



Social Security Amendment Regulations 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 25th day of February 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 422, 423, 424, and 428 of the Social Security Act 2018 on the advice and with the consent of the Executive Council.

Contents

	Page
1 Title	1
2 Commencement	1
3 Principal regulations	2
4 Regulation 55 amended (Funeral grants: amounts)	2
5 Regulation 71 amended (Allowable costs)	2
6 Schedule 2 amended	2
7 Schedule 8 amended	2

Regulations

1 Title

These regulations are the Social Security Amendment Regulations 2019.

2 Commencement

These regulations come into force on 1 April 2019.

3 Principal regulations

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

4 Regulation 55 amended (Funeral grants: amounts)

In regulation 55, replace “\$2,058.52” with “\$2,093.31”.

5 Regulation 71 amended (Allowable costs)

(1) In regulation 71(3)(a), replace “\$26.05” with “\$26.49”.

(2) In regulation 71(3)(b), replace the table with:

Payments for essential household items		
Column 1	Column 2	Column 3
Essential household item	Maximum number of items	Maximum weekly amount (\$)
Beds (including mattresses)		31.19
Combined refrigerator-freezer	1	24.68
<i>or</i>	<i>or</i>	<i>or</i>
Separate refrigerator and separate freezer	1 of each if separate items	24.68 in total if separate items
Dining suite	1	31.19
Lounge suite	1	31.19
Portable heaters		16.88
Washing machine	1	24.68
Stove	1	24.68
Television set	1	23.38

(3) In regulation 71(3)(d), (9), and (10), replace “\$24.27” with “\$24.68”.

(4) In regulation 71(3)(h) and (i), replace “\$65.60” with “\$66.71”.

6 Schedule 2 amended

(1) In Schedule 2, items 1(a), 2(a), and 3(a), replace “\$5.13” with “\$5.22”.

(2) In Schedule 2, items 1(b), 2(b), and 3(b), replace “\$4.09” with “\$4.16”.

(3) In Schedule 2, items 1(c), 2(c), and 3(c), replace “\$2.86” with “\$2.91”.

(4) In Schedule 2, items 1(d), 2(d), and 3(d), replace “\$1.59” with “\$1.62”.

7 Schedule 8 amended

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

1A	An accommodation supplement arrears lump sum payment to which clause 6A applies	Not cash assets for the person to whom the payment was made	Only for the first 12 months after the payment is made
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(2) In Schedule 8, clause 2, table, after item 1, insert:

- | | | | |
|----|---|---|--|
| 1A | An accommodation supplement arrears lump sum payment to which clause 6A applies | Not cash assets for the person to whom the payment was made | Only for the first 12 months after the payment is made |
|----|---|---|--|
- (3) In Schedule 8, clause 3, table, after item 1, insert:
- | | | | |
|----|---|---|--|
| 1A | An accommodation supplement arrears lump sum payment to which clause 6A applies, and any income derived by the person from that payment | Not chargeable income for the person to whom the payment was made | Only for the first 12 months after the payment is made |
|----|---|---|--|
- (4) In Schedule 8, clause 4, table, after item 1, insert:
- | | | | |
|----|---|--|--|
| 1A | An accommodation supplement arrears lump sum payment to which clause 6A applies | Not income for the person to whom the payment was made | Only for the first 12 months after the payment is made |
|----|---|--|--|
- (5) In Schedule 8, replace the heading to clause 6 with “**Payments for specified processing error**”.
- (6) In Schedule 8, after clause 6, insert:
- 6A Payments for specified area boundary error**
- (1) This clause applies to a lump sum payment of arrears of accommodation supplement made to a person, on or after 1 April 2019, as a result of the responsible department (as defined in Schedule 2 of the Act) correcting a specified area boundary error.
- (2) For the purposes of this clause, **specified area boundary error**, in relation to a person, means incorrect data relating to the person’s accommodation costs (within the meaning of section 61E of the Social Security Act 1964) being entered—
- into a computer system operated by or on behalf of the responsible department; and
 - as a result of a failure to update the applicable parts of New Zealand in accordance with the definitions of Area 1, Area 2, Area 3, or Area 4 contained in Schedule 18 of the Social Security Act 1964; and
 - at any time in the period of 1 April 2005 to the close of 31 March 2018 (inclusive).
- (7) In Schedule 8, after clause 18(2)(a)(viii), insert:
- | | |
|------|--|
| (ix) | payments received on or after 1 April 2019 but before the close of 31 March 2020, \$3.57 per hour; and |
|------|--|

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 1 April 2019, are made under the Social Security Act 2018 (the **Act**). They amend the Social Security Regulations 2018 (the **principal regulations**) by increasing—

- the amount payable under the Act as a funeral grant; and
- the limits on certain allowable costs for which temporary additional support may be granted under the Act; and
- the rates of childcare and OSCAR (out-of-school care and recreation) subsidies available under the Act to certain caregivers with dependent children; and
- payments to an educator for providing a home-based education and care service for a child.

The increases reflect a 1.69% increase in the New Zealand Consumers Price Index from the December 2017 quarter to the December 2018 quarter (calculated for all quarters using the New Zealand Consumers Price Index (All Groups), excluding cigarettes and other tobacco products).

These regulations also insert new exemptions into Schedule 8 of the principal regulations to ensure that any payment received by a person on or after 1 April 2019 to correct an underpayment of their accommodation supplement between 1 April 2005 and the close of 31 March 2018 (inclusive) is not treated as income or cash assets for the purposes of determining their benefit entitlements under the Act. The exemptions apply only in respect of the first 12 months after the payment concerned was made.

Issued under the authority of the Legislation Act 2012.

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These regulations are administered by the Ministry of Social Development.