



# Social Security (COVID-19—Temporary Additional Support and Expiry and Regrant of Benefits) Amendment Regulations 2020

Patsy Reddy, Governor-General

## Order in Council

At Wellington this 26th day of March 2020

Present:

The Right Hon Jacinda Ardern presiding in Council

These regulations are made under sections 428(1) and (2)(g) and 441(1) and (2)(c) 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 (COVID-19—Temporary Additional Support and Expiry and Regrant of Benefits) Amendment Regulations 2020.

### 2 Commencement

These regulations come into force on 30 March 2020.

### 3 Principal regulations

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

#### *Temporary additional support*

### 4 Regulation 67 amended (Prescribed period of support)

- (1) Before regulation 67(1), insert:

*Prescribed period*

- (2) Before regulation 67(1)(a), insert:

(aa) the exceptional circumstances longer fixed period (as defined by subclause (1B)), if subclause (1A) applies to the applicant; and

- (3) After regulation 67(1), insert:

*Exceptional circumstances longer fixed period*

- (1A) This subclause applies to the applicant if, when temporary additional support is granted, MSD considers that, because of exceptional circumstances, on a date (the **non-qualification date**) after (rather than before, or at) the end of the standard period—
- (a) the deficiency will reduce to nil; or
  - (b) the applicant will for any reason be ineligible for temporary additional support; or
  - (c) temporary additional support will for any reason not be payable to the applicant.
- (1B) The **exceptional circumstances longer fixed period** means a period that is fixed by MSD, but that must—
- (a) start at the same time as, but be longer than, the standard period; and
  - (b) end on or after the close of the day before the non-qualification date.
- (1C) In this regulation, **exceptional circumstances** includes, without limitation, any of the following:
- (a) a state of local emergency or state of national emergency in force under Part 4 of the Civil Defence Emergency Management Act 2002:

- (b) effects of an outbreak of a quarantinable disease in respect of which an epidemic notice has been given, and is in force, under section 5(1) of the Epidemic Preparedness Act 2006.

*Shorter fixed period*

*Expiry and regrant of benefits*

**5 Regulation 189 amended (Exemptions from expiry)**

After regulation 189(c), insert:

- (d) the beneficiary resides in, or is present in and cannot reasonably leave, an area that is or may be affected by an outbreak of a quarantinable disease in respect of which an epidemic notice has been given, and is in force, under section 5(1) of the Epidemic Preparedness Act 2006:
- (e) the beneficiary resides in, or is present in and cannot reasonably leave, an area that is or may be affected by any exceptional circumstances other than those prescribed by paragraphs (c) and (d).

*Transitional, savings, and related provisions*

**6 Schedule 1 amended**

In Schedule 1, insert in its appropriate numerical order the Part 4 set out in the Schedule of these regulations.

**Schedule**

**New Part 4 inserted into Schedule 1**

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**Part 4  
Provisions relating to Social Security (COVID-19—Temporary  
Additional Support and Expiry and Regrant of Benefits)  
Amendment Regulations 2020**

**4 Meaning of Amendment Regulations**

In this Part, **Amendment Regulations** means the Social Security (COVID-19—Temporary Additional Support and Expiry and Regrant of Benefits) Amendment Regulations 2020.

**5 Application of regulation 67(1)(aa), (1A), (1B), and (1C)**

Regulation 67(1)(aa), (1A), (1B), and (1C) applies only to temporary additional support granted after the commencement of the Amendment Regulations.

**6 Application of regulation 189(d) and (e)**

Regulation 189(d) and (e) prescribes circumstances in which MSD may, after the commencement of the Amendment Regulations, and under section 334 of the Act, consider an exemption from expiry under section 332 of the Act for a specified benefit that is—

- (a) a specified benefit granted before that commencement, but the expiry date for which is on or after that commencement; or
- (b) a specified benefit granted on or after that commencement.

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 30 March 2020, amend the Social Security Regulations 2018.

**Temporary additional support: prescribed period of support**

Regulation 67 is amended to prescribe a new exceptional circumstances longer fixed period for temporary additional support. This new prescribed period will apply instead of the standard period (13 weeks after temporary additional support commences) or any shorter fixed period. However, it will apply only if, when the support is granted, MSD considers that, because of exceptional circumstances (for example, effects of an outbreak of a quarantinable disease), the non-qualification date for the support will be after (rather than before, or at) the end of the standard period.

**Expiry and regrant of benefits: exemptions from expiry**

Regulation 189 is amended to prescribe new circumstances in which MSD may, under section 334 of the Social Security Act 2018, consider an exemption from expiry under section 332 of that Act for a specified benefit (jobseeker support or sole parent support). The circumstances are the beneficiary resides in, or is present in and cannot reasonably leave, an area that is or may be affected by—

- an outbreak of a quarantinable disease in respect of which an epidemic notice has been given, and is in force, under section 5(1) of the Epidemic Preparedness Act 2006; or
- exceptional circumstances other than a state of local emergency, a state of national emergency, or an outbreak of a quarantinable disease.

**Social Security (COVID-19—Temporary Additional  
Support and Expiry and Regrant of Benefits)  
Amendment Regulations 2020**

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