

Reprint
as at 26 November 2018



Social Security (Contracts and Information Sharing with Service Providers) Amendment Regulations 2013

(SR 2013/310)

Social Security (Contracts and Information Sharing with Service Providers) Amendment Regulations 2013: revoked, on 26 November 2018, pursuant to regulation 295(5) of the Social Security Regulations 2018 (LI 2018/202).

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 5th day of August 2013

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 132 of the Social Security Act 1964, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

| | Page |
|---|------|
| 1 Title | 2 |
| 2 Commencement | 2 |
| 3 Principal regulations | 2 |
| 4 Name of principal regulations changed | 2 |
| 5 Regulation 1 amended (Title) | 2 |

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.

These regulations are administered by the Ministry of Social Development.

| | | |
|----|---|---|
| 6 | Regulation 3 amended (Interpretation) | 2 |
| 7 | Part 1 heading amended | 3 |
| 8 | New cross-headings inserted | 3 |
| 9 | Regulation 5 amended (Services in relation to Part 5) | 3 |
| 10 | New Part 1A inserted | 3 |

Part 1A

Contracts for services for persons other than young persons

| | | |
|----|--|---|
| 5A | Services in relation to work preparation obligations | 3 |
| 5B | Services in relation to social obligations | 4 |
| 5C | Services in relation to work test obligations | 5 |
| 5D | Non-compulsory services accepted on voluntary basis | 5 |
| 5E | Services relating to assessment | 6 |
| 5F | Services for the provision of activities, pre-benefit activities, and budgeting advice | 6 |

Regulations

1 Title

These regulations are the Social Security (Contracts and Information Sharing with Service Providers) Amendment Regulations 2013.

2 Commencement

These regulations come into force on 6 September 2013.

3 Principal regulations

These regulations amend the regulations that were previously called the Social Security (Youth Support—Contracts and Information Sharing with Service Providers) Regulations 2012 (the **principal regulations**).

4 Name of principal regulations changed

As from the commencement of these regulations, the principal regulations are called the Social Security (Contracts and Information Sharing with Service Providers) Regulations 2012.

5 Regulation 1 amended (Title)

In regulation 1, delete “Youth Support—”.

6 Regulation 3 amended (Interpretation)

In regulation 3(1), insert in its appropriate alphabetical order:

main benefit has the same meaning as **main benefit under this Act** has in section 3(1) of the Act

7 Part 1 heading amended

In the Part 1 heading, replace “to encourage young persons to move to education, training, and employment” with “in relation to young persons”.

8 New cross-headings inserted

(1) Before regulation 4, insert:

Services to encourage young persons to move to education, training, and employment

(2) Before regulation 5, insert:

Services in relation to Part 5

9 Regulation 5 amended (Services in relation to Part 5)

After regulation 5(a), insert:

(ab) services relating to conducting assessments to inform decisions as to a young person’s eligibility for youth support payments:

10 New Part 1A inserted

After Part 1, insert:

Part 1A

Contracts for services for persons other than young persons

5A Services in relation to work preparation obligations

(1) The services set out in subclause (2) are services for the purposes of a contract under section 125A(1)(ab) of the Act where—

- (a) the contract is for the provision of services to beneficiaries for the purposes of Parts 1F and 2 and section 60GAG(1)(c)(i) of the Act; and
- (b) those beneficiaries are in receipt of a main benefit or are the spouse or partner of a person granted a main benefit; and
- (c) those beneficiaries are required to comply with section 60Q(2) and (3) of the Act or section 60Q(3) only.

(2) The services are—

- (a) services for the active case management of beneficiaries who have work preparation obligations under section 60Q of the Act;
- (b) services for carrying out an individualised needs assessment for each beneficiary;
- (c) services for planning for the preparation of a beneficiary for employment:

- (d) services for assisting a beneficiary to arrange and attend an interview for employment:
- (e) services for maintaining relationships between a beneficiary and his or her health and social service providers, prospective employers, and training or educational providers:
- (f) services for assisting, monitoring, or reporting on a beneficiary's compliance with his or her work preparation obligations under section 60Q of the Act:
- (g) services that facilitate access to other services that will assist the beneficiary to prepare for employment (such as transport and child care services):
- (h) services for identifying, and helping with, arrangements for overcoming factors that impede a beneficiary's entering or continuing in employment or both, including (but not limited to) domestic and social circumstances, health or disability conditions, drug or alcohol use, transportation, child care, and workplace facilities.

5B Services in relation to social obligations

- (1) The services set out in subclause (2) are services for the purposes of a contract under section 125A(1)(ab) of the Act for the provision of services to beneficiaries for the purposes of Part 1F and section 60GAG(1)(c)(ii) of the Act.
- (2) The services are—
 - (a) services for assisting a beneficiary to understand, or to take all reasonable steps to comply with, the following obligations:
 - (i) enrolling a dependent child in a recognised early childhood education programme and ensuring that the child attends that programme:
 - (ii) enrolling a dependent child at a registered school and ensuring that the child attends that school:
 - (iii) enrolling a dependent child with a primary health care provider:
 - (iv) ensuring that a dependent child completes a Well Child check or similar programme:
 - (b) services for assisting a beneficiary to prepare for and to attend an interview with the department:
 - (c) services for educating a beneficiary on how to report on his or her compliance with his or her social obligations under section 60RA of the Act:
 - (d) services for assisting, monitoring, or reporting on a beneficiary's compliance with his or her social obligations under section 60RA of the Act.

5C Services in relation to work test obligations

- (1) The services set out in subclause (2) are services for the purposes of a contract under section 125A(1)(ab) of the Act where—
 - (a) the contract is for the provision of services to beneficiaries for the purposes of Parts 1 to 1P and 2 and section 60GAG(1)(c)(iv) of the Act; and
 - (b) those beneficiaries are work-tested beneficiaries in receipt of a work-tested benefit.
- (2) The services are—
 - (a) services for the active case management of beneficiaries who have work test obligations under section 102A of the Act;
 - (b) services for carrying out an individualised needs assessment for each beneficiary;
 - (c) services for developing a plan for a beneficiary to achieve an employment outcome;
 - (d) services for assisting a beneficiary to arrange and attend an interview for employment;
 - (e) services for assisting a beneficiary to access activities or services that contribute to his or her plan to achieve an employment outcome;
 - (f) services for maintaining relationships between a beneficiary and his or her health and social service providers, prospective employers, and training or educational providers;
 - (g) services that facilitate access to other services that will assist a beneficiary to obtain employment (such as transport and child care services);
 - (h) services for identifying, and helping with, arrangements for overcoming factors that impede a beneficiary's entering or continuing in employment or both, including (but not limited to) domestic and social circumstances, health or disability conditions, drug or alcohol use, transportation, child care, and workplace facilities.

5D Non-compulsory services accepted on voluntary basis

- (1) The services set out in subclause (2) are services for the purposes of a contract under section 125A(1)(ab) of the Act for the provision of services to the following persons who are not subject to the obligations set out in section 60GAG(1)(c)(i) to (iv) of the Act but who voluntarily accept the provision of services relating to those obligations:
 - (a) beneficiaries in receipt of a main benefit;
 - (b) the spouse or partner of a beneficiary in receipt of a main benefit;
 - (c) other persons who are likely to apply for a main benefit if they cannot financially support themselves.
- (2) The services are—

- (a) services for identifying, and helping with, arrangements for overcoming factors that impede a beneficiary's entering or continuing in employment or both, including (but not limited to) domestic and social circumstances, health or disability conditions, drug or alcohol use, transportation, child care, and workplace facilities:
- (b) services for assessing whether a person is competent in money management or should be referred to budget services.

5E Services relating to assessment

- (1) The services set out in subclause (2) are services for the purposes of a contract under section 125A(1)(ab) of the Act where—
 - (a) the contract is for the provision of services for the purpose of any of Parts 1A to 1P or 2 of the Act; and
 - (b) the services are provided in relation to applicants for benefits or persons receiving a benefit described in any of those Parts of the Act.
- (2) The services are—
 - (a) services for assessing a person's eligibility for a benefit or other allowances or subsidies under the Act:
 - (b) services for assessing what services, activities, or employment are suitable for a beneficiary:
 - (c) services for making a work ability assessment or reassessment for the purposes of section 100B or 100C of the Act.

5F Services for the provision of activities, pre-benefit activities, and budgeting advice

- (1) The services set out in subclause (2) are services for the purposes of a contract under section 125A(1)(ab) of the Act where—
 - (a) the contract is for the provision of services for the purposes of any of Parts 1A, 1F, and 2 of the Act; and
 - (b) the services are provided in relation to applicants for benefits or persons receiving a benefit described in any of those parts.
- (2) The services are—
 - (a) services for the provision of pre-benefit activities for the purpose of section 11E(2) of the Act:
 - (b) services for the provision of activities for the purpose of section 60Q(3), 102A(1)(f), or 123B of the Act:
 - (c) services for the provision of budgeting advice.

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 6 September 2013, amend the regulations that were previously called the Social Security (Youth Support—Contracts and Information Sharing with Service Providers) Regulations 2012 (the **principal regulations**). The purpose of the principal regulations is to prescribe the services for which the chief executive of the Ministry of Social Development may contract under section 125A of the Social Security Act 1964 (the **Act**). Following amendments to the Act effected by the Social Security (Benefit Categories and Work Focus) Amendment Act 2013, the categories of contracts that may be entered into with service providers have been extended beyond contracts in relation to youth support only. Accordingly, in the first instance, these regulations rename the principal regulations, which are now called the Social Security (Contracts and Information Sharing with Service Providers) Regulations 2012.

These regulations insert *new Part 1A* (Contracts for services for persons other than young persons). This in turn breaks down into *new regulation 5A* (which provides for contracts for services in relation to work preparation obligations), *new regulation 5B* (which provides for contracts for services in relation to social obligations), *new regulation 5C* (which provides for contracts in relation to work test obligations), *new regulation 5D* (which provides for contracts for non-compulsory services accepted on a voluntary basis), *new regulation 5E* (which provides for contracts for services relating to assessments), and *new regulation 5F* (which provides for contracts for services for the provision of activities, pre-benefit activities, and budgeting advice).

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 8 August 2013.

Reprints notes

1 *General*

This is a reprint of the Social Security (Contracts and Information Sharing with Service Providers) Amendment Regulations 2013 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

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 Regulations 2018 (LI 2018/202): regulation 295(5)