reference to the Social Welfare (Reciprocity Agreements, and New Zealand Artificial Limb Service) Act 1990.

- (2) Subsection (1)(b)—
- (a) does not apply to a reference to a principal Act provision that was repealed before that commencement; and
 - (b) is subject to the other provisions of this Act.

5 Title repealed

Repeal the Title.

6 Section 1 amended (Short Title and commencement)

- (1) In the heading to section 1, delete “**Short**”.
- (2) In section 1(1),—
- (a) replace “may be cited as” with “is”; and
 - (b) replace “Transitional Provisions” with “Reciprocity Agreements, and New Zealand Artificial Limb Service”.

7 Part 1 heading amended

In the Part 1 heading, replace “**Monetary benefits**” with “**Reciprocity agreements with other countries**”.

8 Cross-heading above section 19 repealed

Repeal the cross-heading above section 19.

Principal Act renamed: consequential amendments to other enactments

9 Child Support Act 1991 amended consequentially

- (1) This section amends the Child Support Act 1991.
- (2) In the following provisions, replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)”:
- (a) section 131:
 - (b) section 240(2)(d):
 - (c) section 263(2)(b)(iii).

10 Child Support Amendment Act 2013 amended consequentially

- (1) This section amends the Child Support Amendment Act 2013.
- (2) In section 38, new section 129(4)(c), replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)”.

11 Customs and Excise Act 1996 amended consequentially

- (1) This section amends the Customs and Excise Act 1996.

- (2) In the following provisions, replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)”:
 - (a) section 280A, definition of **social security agreement**:
 - (b) section 280B(1) and (4).

12 Income Tax Act 2007 amended consequentially

- (1) This section amends the Income Tax Act 2007.
- (2) In the following provisions, replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)”:
 - (a) section CW 28(2)(a)(ii):
 - (b) section YA 1, definition of **portable New Zealand superannuation**, paragraph (c):
 - (c) section YA 1, definition of **portable veteran’s pension**, paragraph (c).
- (3) In section YA 1, definition of **living alone payment**, repeal paragraph (b).

13 New Zealand Superannuation and Retirement Income Act 2001 amended consequentially

- (1) This section amends the New Zealand Superannuation and Retirement Income Act 2001.
- (2) In the following provisions, replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)”:
 - (a) section 5(1), definition of **New Zealand superannuation**, paragraph (b):
 - (b) section 19(10):
 - (c) section 21:
 - (d) section 26(1)(a):
 - (e) section 30(1)(b).

14 Public Bodies Contracts Act 1959 amended consequentially

- (1) This section amends the Public Bodies Contracts Act 1959.
- (2) In Schedule 1, Part 2, item relating to the New Zealand Artificial Limb Board, replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)”.

15 Social Security Act 1964 amended consequentially

- (1) This section amends the Social Security Act 1964.
- (2) In section 3(1), definition of **benefit**, paragraph (a), before “; and”, insert “(including, without limitation, any such benefit payable under this Act by virtue of an agreement or convention given effect in relation to New Zealand by an order under section 19 of the Social Welfare (Reciprocity Agreements, and New Zealand Artificial Limb Service) Act 1990)”.

- (3) In section 3(1), definition of **benefit**, paragraph (b)(i), after “1954”, insert “(including, without limitation, any New Zealand superannuation, or veteran’s pension, payable under that Act by virtue of an agreement or convention given effect in relation to New Zealand by an order under section 19 of the Social Welfare (Reciprocity Agreements, and New Zealand Artificial Limb Service) Act 1990)”.
- (4) In the following provisions, replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)” in each place:
 - (a) section 5(1):
 - (b) section 10A(1)(b):
 - (c) section 11(2)(f):
 - (d) section 11D(9):
 - (e) section 12J(1A)(a):
 - (f) section 60GAE(1A)(a):
 - (g) section 74AA(1A)(a):
 - (h) section 77(1)(b):
 - (i) Schedule 32, clause 13(a).
- (5) In the following provisions, delete “or the Social Welfare (Transitional Provisions) Act 1990”:
 - (a) section 3(1), definition of **income**, paragraph (f)(i):
 - (b) section 3(3):
 - (c) section 69FA(1), definition of **income**, paragraph (a)(i):
 - (d) section 70(3)(a) and (b) and (4):
 - (e) section 71(1):
 - (f) section 74(1):
 - (g) section 74A(5):
 - (h) section 80(1):
 - (i) section 85A(f):
 - (j) section 127(a).
- (6) In the following provisions, delete “the Social Welfare (Transitional Provisions) Act 1990 or”:
 - (a) section 11(2)(a):
 - (b) section 64(1) and (2A):
 - (c) section 86(2).
- (7) In section 12J(1)(c), delete “Part 1 of the Social Welfare (Transitional Provisions) Act 1990 or”.
- (8) Repeal section 61H(1)(c).

- (9) In the following provisions, delete “or under the Social Welfare (Transitional Provisions) Act 1990” in each place:
- (a) section 69G(1), (2), and (3):
 - (b) section 69H(1) and (3):
 - (c) section 70(1).
- (10) In Schedule 22, clause 2, delete “under Part 1 of the Social Welfare (Transitional Provisions) Act 1990”.

16 Tax Administration Act 1994 amended consequentially

- (1) This section amends the Tax Administration Act 1994.
- (2) In the following provisions, replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)”:
- (a) section 85B(4)(a) and (b):
 - (b) section 85B(7), definition of **social security agreement**, paragraph (a).

17 War Pensions Act 1954 amended consequentially

- (1) This section amends the War Pensions Act 1954.
- (2) In the following provisions, replace “(Transitional Provisions)” with “(Reciprocity Agreements, and New Zealand Artificial Limb Service)”:
- (a) section 68(3):
 - (b) section 69(1)(b):
 - (c) section 74E:
 - (d) section 74J(1)(a):
 - (e) section 74N(1)(b).

New Zealand Artificial Limb Board renamed

18 Part 3 heading amended

In the Part 3 heading, replace “**Board**” with “**Service**”.

19 Section 42 amended (Interpretation)

- (1) In section 42, definition of **Board**, replace “constituted by section 43” with “established on 1 April 1990 by section 43(1)”.
- (2) In section 42, insert in its appropriate alphabetical order:
- Service** means the Board as renamed by section 43(1A)(a)

20 Section 43 amended (New Zealand Artificial Limb Board)

- (1) In the heading to section 43, replace “**Board**” with “**Service**”.
- (2) In section 43(1), replace “There is hereby” with “This subsection on 1 April 1990”.

- (3) After section 43(1), insert:
- (1A) After the commencement of the Social Welfare (Transitional Provisions) Amendment Act 2013,—
- (a) the Board is renamed, and is to be known as, the New Zealand Artificial Limb Service; and
 - (b) a reference to the Board in an agreement, or in any other document, in force immediately before that commencement must be read as a reference to the Service.
- (4) In section 43(2) and (3), replace “Board” with “Service”.

21 Section 44 amended (Functions)

In section 44, replace “Board” with “Service”.

22 Section 46 amended (Membership of Board)

- (1) In the heading to section 46, replace “Board” with “Service”.
- (2) In section 46(1), replace “Board shall consist” with “Service consists”.
- (3) In section 46(1)(e), replace “Area” with “District”.
- (4) In section 46(1)(f), replace “the Board” with “a majority of the current members of the Service”.
- (5) In section 46(2), replace “Members of the Board” with “Members of the Service”.

23 Section 48 amended (Review of operation of Board)

- (1) In the heading to section 48, replace “Board” with “Service”.
- (2) In section 48,—
 - (a) replace “the date of commencement of this Act” with “1 April 1990”; and
 - (b) replace “Board shall” with “Service must”.
- (3) In section 48(a) and (b)(i), replace “Board” with “Service”.
- (4) In section 48(a)(i), replace “the date of the commencement of this Act” with “1 April 1990”.

24 Section 49 amended (Further provisions applying to Board)

- (1) In the heading to section 49, replace “Board” with “Service”.
- (2) In section 49, replace “shall apply in respect of the Board” with “apply in respect of the Service”.

25 Schedule 3 amended

- (1) In the Schedule 3 heading, replace “Board” with “Service”.

- (2) In Schedule 3, clause 7(1), (2), and (4), replace “Board” with “Service” in each place.
- (3) In Schedule 3, clause 16, replace “Board” with “Service”.
- (4) In Schedule 3, clause 22, replace “Board shall be” with “Service is”.

26 Crown Entities Act 2004 amended consequentially

- (1) This section amends the Crown Entities Act 2004.
- (2) In Schedule 1, Part 2, item relating to the New Zealand Artificial Limb Board, replace “Board” with “Service”.

27 Ombudsmen Act 1975 amended consequentially

- (1) This section amends the Ombudsmen Act 1975.
- (2) In Schedule 1, Part 2, item relating to the New Zealand Artificial Limb Board, replace “Board” with “Service”.

28 Public Bodies Contracts Act 1959 amended consequentially

- (1) This section amends the Public Bodies Contracts Act 1959.
- (2) In Schedule 1, Part 2, item relating to the New Zealand Artificial Limb Board, replace “Board” with “Service”.

29 Social Security Act 1964 amended consequentially

- (1) This section amends the Social Security Act 1964.
- (2) In section 126, replace “Board” with “Service”.

Reprints notes

1 *General*

This is a reprint of the Social Welfare (Transitional Provisions) Amendment Act 2013 that incorporates all the amendments to that Act as at the date of the last amendment to it.

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 Act 2018 (2018 No 32): section 456(1)