



## ANALYSIS

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1968, No. 44

**An Act to amend the Social Security Act 1964**

[4 December 1968]

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 Social Security Amendment Act 1968, and shall be read together with and deemed part of the Social Security Act 1964 (hereinafter referred to as the principal Act).

**PART I**

**MONETARY BENEFITS**

**2. Interpretation**—Section 3 of the principal Act is hereby amended by inserting in subsection (1), after the definition of the term “Department”, the following definition:

“‘Family maintenance allowance’ means a family maintenance allowance granted under section 61A of this Act:”.

**3. Subsidy on earnings of blind beneficiaries**—Section 43 of the principal Act is hereby amended by omitting from the proviso the words “(other than a family benefit)”, and substituting the words “(other than a family benefit and a family maintenance allowance)”.

**4. New sections inserted**—(1) The principal Act is hereby amended by inserting, after section 61, the following heading and sections:

*“Family Maintenance Allowances*

“61A. **Family maintenance allowances**—(1) Subject to the provisions of this Part of this Act, on the application of a beneficiary who is—

- “(a) In receipt of an age, invalid’s, sickness, unemployment, or emergency benefit; and
- “(b) Caring for a child or children to the satisfaction of the Commission; and
- “(c) Unable, because of age, disablement, domestic circumstances, or any other reason, to adequately support and maintain himself or herself, as the case may be, and his wife or her husband (if any), and every child being maintained as a member of his or her family—

the Commission may, in its discretion, increase the benefit by a family maintenance allowance at such rate as the Commission determines, being not more than the appropriate rate specified in the Fourteenth Schedule to this Act.

“(2) The amount of a sickness benefit and the amount of any family maintenance allowance added to such a benefit under subsection (1) of this section shall not in any case together exceed the amount by which the weekly earnings of the beneficiary have been reduced because of his incapacity.

“61B. **Special provisions in respect of family maintenance allowances**—(1) In this section the term ‘beneficiary’ means an applicant for a family maintenance allowance or a person to whom such an allowance has been granted.

“(2) If a beneficiary is living apart from her husband or his wife, as the case may be, the Commission may decline to grant

or may discontinue payment of a family maintenance allowance unless the beneficiary takes proceedings under the Destitute Persons Act 1910 for a maintenance order in respect of herself or himself, as the case may be, or in respect of any child or children of the beneficiary.

“(3) The provisions of section 25 of this Act shall, with the necessary modifications, apply to every beneficiary who is living apart from her husband or his wife, as the case may be, as if the family maintenance allowance were a benefit granted under section 23 of this Act.

“(4) Notwithstanding anything to the contrary in the Destitute Persons Act 1910, if—

“(a) The husband or wife of any beneficiary is required to make periodical payments of sums of money towards the maintenance of the beneficiary or any child or children of the beneficiary in accordance with a maintenance agreement that is for the time being registered under section 47B of that Act; or

“(b) The sums of money payable to a beneficiary in accordance with a maintenance order made under that Act have been consented or agreed to by both the beneficiary and the person liable to pay the money—

and the amount of the sums of money so payable is, in the opinion of the Commission, inadequate for the maintenance of the beneficiary or any child or children of the beneficiary, the Commission may apply to the Magistrate's Court in which the agreement was registered or which made the order, as the case may be, for a variation of the agreement or order that increases the amount of the sums of money so payable or that varies the agreement or order in any other way whatsoever.”

(2) The principal Act is hereby further amended by adding the Fourteenth Schedule set out in the First Schedule to this Act.

(3) This section and the First Schedule to this Act shall be deemed to have come into force on the seventh day of August, nineteen hundred and sixty-eight.

(4) Notwithstanding the provisions of section 80 of the principal Act, every family maintenance allowance granted under section 61A of the principal Act (as inserted by subsection (1) of this section) shall commence on the seventh day of August, nineteen hundred and sixty-eight, or on the date on which the applicant for the allowance became qualified to receive it (whichever is the later), if the application for the allowance is made on or before the sixth day of November, nineteen hundred and sixty-eight.

**5. Termination of benefit on death of beneficiary**—Subsection (2) of section 85 of the principal Act (as substituted by section 4 (1) of the Social Security Amendment Act 1967) is hereby amended—

- (a) By inserting in paragraph (a), after the words “yearly rate of benefit”, the words “, including family maintenance allowance (if any),”:
- (b) By inserting in paragraph (c), after the words “had the benefit”, the words “, including family maintenance allowance (if any),”.

**6. Increasing rates of benefits**—(1) The principal Act is hereby further amended by repealing the First to Twelfth Schedules (as substituted by section 6 (1) of the Social Security Amendment Act 1967), and substituting the First to Twelfth Schedules set out in the Second Schedule to this Act.

(2) Section 6 of the Social Security Amendment Act 1967 and the Schedule to that Act are hereby repealed.

(3) This section and the Second Schedule to this Act shall be deemed to have come into force on the twelfth day of June, nineteen hundred and sixty-eight.

## PART II

### MEDICAL AND HOSPITAL BENEFITS AND OTHER RELATED BENEFITS

**7. Supplementary benefits**—(1) Section 116 of the principal Act is hereby amended by inserting in subsection (2), after the word “hospitals”, the words “or elsewhere”.

(2) Regulation 3 of the Social Security (Hospital Benefits for Out-patients) Regulations 1947 shall be deemed to be and always to have been validly made.

## PART III

### GENERAL PROVISIONS

**8. Money payable out of Consolidated Revenue Account**—Section 124 of the principal Act is hereby amended by adding the following subsection:

“(3) Where, pursuant to paragraph (d) of subsection (1) of this section, any payment is made out of the Consolidated Revenue Account to any person by way of supplementary assistance, the provisions of section 71 of this Act shall apply to the supplementary assistance as if it were a benefit.”

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## SCHEDULES

### FIRST SCHEDULE

Section 4 (2)

#### NEW FOURTEENTH SCHEDULE TO PRINCIPAL ACT

*(Effective on and from 7 August 1968)*

### “FOURTEENTH SCHEDULE

Section 61A

#### MAXIMUM RATES OF FAMILY MAINTENANCE ALLOWANCES

1. To any person receiving an emergency benefit payable otherwise than by weekly instalments, or an age or invalid's benefit—
  - (a) At the rate payable to an unmarried beneficiary—
    - (i) On account of first or only dependent child \$455 a year.
    - (ii) On account of each additional dependent child after the first \$52 a year.
  - (b) At the rate payable to a married beneficiary—
    - (i) On account of second dependent child \$26 a year.
    - (ii) On account of each additional dependent child after the second \$52 a year.
  
2. To any person receiving an emergency benefit payable by weekly instalments, or a sickness or unemployment benefit—
  - (a) At the rate payable to an unmarried beneficiary—
    - (i) On account of first or only dependent child \$8.75 a week.
    - (ii) On account of each additional dependent child after the first \$1 a week.

FIRST SCHEDULE—*continued*

- (b) At the rate payable to a married beneficiary—
- (i) On account of second dependent child 50c a week.
- (ii) On account of each additional dependent child after the second \$1 a week.”
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Section 6 (1)

## SECOND SCHEDULE

## NEW FIRST TO TWELFTH SCHEDULES TO PRINCIPAL ACT

*(Effective on and from 12 June 1968)*

Section 15

## “FIRST SCHEDULE

## RATES OF SUPERANNUATION BENEFITS

1. In every case ..... \$585 a year.
  2. The rate specified in clause 1 of this Schedule may, in the discretion of the Commission, be increased by \$52 a year in any case where the beneficiary is an unmarried person:  
 Provided that the Commission may refuse to increase any benefit under this clause in any case where, in the opinion of the Commission, the beneficiary is sharing household expenses with any other person.
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Sections 18, 19, 20

## “SECOND SCHEDULE

## RATES OF AGE BENEFITS

1. (a) To any unmarried beneficiary \$637 a year diminished by \$2 for every complete \$2 of the annual income of the beneficiary in excess of \$416 a year.
- (b) To a married beneficiary whose wife or husband is granted an age benefit or invalid's benefit in her or his own right \$585 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and his or her spouse in excess of \$416 a year.
- (c) To a married male beneficiary whose wife is not granted a benefit in her own right \$585 a year, increased by \$585 a year in respect of his wife, the total rate to be diminished by \$2 for every complete \$2 of the total annual income of the beneficiary and his wife in excess of \$416 a year.

"SECOND SCHEDULE—*continued*

- (d) To any other married beneficiary \$585 a year, diminished by \$2 for every complete \$2 of the total annual income of the beneficiary and the spouse of the beneficiary, including the amount of any benefit under Part I of this Act (other than an increase of benefit under section 69) granted to the spouse of the beneficiary in excess of \$1,001 a year:

Provided that the rate specified in paragraph (a) of this clause may, in the discretion of the Commission, be reduced by an amount not exceeding \$52 a year in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person:

Provided also that in computing for the purposes of this clause the income of any totally blind person the Commission shall take no account of the personal earnings of that person:

Provided further that in any case where a beneficiary is totally blind, the rate of the age benefit, together with any benefits and allowances payable to or in respect of the wife or husband of the beneficiary, shall not be less than the aggregate rate of the benefits and allowances that would have been payable to or in respect of the beneficiary and his or her spouse if the beneficiary had been eligible for an invalid's benefit.

2. Special income exemption where application for age benefit deferred \$13 a year in respect of each year of deferment.
3. Additional age benefit for South African war veterans, in every case \$52 a year.

## "THIRD SCHEDULE

Sections 21, 24

## RATES OF WIDOWS' BENEFITS

1. To a beneficiary without dependent children \$637 a year, diminished by \$2 for every complete \$2 of the annual income of the beneficiary in excess of \$416 a year
2. To a beneficiary with one or more dependent children \$637 a year, increased, in the discretion of the Commission, by a mother's allowance not exceeding the appropriate rate specified in clause 3 of this Schedule, and diminished by \$2 for every complete \$2 of the annual income of the beneficiary in excess of \$624 a year.
3. Additional mother's allowance to a beneficiary—  
 (a) On account of first or only dependent child \$455 a year.

"THIRD SCHEDULE—*continued*

- (b) On account of each additional dependent child after the first \$52 a year.
4. The rates specified in clauses 1 and 2 of this Schedule may, in the discretion of the Commission, be reduced by an amount not exceeding \$52 a year in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person.

## Section 29

"FOURTH SCHEDULE

MAXIMUM RATE OF ORPHANS' BENEFITS

In every case ..... \$325 a year, diminished by \$2 for every complete \$2 of the annual income of the orphan in excess of \$104 a year.

## Section 34

"FIFTH SCHEDULE

RATES OF FAMILY BENEFITS

In respect of each child ..... \$1.50 a week.

## Sections 42, 43

"SIXTH SCHEDULE

RATES OF INVALIDS' BENEFITS

1. (a) To an unmarried beneficiary under the age of 20 years \$559 a year, diminished by \$2 for every complete \$2 of the annual income of the beneficiary in excess of \$416 a year.
- (b) To any other unmarried beneficiary \$637 a year, diminished by \$2 for every complete \$2 of the annual income of the beneficiary in excess of \$416 a year.
- (c) To a married beneficiary whose wife or husband is granted an age benefit or invalid's benefit in her or his own right \$585 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and his or her spouse in excess of \$416 a year.
- (d) To a married male beneficiary whose wife is not granted a benefit in her own right \$585 a year, increased by \$585 a year in respect of his wife, the total rate to be diminished by \$2 for every complete \$2 of the total annual income of the beneficiary and his wife in excess of \$416 a year.

"SIXTH SCHEDULE—*continued*

- (e) To any other married beneficiary \$585 a year, diminished by \$2 for every complete \$2 of the total annual income of the beneficiary and the spouse of the beneficiary, including the amount of any benefit under Part I of this Act (other than an increase under section 69 of this Act) granted to the spouse of the beneficiary, in excess of \$1,001 a year:

Provided that the rates specified in paragraphs (a) and (b) of this clause may, in the discretion of the Commission, be reduced by an amount not exceeding \$52 a year in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person:

Provided also that in computing for the purposes of this clause the income of any totally blind person, the Commission shall take no account of the personal earnings of that person.

2. Maximum amount from all sources where subsidy paid on earnings of blind invalid, in every case \$1,313 a year, increased, in the discretion of the Commission, by \$52 a year where the beneficiary is an unmarried person.

"SEVENTH SCHEDULE

Sections 49, 53

RATES OF MINERS' BENEFITS AND MINERS' WIDOWS' BENEFITS

1. (a) To a married miner ..... \$585 a year, increased by \$585 a year in respect of his wife.  
 (b) In any other case ..... \$637 a year.  
 2. To a miner's widow ..... \$572 a year.  
 3. The rates specified in paragraph (b) of clause 1 and clause 2 of this Schedule may, in the discretion of the Commission, be reduced by an amount not exceeding \$52 a year in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person.

"EIGHTH SCHEDULE

Section 55

RATES OF SICKNESS BENEFIT

1. (a) To an unmarried beneficiary under the age of 20 years without dependants \$9.75 a week, diminished by 10c for every complete 10c of the weekly income of the beneficiary in excess of \$8 a week.  
 (b) To any other unmarried beneficiary \$12.25 a week, diminished by 10c for every complete 10c of the weekly income of the beneficiary in excess of \$8 a week.

"EIGHTH SCHEDULE—*continued*

- (c) To a married male beneficiary \$11.25 a week, increased by \$11.25 a week in respect of his wife, the total rate to be diminished by 10c for every complete 10c of the total weekly income of the beneficiary and his wife in excess of \$8 a week.
- (d) To a married female beneficiary \$11.25 a week, diminished by 10c for every complete 10c of the total weekly income of the beneficiary and her husband (including the amount of any benefit under Part I of this Act received by the husband) in excess of \$19.25 a week:

Provided that the rates specified in paragraphs (a) and (b) of this clause may, in the discretion of the Commission, be reduced by an amount not exceeding \$1 a week in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person.

2. Maximum increase in respect of housekeeper \$10.25 a week.
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## Section 59

"NINTH SCHEDULE

MAXIMUM RATES OF UNEMPLOYMENT BENEFITS

1. (a) To an unmarried beneficiary under the age of 20 years without dependants \$9.75 a week.
- (b) To any other unmarried beneficiary \$12.25 a week.
- (c) To a married male beneficiary \$11.25 a week, increased by \$11.25 a week in respect of his wife.
- (d) To a married female beneficiary \$11.25 a week:

Provided that the rates specified in paragraphs (a) and (b) of this clause may, in the discretion of the Commission, be reduced by an amount not exceeding \$1 a week in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person.

2. Maximum increase in respect of a housekeeper \$10.25 a week.
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## Section 66

"TENTH SCHEDULE

SPECIAL INCOME EXEMPTION IN RESPECT OF SICK BENEFITS FROM FRIENDLY OR LIKE SOCIETY (AGE, INVALIDS', WIDOWS', AND SICKNESS BENEFITS ONLY)

- Maximum rate ..... \$2 a week in the case of a sickness benefit, and \$104 a year in any other case.
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## "ELEVENTH SCHEDULE

Section 67

SPECIAL INCOME EXEMPTION IN RESPECT OF EARNINGS FROM  
DOMESTIC AND NURSING SERVICE

Maximum rate .....        .....        \$3 a week in the case of a sickness  
benefit, and \$156 a year in any  
other case.

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## "TWELFTH SCHEDULE

Section 69

MAXIMUM INCREASE IN RATE OF BENEFIT PAYABLE TO PARENT OF  
DECEASED MEMBER OF FORCES OR MERCANTILE MARINE

Maximum rate .....        .....        \$1 a week."

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This Act is administered in the Social Security Department.

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