



# Social Security (Cash Assets and Income Exemptions— Refunds of Specified Debt Repayments) Amendment Regulations 2019

Patsy Reddy, Governor-General

## Order in Council

At Wellington this 15th day of April 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 422(1), 423(1)(b), and 428(1) and (2)(d) and (f) of the Social Security Act 2018 on the advice and with the consent of the Executive Council.

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### Regulations

- 1 Title**  
 These regulations are the Social Security (Cash Assets and Income Exemptions—Refunds of Specified Debt Repayments) Amendment Regulations 2019.

**2 Commencement**

These regulations come into force on 16 April 2019.

**3 Principal regulations**

These regulations amend the Social Security Regulations 2018 (the **principal regulations**).

**4 Schedule 8 amended**

(1) In Schedule 8, clause 1, after item 18, insert:

19	Refund of a debt repayment to which clause 52 applies	Not cash assets of the person to whom the refund is made	Only for the first 12 months after the date on which the refund is made
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(2) In Schedule 8, clause 2, after item 19, insert:

20	Refund of a debt repayment to which clause 52 applies	Not cash assets of the person to whom the refund is made	Only for the first 12 months after the date on which the refund is made
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(3) In Schedule 8, clause 3, after item 6, insert:

7	Refund of a debt repayment to which clause 52 applies	Not chargeable income of the person to whom the refund is made	Only for the first 12 months after the date on which the refund is made
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(4) In Schedule 8, Part 4, after item 24, insert:

25	Refund of a debt repayment and income to which clause 52 applies	Not income for the person to whom the refund is made	Only for the first 12 months after the refund is made
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(5) In Schedule 8, clause 48(a), delete “person’s”.

(6) In Schedule 8, after Part 29, insert the Part 30 set out in the Schedule of these regulations.

**Schedule  
New Part 30 inserted into Schedule 8**

r 4(6)

**Part 30**

**Refunds of debt repayments made by recipients of recoverable financial assistance relating to alleged methamphetamine contamination**

**51 Interpretation**

In this Part, unless the context otherwise requires,—

**specified debt repayment** means a debt repayment made to MSD, on or after 1 July 2013, in respect of recoverable financial assistance granted to A to meet certain costs arising from Housing New Zealand Corporation's zero-tolerance methamphetamine contamination policy

**Housing New Zealand Corporation's zero-tolerance methamphetamine contamination policy** means the policy applied by Housing New Zealand Corporation on methamphetamine contamination between 1 July 2013 and 1 June 2018.

## 52 Payments and income

This clause applies to—

- (a) a refund to a person (A) of the amount of a specified debt repayment; and
- (b) any income derived (directly or indirectly) by A from the refund referred to in paragraph (a).

Michael Webster,  
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 16 April 2019, amend Schedule 8 of the Social Security Regulations 2018. The amendments relate to the circumstances where—

- the Ministry of Social Development (**MSD**) has granted a person recoverable financial assistance to meet certain costs incurred by the person as a result of Housing New Zealand Corporation's zero-tolerance methamphetamine contamination policy; and
- on or after 1 July 2013, the person has made a payment to MSD in reduction of the debt they owe MSD for the financial assistance received; and
- MSD refunds the amount of that repayment.

The amendments ensure that the amount of the refund, and related income, are not treated as cash assets or chargeable income for the purposes of determining the person's accommodation supplement or temporary additional support entitlements under the Social Security Act 2018 (the **Act**). They also ensure that the amount of the refund and income relating to that amount are not the person's income for the purposes of the Act.

**Social Security (Cash Assets and Income Exemptions—  
Refunds of Specified Debt Repayments) Amendment  
Regulations 2019**

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