

**Reprint  
as at 22 September 2011**



**Social Security (Income  
Exemption: Health Services  
and Disability Support Services  
Funded or Provided by the Crown)  
Regulations 2007**

(SR 2007/167)

Social Security (Income Exemption: Health Services and Disability Support Services Funded or Provided by the Crown) Regulations 2007: revoked, on 22 September 2011, by regulation 47 of the Social Security (Income and Cash Assets Exemptions) Regulations 2011 (SR 2011/287).

Anand Satyanand, Governor-General

**Order in Council**

At Wellington this 18th day of June 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 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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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**These regulations are administered by the Ministry of Social Development.**

## Contents

		Page
1	Title	2
2	Commencement	2
3	Interpretation	2
4	Application	3
5	Specified items declared not to be income	3

## Regulations

- 1 Title**  
These regulations are the Social Security (Income Exemption: Health Services and Disability Support Services Funded or Provided by the Crown) Regulations 2007.
- 2 Commencement**  
These regulations come into force on 19 July 2007.
- 3 Interpretation**  
In these regulations, unless the context otherwise requires,—  
**Act** means the Social Security Act 1964  
**Crown** means all or any of the following:
- (a) the Sovereign in right of New Zealand; and
  - (b) all Ministers of the Crown, and all departments of the Public Service specified in Schedule 1 of the State Sector Act 1988; and
  - (c) Crown entities as defined in section 7(1) of the Crown Entities Act 2004 (for example, DHBs); and
  - (d) every other instrument of the Crown in respect of the Government of New Zealand, whether the instrument is or was an agency, corporation, department, division, enterprise, service, or otherwise
- DHB, disability support services, and health services** have the meanings given to them by section 6(1) of the New Zealand Public Health and Disability Act 2000  
**health or disability dependant**, in relation to any person (**A**), means any other person (**B**) who—
- (a) is not a dependent child of A; but

- (b) has an illness or sickness, injury, or disability; and
- (c) is a person for whose care A has the primary responsibility, other than on a temporary basis.

#### **4 Application**

The exemption in regulation 5 applies at any time after the person received the income concerned.

#### **5 Specified items declared not to be income**

- (1) The items of income specified in subclause (2) are not a person's income for the purposes of the Act.
- (2) The items of income are—
  - (a) the value of any health services, disability support services, or both,—
    - (i) provided on or after 19 July 2007 to all or any of the following:
      - (A) the person:
      - (B) a dependent child of the person:
      - (C) a health or disability dependant of the person; and
    - (ii) provided or funded (in whole or in part) by or on behalf of the Crown; and
  - (b) any payment—
    - (i) made on or after 19 July 2007 to the person, and used by the person for purchasing health services, disability support services, or both, for all or any of the following:
      - (A) the person:
      - (B) a dependent child of the person:
      - (C) a health or disability dependant of the person; and
    - (ii) made (in whole or in part) by or on behalf of the Crown.
- (3) Despite subclause (2), nothing in that subclause applies to services provided, or to any payment made, for the following reason, the following purpose, or both:
  - (a) because of an employment relationship to which the person is or was a party:

- (b) to enable the person to meet the person's ordinary living expenses.

Rebecca Kitteridge,  
for Clerk of the Executive Council.

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### **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 19 July 2007, are made under the Social Security Act 1964 (the **Act**). They declare 2 specified items of income not to be a person's income for the purposes of the Act. The exempted items of income are—

- the value of health services or disability support services—
  - provided on or after 19 July 2007 to the person, a dependent child of the person, or a health or disability dependant of the person; and
  - provided or funded by or on behalf of the Crown; and
- any payment—
  - made on or after 19 July 2007 to the person, and used by the person for purchasing health services or disability support services for the person, a dependent child of the person, or a health or disability dependant of the person; and
  - made by or on behalf of the Crown.

The exemption does not, however, apply to services provided, or payments made,—

- because of an employment relationship to which the person is or was a party; or
- to enable the person to meet the person's ordinary living expenses.

The exemption applies after receipt of the income concerned.

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Reprinted as at  
22 September 2011

**Social Security (Income Exemption:  
Health Services and Disability Support  
Services Funded or Provided by the  
Crown) Regulations 2007**

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 21 June 2007.

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## Contents

- 1 General
  - 2 Status of reprints
  - 3 How reprints are prepared
  - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
  - 5 List of amendments incorporated in this reprint (most recent first)
- 

## Notes

### 1 *General*

This is a reprint of the Social Security (Income Exemption: Health Services and Disability Support Services Funded or Provided by the Crown) Regulations 2007. The reprint incorporates all the amendments to the regulations as at 22 September 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

### 2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### **3     *How reprints are prepared***

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

### **4     *Changes made under section 17C of the Acts and Regulations Publication Act 1989***

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)

- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5** *List of amendments incorporated in this reprint  
(most recent first)*

Social Security (Income and Cash Assets Exemptions) Regulations 2011 (SR 2011/287): regulation 47

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