



Social Security (Exemptions under Section 105) Amendment Regulations 2011

Anand Satyanand, Governor-General

Order in Council

At Wellington this 18th day of April 2011

Present:

His Excellency the Governor-General in Council

Pursuant to sections 123D and 132 of the Social Security Act 1964, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

These regulations are the Social Security (Exemptions under Section 105) Amendment Regulations 2011.

2 Commencement

These regulations come into force on 2 May 2011.

3 Principal regulations amended

These regulations amend the Social Security (Exemptions under Section 105) Regulations 1998.

4 Exemption from work test obligations: work-tested domestic purposes beneficiaries

Regulation 7(2) is amended by adding “; or” and also by adding the following paragraph:

“(c) the person has primary responsibility for the day-to-day care of a child, other than on a temporary basis, and the child—

“(i) is aged less than 6 years; and

“(ii) is not a dependent child of that person.”

5 New regulation 8 inserted

The following regulation is inserted after regulation 7:

“8 Exemption from work test obligations: work-tested sickness beneficiaries

“(1) A work-tested sickness beneficiary may apply under section 105 of the Act to be exempted from some or all of his or her work test obligations on any ground specified in regulation 4 or subclause (2).

“(2) A person described in subclause (1) may be granted an exemption from some or all of his or her work test obligations on the grounds that—

“(a) the person is engaged in study of a kind approved by the chief executive, and was so engaged when he or she became subject to the work test; or

“(b) the person is a patient in hospital care.

“(3) In subclause (2)(b), **hospital care** has the meaning given to it in section 4(1) of the Health and Disability Services (Safety) Act 2001.”

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 2 May 2011, amend the Social Security (Exemptions under Section 105) Regulations 1998. Section 105 of the Social Security Act 1964 allows a person of a specified category to apply for an exemption from his or her work test obligations or the obligation to participate in a work preparation exercise.

The amendments made by these regulations—

- allow a work-tested sickness beneficiary to apply for an exemption from his or her work test obligations and specify the grounds on which the exemption may be granted; and
- specify a further ground on which a work-tested domestic purposes beneficiary may be granted an exemption from his or her work test obligations.

Issued under the authority of the Acts and Regulations Publication Act 1989.

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These regulations are administered by the Ministry of Social Development.
