



ANALYSIS

Title 1. Short Title	2. Grants for incorporating essential features in homes 3. Provision of aids and appliances
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1984, No. 20

An Act to amend the Disabled Persons Community Welfare Act 1975

[14 December 1984]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Disabled Persons Community Welfare Amendment Act 1984, and shall be read together with and deemed part of the Disabled Persons Community Welfare Act 1975 (hereinafter referred to as the principal Act).

2. Grants for incorporating essential features in homes—(1) The principal Act is hereby amended by repealing section 14, and substituting the following section:

“14. (1) Subject to subsections (2) and (3) of this section, the Director-General may in his discretion grant in respect of any disabled person, subject to such conditions as he considers fit to specify, a suspensory loan for the purpose of incorporating essential features in a home or making essential alterations or additions to a home to—

“(a) Accommodate a wheelchair, walking frame, or other appliance that is necessary for the general welfare of the disabled person:

“(b) Provide handrails, handgrips, or similar aids for the assistance of the disabled person in or about that home:

“(c) Provide such alterations to plumbing, electrical fittings, and kitchen facilities as the Director-General considers necessary having regard to the person’s disability:

“(d) Provide a separate bedroom for use by the disabled person if such provision is considered by the Director-General to be necessary to enable the disabled person to remain in his own home.

“(2) A suspensory loan may be granted under subsection (1) of this section to any person who is either entitled to make alterations or additions to an existing home, or is involved in building a new home, in which a disabled person resides or intends to reside, if the disabled person or the person who has the care of the disabled person is the owner or tenant of the home.

“(3) The Director-General shall not make a grant under this section unless he is satisfied that the disabled person can be expected to enjoy the benefit of the features proposed to be incorporated or of the proposed alterations or additions for a period sufficient to justify the amount of the expenditure involved, having regard to—

“(a) The nature of the interest in the land on which the home is situated of the disabled person or of the person with whom he resides; and

“(b) The permanency, by reason of any blood or marriage relationship or friendship or other circumstances, of any link between the disabled person and any person who may be caring for him in the home.

“(4) A suspensory loan granted under this section may be secured against the interest in the land of the owner of the home that is to be altered or added to or that is being built, to accommodate a disabled person, by way of a memorandum of mortgage registered under the Land Transfer Act 1952; in which event no fees shall be charged by the District Land Registrar under that Act for the registration of the memorandum of mortgage, any subsequent variation of it, or its discharge.”

(2) The Disabled Persons Community Welfare Amendment Act 1980 is hereby consequentially repealed.

3. Provision of aids and appliances—The principal Act is hereby amended by inserting, after section 15, the following section:

“15A. (1) Subject to subsection (2) of this section, the Director-General, after consultation with an Area Health Board specialist or Hospital Board specialist or other appropriately qualified person, may in his discretion make a grant of money or grant a suspensory loan, subject to such conditions as he thinks fit to specify, for the purpose of—

“(a) Providing a profoundly deaf or similarly disabled child or young person with a communication aid which is required to enable the child or young person to undertake pre-school, primary, secondary, or tertiary education:

“(b) Providing a disabled person with any aid or appliance which is required to enable the disabled person—

“(i) To undertake education or vocational training or employment; or

“(ii) To remain in or return to the person’s own home or other private accommodation.

“(2) Financial assistance shall not be given under subsection (1) of this section in respect of any aid or appliance which is available to the disabled person free of charge from an area health board or Hospital Board.”

This Act is administered in the Department of Social Welfare.
