Version
as at 10 July 2026

Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016

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Date of assent	24 February 2016
Commencement	see section 2

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Health.

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Preamble

(1) On 7 August 2013, proceedings were lodged with the Employment Relations Authority claiming that the time spent by the applicant in travelling between clients to whom the applicant provided home-based care and support was work for the purposes of section 6 of the Minimum Wage Act 1983:

(2) In light of these proceedings, Cabinet authorised the Ministry of Health to enter negotiations with certain unions, providers of home-based and community-based care and support services, and the predecessors of Health New Zealand with a view to reaching an enduring, affordable, and sustainable funding solution for paying workers such as the applicant for the time and costs of travelling between each of their clients:

(3) The negotiations began in April 2014:

(4) In August 2014, the parties agreed to a settlement to the effect that—

- (a) certain employees who provided particular services would be compensated, at no less than the minimum wage, for a fair approximation of the time spent travelling between clients on or after 1 July 2015; and
- (b) the employees would be compensated, at no less than 50 cents per kilometre, for a proportion of the costs associated with travelling between clients on or after 1 March 2016; and
- (c) the employees would abandon any claim under the Minimum Wage Act 1983 for payment for travel between clients undertaken by them before the commencement of this Act; and
- (d) no employee was to be financially disadvantaged as a result of the operation of the settlement agreement and this Act; and

(e) the Accident Compensation Corporation, while not a party to the settlement, would enter into similar arrangements in respect of the home and community-based support services that it funds:

(5) To implement aspects of this settlement and the similar arrangements that have been entered into by the Accident Compensation Corporation, legislation is required:

Preamble recital (2): amended, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

The Parliament of New Zealand therefore enacts as follows:

1 Title

This Act is the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016.

2 Commencement

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

Part 1
Preliminary provisions

3 Purposes

(1) The purposes of this Act are—

(a) to facilitate the settlement of civil proceedings about the payment of wages to HCS employees at the minimum rate prescribed under the Minimum Wage Act 1983 for travel between clients; and

(b) to provide for payment by HCS employers to HCS employees for travel between clients from 1 July 2015.

(2) To those ends, this Act—

(a) extinguishes claims by HCS employees for wages payable under the Minimum Wage Act 1983 for travel between clients before the commencement of this Act; and

(b) amends the Minimum Wage Act 1983 to disapply the requirement to pay wages at the minimum rate prescribed under that Act for travel between clients; and

(c) provides a minimum level of required payments to be made to HCS employees for travel between clients.

4 Interpretation

In this Act, unless the context otherwise requires,—

ACC means the Accident Compensation Corporation continued by section 259 of the Accident Compensation Act 2001

client visit means a visit by an HCS employee to a person to provide home and community-based support services to the person (the **client**)

day—

(a) means a calendar day; but

(b) in relation to an HCS employee who makes overnight client visits, means the employee's work period within the meaning of section 69ZC of the Employment Relations Act 2000

deemed distance has the meaning given in section 21(2)

deemed travel time has the meaning given in section 18(2)

employee means a person who—

(a) is an employee within the meaning of that term in section 6(1)(a) or (b)(i) of the Employment Relations Act 2000; and

(b) is not paid a salary

exceptional first client travel has the meaning given in section 5(2)(a)

exceptional last client travel has the meaning given in section 5(2)(b)

exceptional travel has the meaning given in section 5(1)

former HCS employer—

(a) means an entity listed in Schedule 2; but

(b) if the former HCS employer does not itself have separate legal personality, means the person or persons who have the legal authority to make decisions on behalf of that employer

HCS employee —

(a) means a person who—

(i) is an employee of an HCS employer; and

(ii) provides home and community-based support services to clients of the HCS employer; and

(b) for the purposes of sections 8 and 9, includes a person who—

(i) was previously an employee of an HCS employer; and

(ii) provided home and community-based support services to clients of the HCS employer

HCS employer—

(a) means—

(i) an entity listed in Schedule 3; and

(ii) an entity that provides home and community-based support services on behalf of an entity listed in Schedule 3, including any subsidiary or subcontractor; but

(b) if the HCS employer does not itself have separate legal personality, means the person or persons who have the legal authority to make decisions on behalf of that employer

Health New Zealand has the meaning in section 4 of the Healthy Futures (Pae Ora) Act 2022

home and community-based support services—

(a) means—

(i) services funded by the Ministry of Health or Health New Zealand that are performed in a client's home for the purpose of assisting the client to continue to live in the client's home (such as personal care, household management, rehabilitation, or vocational services); and

(ii) services funded by ACC that are performed in a client's home for the purposes of supporting the client's rehabilitation from an injury covered by the Accident Compensation Act 2001 and to achieve and sustain the client's maximum level of participation in everyday life; but

(b) does not include—

(i) services that are performed for the purpose of preparing an intellectually disabled client to live independently in the community; or

(ii) services purchased by a disabled client (or by a disabled client's caregiver on the client's behalf) using funding from the Ministry of Health or another agency to allow the client (or the client's caregiver) to directly manage the resources allocated for the client's disability support

maximum travel distance has the meaning given in section 5(1)

mileage rate means the mileage rate specified in clause 1 of Schedule 4

qualifying distance means the qualifying distance specified in clause 2(1) of Schedule 4

qualifying travel time means the qualifying travel time specified in clause 3(1) of Schedule 4

travel between clients—

(a) means the travel by an HCS employee in a day to get to each client; and

(b) includes exceptional travel; but

(c) does not include—

(i) travel by the employee to the first client visit of the day (unless the travel is exceptional first client travel):

(ii) travel by the employee after the employee leaves the last client visit of the day (unless the travel is exceptional last client travel).

Section 4 **DHB**: repealed, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Section 4 **Health New Zealand**: inserted, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Section 4 **Health New Zealand**: amended, on 10 July 2026, by section 41(1) of the Healthy Futures (Pae Ora) Amendment Act 2026 (2026 No 40).

Section 4 **home and community-based support services** paragraph (a)(i): amended, on 30 June 2024, by section 43 of the Pae Ora (Disestablishment of Māori Health Authority) Amendment Act 2024 (2024 No 5).

Section 4 **home and community-based support services** paragraph (a)(i): amended, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Section 4 **home and community-based support services** paragraph (b)(ii): amended, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Section 4 **Māori Health Authority**: repealed, on 30 June 2024, by section 43 of the Pae Ora (Disestablishment of Māori Health Authority) Amendment Act 2024 (2024 No 5).

5 Meaning of exceptional travel and related terms

(1) In this Act, unless the context otherwise requires,—

exceptional travel means—

(a) travel by an HCS employee between clients where the distance travelled is more than the maximum travel distance; and

(b) exceptional first client travel by an HCS employee; and

(c) exceptional last client travel by an HCS employee

maximum travel distance means, except for the purposes of section 16(2), the maximum travel distance specified in clause 4 of Schedule 4.

(2) For the purposes of subsection (1),—

(a) an HCS employee's travel to the first client visit of the day is **exceptional first client travel** if the location of the client visit is more than the maximum travel distance from the employee's home; and

(b) an HCS employee's travel from the last client visit of the day is **exceptional last client travel** if the location of the client visit is more than the maximum travel distance from the employee's home.

6 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

7 Act binds the Crown

This Act binds the Crown.

Part 2
Payment for travel between clients

Extinguishing claims for travel payments and statutory amendment to employment agreements

8 Certain claims extinguished

(1) This section applies to—

(a) any claim by or on behalf of an HCS employee for wages payable under the Minimum Wage Act 1983 for travel between clients lodged but not determined before the commencement of this Act; and

(b) any potential claim by or on behalf of an HCS employee against an HCS employer, a former HCS employer, Health New Zealand, ACC, or the Crown for wages payable under the Minimum Wage Act 1983 for travel between clients before the commencement of this Act.

(2) The claim or potential claim cannot be pursued and must be treated as if it had been withdrawn or is incapable of being lodged.

(3) Without limiting subsection (2), an HCS employee (or any person acting on his or her behalf) cannot—

(a) name, join, or seek to name or join an HCS employer, a former HCS employer, Health New Zealand, ACC, or the Crown in any civil proceedings relating to liability for wages relating to travel between clients by the employee before the commencement of this Act; or

(b) apply in any civil proceedings for any remedy or relief from an HCS employer, a former HCS employer, Health New Zealand, ACC, or the Crown for wages relating to travel between clients by the employee before the commencement of this Act.

(4) This section is subject to section 9.

Section 8(1)(b): amended, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Section 8(3)(a): amended, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Section 8(3)(b): amended, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

9 Act does not affect enforcement of employment agreements requiring payment for travel before commencement of Act

Nothing in section 8 limits or prevents an HCS employee from making a claim or lodging any proceedings in relation to the enforcement of a term or condition in the employee's employment agreement that required the HCS employer or former HCS employer to pay the employee for travel between clients before the commencement of this Act.

10 Act overrides existing terms and conditions in employment agreements requiring payment of greater amounts

(1) This section applies to an employment agreement containing either or both of the following terms or conditions agreed before the commencement of this Act:

(a) a term or condition that requires an HCS employee to be paid a greater amount for travel between clients than that required by this Act:

(b) a term or condition that requires an HCS employee to be paid for—

(i) travel by the employee to the first client visit of the day that is not exceptional first client travel; or

(ii) travel by the employee from the last client visit of the day that is not exceptional last client travel.

(2) To the extent that the term or condition exceeds the requirements of this Act, the term or condition has no effect, and is not enforceable, for travel on and from the commencement of this Act.

11 Act does not prevent new terms and conditions in employment agreements requiring payment of greater amounts

This Act does not prevent an HCS employer from paying an HCS employee a greater amount for travel between clients than that required by this Act or for travel described in section 10(1)(b) (whether specified in an employment agreement or otherwise) on a basis agreed with the employee after the commencement of this Act, and any such agreement has full effect and is enforceable.

12 No HCS employee to be financially disadvantaged

(1) Subsection (2) applies if, because of the operation of section 10, an HCS employee's post-commencement travel entitlement is less than the employee's pre-commencement travel entitlement.

(2) The HCS employer must compensate the employee for the reduced entitlement by inserting a term in the employee's employment agreement that has the effect of requiring the employer to pay the employee an amount for travel between clients greater than that required by this Act.

(3) The amount must be no less than the amount that is equal to the employee's total entitlement before 1 July 2015.

(4) An HCS employer and an HCS employee—

(a) may agree to enhance a term inserted in the employee's employment agreement under subsection (2); but

(b) may not agree to otherwise amend or remove the term at any time while the employee is employed by the employer.

(5) In this section,—

post-commencement travel entitlement means an HCS employee's total entitlement under this Act for travel between clients in the pay period immediately after 1 March 2016

pre-commencement travel entitlement means the total amount an HCS employee would have been entitled to for the following travel under the terms of his or her employment agreement at 30 June 2015 were section 10 not in force:

(a) travel between clients in the pay period immediately after 1 March 2016; and

(b) travel described in section 10(1)(b) in the pay period immediately after 1 March 2016.

13 Payment of lesser amounts prohibited

An employment agreement that contains a term or condition that excludes, restricts, or reduces an HCS employee's entitlements under this Act—

(a) has no effect to the extent that it does so, regardless of whether the term or condition was agreed before or after the commencement of this Act; but

(b) is not an illegal contract under subpart 5 of Part 2 of the Contract and Commercial Law Act 2017.

Section 13(b): amended, on 1 September 2017, by section 347 of the Contract and Commercial Law Act 2017 (2017 No 5).

Time spent in travel between clients

14 Time spent in travel between clients

(1) An HCS employer must pay an HCS employee for the time spent by the employee on or after 1 July 2015 in travel between clients.

(2) For travel between clients during the period starting on 1 July 2015 and ending on 29 February 2016, the minimum amount payable must be calculated in accordance with sections 15 and 16.

(3) For travel between clients on or after 1 March 2016—

(a) that is not exceptional travel, the minimum amount payable must be calculated in accordance with section 17:

(b) that is exceptional travel, the minimum amount payable must be calculated in accordance with section 18.

15 Minimum amounts payable for travel before 1 March 2016 funded by Ministry of Health or Health New Zealand

(1) This section applies to travel between clients, whether exceptional travel or not, by an HCS employee for the purpose of a client visit—

(a) in which the HCS employee provides services described in paragraph (a)(i) of the definition of home and community-based support services in section 4; and

(b) that is not the first client visit for the HCS employee in a day.

(2) The minimum amount payable to an HCS employee for each client visit is $2.28.

Section 15 heading: replaced, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

16 Minimum amounts payable for travel before 1 March 2016 funded by ACC

(1) This section applies to travel between clients by an HCS employee for the purpose of a client visit in which the HCS employee provides services described in paragraph (a)(ii) of the definition of home and community-based support services in section 4.

(2) The minimum amount payable to an HCS employee is—

(a) for travel that is not exceptional travel, $1.89 for each client visit; and

(b) for exceptional travel, the amount calculated in accordance with section 18.

(3) For the purposes of subsection (2), the **maximum travel distance** is 20 kilometres.

17 Minimum amount payable for travel on and from 1 March 2016 (other than for exceptional travel)

The minimum amount payable each day to an HCS employee is calculated as follows:

$$a = b \times (c \div 60)$$

where—

a is the minimum amount payable

b is the minimum hourly rate of wage prescribed under section 4 of the Minimum Wage Act 1983

c is the qualifying travel time in minutes for the employee for that day calculated in accordance with clause 3(2) of Schedule 4.

18 Minimum amount payable for exceptional travel on and from 1 March 2016

(1) The minimum amount payable each day to an HCS employee is calculated as follows:

$$a = b \times (c \div 60)$$

where—

a is the minimum amount payable

b is the minimum hourly rate of wage prescribed under section 4 of the Minimum Wage Act 1983

c is the deemed travel time in minutes for exceptional travel for the employee for that day.

(2) In this section, **deemed travel time** means the time that it would take a person to travel to the client or clients visited by the employee (or from the client, if exceptional last client travel)—

(a) taking the most efficient route; and

(b) when travelling at the same time of day and on the same day of the week.

Costs relating to travel between clients

19 Costs relating to travel between clients

(1) An HCS employer must pay an HCS employee a contribution towards the costs relating to travel between clients by the employee on or after 1 March 2016.

(2) For travel between clients that is not exceptional travel, the minimum amount payable must be calculated in accordance with section 20.

(3) For travel between clients that is exceptional travel, the minimum amount payable must be calculated in accordance with section 21.

(4) Subsection (1) does not apply to any travel between clients for which—

(a) an HCS employee uses a vehicle provided by the HCS employer; and

(b) the employer is responsible for all the costs associated with the use of the vehicle.

20 Minimum amount payable towards costs (other than for exceptional travel)

The minimum amount payable each day to an HCS employee is calculated as follows:

$$a = b \times c$$

where—

a is the minimum amount payable

b is the mileage rate

c is the qualifying distance in kilometres for the employee for that day calculated in accordance with clause 2(2) of Schedule 4.

21 Minimum amount payable towards costs for exceptional travel

(1) The minimum amount payable each day to an HCS employee is calculated as follows:

$$a = b \times c$$

where—

a is the minimum amount payable

b is the mileage rate

c is the deemed distance in kilometres of exceptional travel by the employee for that day.

(2) In this section, **deemed distance** means the distance to the client or clients visited by the employee (or from the client, if exceptional last client travel), taking the most efficient route.

Relationship with Employment Relations Act 2000

22 Compliance dispute is employment relationship problem

To avoid doubt,—

(a) a dispute about whether an HCS employer is complying, or has complied, with this Act is an employment relationship problem within the meaning of that term in section 5 of the Employment Relations Act 2000; and

(b) the dispute must be resolved in accordance with that Act.

23 HCS employee may recover arrears

The failure by an HCS employer to pay an HCS employee an amount required by this Act, either in whole or in part, constitutes payment of wages or other money at a rate lower than that legally payable for the purposes of section 131 of the Employment Relations Act 2000.

Record keeping

24 Record of amounts paid, qualifying travel time, and qualifying travel distance

(1) An HCS employer must keep a record, for each HCS employee employed by the employer, of—

(a) the amounts paid to the employee under this Act for each pay period; and

(b) the qualifying travel times, qualifying distances, deemed travel times, and deemed distances used as the basis for calculating the amounts.

(2) A record kept for the purposes of subsection (1) is deemed, for the purposes of the Employment Relations Act 2000, to form part of the wages and time record of the employee (as that record is described in section 130 of that Act).

Penalty for non-compliance

25 Penalty for non-compliance

An HCS employer who fails to comply with an obligation imposed on the employer by this Act is liable to a penalty imposed by the Employment Relations Authority under the Employment Relations Act 2000.

Other employers and employees unaffected

26 Other employers and employees unaffected

(1) Nothing in this Act limits or affects the rights, duties, or obligations relating to payment for employment-related travel of any employer or employee (within the meaning of those terms in the Employment Relations Act 2000) to whom this Act does not apply.

(2) This section is to avoid doubt.

Amendments to Act by Order in Council

27 Power to amend Schedule 3

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Health, amend Schedule 3 to—

(a) replace the name of an HCS employer in recognition of a change in the employer's name:

(b) insert the name of an employer who begins providing home and community-based support services after 1 December 2015.

(2) Before making a recommendation under subsection (1)(b), the Minister of Health must—

(a) consult ACC and the Minister for ACC; and

(b) obtain the consent of—

(i) any unions representing 1 or more HCS employees of the employer; and

(ii) any HCS employees of the employer who are not represented by a union.

(3) An order made under subsection (1)(b) may apply retrospectively from the date that the HCS employer started providing home and community-based support services but only if the parties listed in subsection (2)(b) agree.

(4) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)

Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 27(4): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

28 Power to amend Schedule 4

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Health and the Minister for ACC,—

(a) adjust the figure specified in clause 1 of Schedule 4 upwards:

(b) adjust the figure specified in clause 2(1) of Schedule 4 upwards or downwards, provided that the figure is no less than 3.7 kilometres:

(c) adjust the figure specified in clause 3(1) of Schedule 4 upwards or downwards, provided that the figure is no less than 8 minutes and 30 seconds:

(d) adjust the figure specified in clause 4 of Schedule 4 downwards.

(2) Before making a recommendation under subsection (1), the following parties must be consulted:

(a) ACC:

(b) Health New Zealand:

(c) all HCS employers listed in Schedule 3:

(d) any unions representing 1 or more HCS employees.

(3) Before making a recommendation under subsection (1)(b), the Minister of Health and the Minister for ACC must be satisfied that the adjusted figure is a fair approximation of the actual distance HCS employees would travel between clients.

(4) Before making a recommendation under subsection (1)(c), the Minister of Health and the Minister for ACC must be satisfied that the adjusted figure is a fair approximation of the actual amount of time HCS employees would spend travelling between clients.

(5) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 28(2)(b): replaced, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Section 28(5): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

29 Annual review of Schedule 4

(1) The Minister of Health must, on or before 30 May 2017 and every 12 months after that date,—

(a) review clauses 1, 2(1), 3(1), and 4 of Schedule 4; and

(b) decide whether to recommend the making of an order under section 28(1).

(2) For the purpose of undertaking the review, the Minister must consult—

(a) the Minister for ACC; and

(b) ACC; and

(c) Health New Zealand; and

(d) all HCS employers listed in Schedule 3; and

(e) any unions representing 1 or more HCS employees.

Section 29(2)(c): replaced, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Part 3
Amendments to other Acts

30 Amendment to Minimum Wage Act 1983

(1) This section amends the Minimum Wage Act 1983.

(2) After section 9(d), insert:

(e) employees to whom the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016 applies, in respect of travel between clients (as defined in section 4 of that Act) undertaken by those employees.

31 Amendments to Employment Relations Act 2000

(1) This section amends the Employment Relations Act 2000.

(2) In section 5, definition of **minimum entitlements**, after "Holidays Act 2003", insert "or the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016".

(3) After section 161(1)(m)(iii), insert:

(iiia) under section 25 of the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016:

(4) After section 223(1)(c), insert:

(ca) the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016; and

(5) After section 236(4)(d), insert:

(da) the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016:

32 Amendment to Holidays Act 2003

(1) This section amends the Holidays Act 2003.

(2) After section 10, insert:

10A Treatment of payments made under Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016

For the purposes of sections 8, 9, and 14, the ordinary weekly pay, relevant daily pay, or gross earnings (as the case may be) of an employee—

(a) includes payments made to the employee under section 14 of the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016; but

(b) excludes payments made to the employee under section 19 of the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016.

Schedule 1
Transitional, savings, and related provisions

s 6

There are no transitional, savings, or related provisions relating to this Act as enacted.

Schedule 2
Former HCS employers

s 4

Capital Nursing & Home Care Limited (also known as Company2 Limited)

CHT Healthcare Trust (formerly Christian Healthcare Trust)

Devon Care Limited

Disability Resource Centre Hawkes Bay Trust (formerly Disability Resource Centre Hawkes Bay Incorporated)

Disability Resource Centre Southland

Dunedin Home Support Services

Five Pillars Limited

Graeme Alexander Pearson and Elizabeth Mary Pearson (trading as Dunedin Home Support and Southern Home Support)

Home Help Personal Care Professionals

Insight New Zealand 2007 Limited

IRIS Limited

Living Options Charitable Trust

Manawatu Supported Living Trust

McIsaac Healthcare Limited

Methodist Mission Northern

Mobilize Care & Training Limited

Mosgiel Abilities Resource Centre Incorporated

Nga Kakano Foundation Charitable Trust

Ngati Porou Hauora Incorporated

Ngati Ranginui Iwi Society Incorporated

Northlink Health Incorporated

Nursing Home Help Service Limited (also known as Clouds Limited)

Pacific Health Care Limited

Panacea Healthcare Limited

Piritahi Hau Ora Trust

Premier Health Care Limited

Presbyterian Support Otago Incorporated

Q-Nique Limited

Raukawa Trust Board

Rodney North Harbour Health Trust

Te Hauora O Turanganui a Kiwa Limited

Te Hauora Pou Heretanga Trust

Te Whānau O Waipareira Trust

Te Whatu Manawa Māori-Tanga O Rehua Trust Board

Te Whatuiapiti Trust

Te Whatuiapiti Trust Incorporated

The Community Nurses Limited (also known as Company3 Limited)

The Friendship Centre Trust

The Ngaiterangi Iwi Society Incorporated

Tuwharetoa Health Services Limited

Waiapu Anglican Social Services Trust

Schedule 3
HCS employers

ss 4, 27

Access HomeHealth Limited
Age Care Central Limited
Ali's Home Help Limited
Aotea Health Limited
Care on Call (NZ) Limited
CCS Disability Action Bay of Plenty Incorporated
CCS Disability Action Tairawhiti Hawkes Bay Incorporated
Central Health Limited
Central Otago Living Options Limited
Christchurch Residential Care (2011) Limited
Community Connections Supported Living Charitable Trust
Community Living Limited
Counties Manukau Homecare Trust
Disabilities Resource Centre Trust
Forward Care Home Health Limited
Geneva Healthcare Limited
Geneva Northlink Healthcare Limited
Good Partners Senior Care Limited
Health New Zealand
Healthcare of New Zealand Limited
Healthcare Rehabilitation Limited
Healthvision (New Zealand) Limited
Hokianga Health Enterprise Trust
Home Support North Charitable Trust
Howick Baptist Healthcare Limited
Huakina Development Trust Board
IDEA Services Limited
Independence House Connelly Trust
Korowai Aroha Trust
Lavender Blue Nursing and Home Care Agency Limited
Nelson Nursing Service Limited
New Zealand Care Limited

Ngati Hine Health Trust Board
Ngati Porou Hauora Charitable Trust Board
Ngati Ranginui Home and Community Support Services Company Limited
Ngati Whatua O Orakei Health Clinic Limited
Oceania Care Company Limited
Omahanui Homecare Limited
Pacific Island Homecare Services Trust
PACT Group
Pasifika Integrated Health Care Limited
Presbyterian Support Central Incorporated
Presbyterian Support (Northern) Incorporated
Presbyterian Support Services (South Canterbury) Incorporated
Presbyterian Support (Upper South Island) Incorporated
Rannerdale Home Care Limited
Royal District Nursing Service New Zealand Limited
Solora Limited
Spectrum Care Trust Board
Summerset Care Limited
Tautako Service Charitable Trust
Te Ata Resthome Limited
Te Hauora O te Hiku O te Ika Trust
Te Kohao Health Limited
Te Korowai Hauora o Hauraki Incorporated
Te Oranganui Trust Incorporated
Te Puna Ora O Mataatua Charitable Trust
Te Rūnanga O Ngāi Te Rangi Iwi Trust
Te Rūnanga O Ngāti Whātua
The Florence Nightingale Agency Limited
The Florence Nightingale Agency (Marlborough) Limited
The LIFEWISE Trust
The Nurse Maude Association
The Salvation Army New Zealand Trust
Timeout Carers Southland Trust
Tui Ora Limited
Tuwharetoa Health Charitable Trust

VisionWest Community Trust

Waiapu Anglican Social Services Trust Board

Waiheke Health Trust

Whaiora Homecare Services Incorporated

Whaioranga Trust

Schedule 3 item Auckland DHB: repealed, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Schedule 3 item Canterbury DHB: repealed, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Schedule 3 item Hawke's Bay DHB: repealed, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Schedule 3 item Health New Zealand: inserted, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Schedule 3 item Nelson Marlborough DHB: repealed, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Schedule 3 item Tairawhiti DHB (also known as Tairawhiti District Health and TDH): repealed, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Schedule 3 item Waikato DHB: repealed, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Schedule 3 item West Coast DHB: repealed, on 1 July 2022, by section 104 of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Schedule 4
Mileage rate, qualifying distance, qualifying travel time, and maximum travel distance

ss 4, 5, 17, 20, 28, 29

1 Mileage rate

The mileage rate is 50 cents per kilometre.

2 Qualifying distance

(1) The qualifying distance is 3.7 kilometres.

(2) An HCS employee's qualifying distance for a day is calculated as follows:

$$a = b \times (c - d - 1)$$

where—

a is the HCS employee's qualifying distance for the day

b is the qualifying distance specified in subclause (1)

c is the number of client visits for the HCS employee for that day

d is the number of client visits for the HCS employee for that day to get to which the employee undertook exceptional travel other than exceptional first client travel.

3 Qualifying travel time

(1) The qualifying travel time is 8 minutes and 30 seconds.

(2) An HCS employee's qualifying travel time for a day is calculated as follows:

$$a = b \times (c - d - 1)$$

where—

a is the HCS employee's qualifying travel time for the day

b is the qualifying travel time specified in subclause (1)

c is the number of client visits for the HCS employee for that day

d is the number of client visits for the HCS employee for that day to get to which the employee undertook exceptional travel other than exceptional first client travel.

4 Maximum travel distance

The maximum travel distance (for the purpose of determining whether travel between clients is exceptional travel) is 15 kilometres.

Notes

1 General

This is a consolidation of the Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Healthy Futures (Pae Ora) Amendment Act 2026 (2026 No 40): section 41(1)

Pae Ora (Disestablishment of Māori Health Authority) Amendment Act 2024 (2024 No 5): section 43

Pae Ora (Healthy Futures) Act 2022 (2022 No 30): section 104

Secondary Legislation Act 2021 (2021 No 7): section 3

Contract and Commercial Law Act 2017 (2017 No 5): section 347

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