



Canterbury Earthquake (Social Security Act) Order (No 2) 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 20th day of December 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 6 of the Canterbury Earthquake Response and Recovery Act 2010, His Excellency the Governor-General makes the following order acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the relevant Minister made in accordance with section 6(2) of that Act.

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Order

1 Title

This order is the Canterbury Earthquake (Social Security Act) Order (No 2) 2010.

2 Commencement

This order comes into force on the day after the date of its notification in the *Gazette*.

3 Expiry

This order expires on the close of 31 March 2012.

4 Interpretation and application

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

Act means the Social Security Act 1964

damage, in relation to premises, includes damage to any of the following:

- (a) the building or buildings that comprise the premises, or in which the premises are located;
- (b) the land on which the premises are situated;
- (c) any infrastructure required to provide essential services (such as water and sewerage) to the premises

remediation work means the repair or refurbishment of damaged buildings, land, or infrastructure, and includes the demolition and rebuilding of damaged buildings

specified area means the districts of the following territorial authorities:

- (a) Ashburton District Council;
- (b) Christchurch City Council;
- (c) Hurunui District Council;
- (d) Selwyn District Council;
- (e) Waimakariri District Council.

(2) Any term or expression that is not defined in this order but that is defined in the Act or in the Canterbury Earthquake Response and Recovery Act 2010 has, in this order, the meaning given to it by that Act.

- (3) The modifications or extensions to the Act made by this order do not affect the text of the Act but require it to be read as if it had been amended in the manner indicated in this order.

5 Definition of premises in section 61E of Act extended

For the purposes of the Canterbury Earthquake Response and Recovery Act 2010, the definition of premises in section 61E(1) of the Act also includes, in the case of premises owned by the person and situated in a specified area, premises that he or she occupied as a home at the date of the earthquake but does not currently occupy as a home because of damage caused by the earthquake, or remediation work being carried out in respect of that damage.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This Order in Council, which comes into force on the day after notification in the *Gazette* and expires on 31 March 2012, relates to accommodation supplements that may be paid to eligible persons under the Social Security Act 1964 (the **Act**). Accommodation supplements are a form of targeted financial assistance that may be paid to a person to help them meet their accommodation costs. In the case of homeowners, accommodation costs include such things as mortgage repayments and local authority rates.

The definition of a person's accommodation costs relates to premises which is, in turn, defined as "the place that he or she occupies as a home" (*see* section 61E of the Act). This order extends the definition of premises, insofar as it relates to homeowners in specified areas of Canterbury. The effect is to authorise the payment of accommodation supplements to homeowners in those areas who are otherwise eligible, but who no longer live in their homes as a result of dam-

age caused by the Canterbury earthquake, or who must vacate their homes for a period of time while repairs are carried out.

This Order in Council is made under the Canterbury Earthquake Response and Recovery Act 2010 and its effect is temporary.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 23 December 2010.
This order is administered by the Ministry of Social Development.
