

**Reprint
as at 1 April 2013**



**Social Security (Rates of Benefits
and Allowances) Order 2012**

(SR 2012/21)

Social Security (Rates of Benefits and Allowances) Order 2012: revoked, on 1 April 2013, by clause 7(1) of the Social Security (Rates of Benefits and Allowances) Order 2013 (SR 2013/19).

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 27th day of February 2012

Present:

The Right Hon John Key presiding in Council

Pursuant to sections 61H and 61HA of the Social Security Act 1964 and section 15 of the New Zealand Superannuation and Retirement Income Act 2001, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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.

This order is administered by the Ministry of Social Development.

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Order

- 1 Title**
This order is the Social Security (Rates of Benefits and Allowances) Order 2012.
- 2 Commencement**
 - (1) Clause 6 and Part 1 of Schedule 1 come into force as stated in clause 6(2).
 - (2) Clause 8 and Part 1 of Schedule 2 come into force as stated in clause 8(2).

- (3) Clauses 10 and 11 and Schedule 3 come into force immediately after the commencement of clauses 8 and 9.
- (4) The rest of this order comes into force on 1 April 2012.

Order: validated and confirmed, on 12 December 2012, by section 11 of the Subordinate Legislation (Confirmation and Validation) Act 2012 (2012 No 97).

3 Date from which certain provisions to have effect

- (1) The following provisions, which make amendments under section 61H of the 1964 Act, have effect from 31 March 2012 (that is to say, at the beginning of 1 April 2012):
 - (a) clause 5:
 - (b) clause 7 and Part 2 of Schedule 1:
 - (c) clause 9 and Part 2 of Schedule 2:
 - (d) clause 10 and Schedule 3.
- (2) The amendments made by those provisions apply in accordance with section 61H(2) of the 1964 Act.

4 Interpretation

In this order,—

the 1964 Act means the Social Security Act 1964

the 2001 Act means the New Zealand Superannuation and Retirement Income Act 2001.

5 Increasing amounts of funeral grants: section 61H

- (1) In the 1964 Act, sections 61DB, 61DC, and 61DD, replace “\$1,925.34” with “\$1,959.42”.
- (2) The amendments made by subclause (1) apply, in accordance with section 61H(2) of the 1964 Act, only in respect of persons who die on or after 1 April 2012.

6 Increasing asset and income limits and certain benefits and allowances payable under 1964 Act: section 61HA

- (1) In each provision of the 1964 Act listed in the first column of Part 1 of Schedule 1, replace the amount set out opposite to it in the second column with the amount set out opposite to it in the third column in each place.
- (2) By virtue of section 61HA(5) of the 1964 Act, this clause and Part 1 of Schedule 1—

- (a) come into force on 1 April 2012; and
- (b) apply to benefits (within the meaning of that Act) payable on and after that date.

7 Increasing asset and income limits and certain benefits and allowances payable under 1964 Act: section 61H

In each provision of the 1964 Act listed in the first column of Part 2 of Schedule 1, replace the amount set out opposite to it in the second column with the amount set out opposite to it in the third column.

8 Increasing New Zealand superannuation, etc, payable under 2001 Act: section 15

- (1) In each provision of the 2001 Act listed in the first column of Part 1 of Schedule 2, replace the amount set out opposite to it in the second column with the amount set out opposite to it in the third column.
- (2) By virtue of section 15(6) of the 2001 Act, this clause and Part 1 of Schedule 2—
 - (a) come into force on 1 April 2012; and
 - (b) apply to New Zealand superannuation (within the meaning of that Act) payable on and after that date.

9 Increasing New Zealand superannuation, etc, payable under 2001 Act: section 61H

In each provision of the 2001 Act listed in the first column of Part 2 of Schedule 2, replace the amount set out opposite to it in the second column with the amount set out opposite to it in the third column.

10 Further increases to certain amounts: section 61H

- (1) The amounts set out in clauses 1(a) to (c) and 2(a) and (b) of Schedule 1 of the 2001 Act are further increased in the manner provided in subclause (2).
- (2) In each provision of the 2001 Act listed in the first column of Schedule 3, replace the amount set out opposite to it in the second column with the amount set out opposite to it in the third column.

11 Consequential revocation

The Social Security (Rates of Benefits and Allowances) Order 2011 (SR 2011/16) is revoked.

Schedule 1
Increases to asset and income limits and certain benefits and allowances payable under 1964 Act

cls 6, 7

Part 1
Increases under section 61HA

Provisions amended	Amount replaced (\$)	Replacement amount (\$)
<i>Schedule 3</i>		
Clause 1	288.47	293.58
Clause 2	209.78	213.49
<i>Schedule 4</i>		
Clause 1(a)	195.96	199.43
Clause 1(b)	179.25	182.42
Clause 1(c)	162.43	165.31
Clause 1(d)	139.97	142.45
<i>Schedule 6</i>		
Clause 1(a)	203.71	207.32
Clause 1(b)	251.73	256.19
Clause 1(c)	330.70	336.55
Clause 1(e)	209.78	213.49
Clause 1(f)	209.78	213.49
Clause 1(g)	209.78	213.49
Clause 2	339.78	343.49
	41.95	42.70
<i>Schedule 9</i>		
Clause 1(aa)	134.26	136.64
Clause 1(a)	167.83	170.80
Clause 1(b)	201.40	204.96
Clause 1(c)	288.47	293.58
Clause 1(d)	167.83	170.80
Clause 1(e)	167.83	170.80
Clause 1(f)	167.83	170.80

Part 1—*continued*

Provisions amended	Amount replaced (\$)	Replacement amount (\$)
Clause 2	167.83	170.80
Clause 5	167.83	170.80
<i>Schedule 16</i>		
Clause 1	288.47	293.58
Clause 2	209.78	213.49
<i>Schedule 17</i>		
Clause 1	203.71	207.32
Clause 2	251.73	256.19
Clause 3	330.70	336.55
Clause 5	209.78	213.49
Clause 6	209.78	213.49
Clause 7	209.78	213.49
Clause 8	209.78	213.49
<i>Schedule 22</i>		
Clause 1	41.64	42.38
<i>Schedule 26</i>		
Clause 1	167.83	170.80
Clause 2	167.83	170.80
Clause 3	167.83	170.80

Part 2

Increases under section 61H

Provisions amended	Amount replaced (\$)	Replacement amount (\$)
<i>Schedule 19</i>		
Clause 1	44.55	45.34
Clause 2	59.12	60.17
Clause 3	36.88	37.53

Part 2—*continued*

Provisions amended	Amount replaced (\$)	Replacement amount (\$)
<i>Schedule 31</i>		
Clause 1	1,007.28	1,025.11
Clause 2	1,678.39	1,708.10
Clause 3	1,322.59	1,346.00
Clause 4	1,420.74	1,445.89
Clause 5	460.09	468.23
Clause 6	528.79	538.15
Clause 7	768.03	781.62
Clause 8	641.65	653.01
Clause 9	676.01	687.98
Clause 10	497.21	506.01
Clause 11	575.48	585.67
Clause 12	851.83	866.91
Clause 13	693.45	705.72
Clause 14	730.60	743.53

Schedule 2

cls 8, 9

**Increases to New Zealand superannuation,
etc, payable under 2001 Act**

Part 1

Increases under section 15

Provisions amended	Amount replaced (\$)	Replacement amount (\$)
<i>Schedule 1</i>		
Clause 1(a)	389.14	396.39
Clause 1(b)	357.40	364.18
Clause 1(c)	294.08	299.58
Clause 2(b)	556.62	567.16

Part 2
Increases under section 61H

Provisions amended	Amount replaced (\$)	Replacement amount (\$)
<i>Schedule 1</i>		
Clause 2(a)	588.16	599.16
Clause 3	41.64	42.38
Clause 4	36.88	37.53

Schedule 3
**Further increases to New Zealand
superannuation, etc, payable under 2001
Act**

cl 10

Provisions amended	Amount replaced (\$)	Replacement amount (\$)
<i>Schedule 1</i>		
Clause 1(a)	396.39	400.07
Clause 1(b)	364.18	367.45
Clause 1(c)	299.58	302.40
Clause 2(a)	599.16	604.80
Clause 2(b)	567.16	572.58

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 April 2012, increases most benefits, pensions, and allowances to reflect a 1.77% increase in the New Zealand Consumers Price Index from the December 2010 quarter to the December 2011 quarter (calculated for all quarters using the CPI All Groups excluding cigarettes and other tobacco products).

Clause 5 increases the amounts of funeral grants payable under the Social Security Act 1964 (the **1964 Act**) in respect of people who die on or after 1 April 2012.

Clause 6 and Part 1 of Schedule 1 make amendments required by section 61HA of the 1964 Act to increase the following benefits: widow's, orphan's, unsupported child's, invalid's, unemployment, sickness, domestic purposes, independent youth, and related emergency benefits, and the long-term hospital rate. The maximum amount of income that a blind beneficiary may earn, and still receive a subsidy, is also increased.

Clause 7 and Part 2 of Schedule 1 make amendments under section 61H of the 1964 Act to increase child disability and disability allowances, and the asset and income limits in Schedule 31 of the 1964 Act.

Clause 8 and Part 1 of Schedule 2 make amendments required by section 15 of the New Zealand Superannuation and Retirement Income Act 2001 (the **2001 Act**) to Schedule 1 of that Act, to increase the rates of New Zealand superannuation entitlements. The rates of New Zealand superannuation that are amended are the gross rates, but the CPI adjustment has been calculated in relation to the net rate in each case.

Clause 9 and Part 2 of Schedule 2 are also made under section 61H of the 1964 Act, and make further amendments to Schedule 1 of the 2001 Act.

Clause 10 and Schedule 3 make some additional increases to figures already increased by *clauses 8 and 9, and Schedule 2*, to honour the Government's commitments in relation to the level of New Zealand superannuation.

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Notes

1 *General*

This is a reprint of the Social Security (Rates of Benefits and Allowances) Order 2012. The reprint incorporates all the amendments to the order as at 1 April 2013, 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 (Rates of Benefits and Allowances) Order 2013 (SR 2013/19):
clause 7(1)

Subordinate Legislation (Confirmation and Validation) Act 2012 (2012 No 97):
section 11
