



War Pensions Amendment Act 2006

Public Act 2006 No 32
Date of assent 30 June 2006
Commencement see section 2

Contents

	Page
1 Title	1
2 Commencement	1
3 Principal Act amended	2
4 Interpretation	2
5 New section 74BA inserted	2
74BA Entitlement to veteran's pension for spouses or partners of persons in long-term residential care in hospital or rest home	2
6 Absences up to 52 weeks with aid agencies	3
7 Living alone payments	3
8 Rates of pensions, lump sum payments, and allowances may be increased by Order in Council	3
9 Amendment to Social Security Act 1964	3
10 Amendment to Social Security (Long-term Residential Care) Regulations 2005	3
11 Savings provision	3

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the War Pensions Amendment Act 2006.

2 Commencement

- (1) Except as provided in subsection (2), this Act comes into force on 1 July 2006.
- (2) Section 8 comes into force on the day after the date on which this Act receives the Royal assent.

3 **Principal Act amended**

This Act amends the War Pensions Act 1954.

4 **Interpretation**

Section 67(1) is amended by inserting the following definition in its appropriate alphabetical order:

“**partner** has the same meaning as in section 3(1) of the Social Security Act 1964”.

5 **New section 74BA inserted**

The following section is inserted after section 74B:

“74BA Entitlement to veteran’s pension for spouses or partners of persons in long-term residential care in hospital or rest home

“(1) This section applies to any person—

“(a) who is not in long-term residential care and whose spouse or partner is in long-term residential care in a hospital or rest home, whether or not the spouse or partner is a resident assessed as requiring care (within the meaning of section 136 of the Social Security Act 1964); and

“(b) who is in receipt of a veteran’s pension, or whose spouse or partner is in receipt of a veteran’s pension.

“(2) A person to whom this section applies is entitled to receive a veteran’s pension at the rate payable to a person who is single—

“(a) stated in clause 1(a) of Schedule 11, if the person has been granted a living alone payment under section 74U; or

“(b) stated in clause 1(b) of Schedule 11, if the person has not been granted a living alone payment under section 74U.

“(3) Any benefit payable to a person to whom this section applies is not subject to abatement in respect of any income of the person that has been included in a means assessment of the person’s spouse or partner under Part 4 of the Social Security Act 1964.”

6 Absences up to 52 weeks with aid agencies

- (1) The heading to section 74H is amended by omitting “52” and substituting “156”.
- (2) Section 74H(1)(b) is amended by omitting “52” and substituting “156”.

7 Living alone payments

Section 74U(3)(b) is amended by omitting “or household expenses (including accommodation expenses)”.

8 Rates of pensions, lump sum payments, and allowances may be increased by Order in Council

Section 75C(1)(ab) is amended by omitting “clause 2(a) of”.

9 Amendment to Social Security Act 1964

Section 155(1) of the Social Security Act 1964 is amended by repealing paragraph (a).

10 Amendment to Social Security (Long-term Residential Care) Regulations 2005

The Social Security (Long-term Residential Care) Regulations 2005 are amended by revoking regulation 4.

11 Savings provision

- (1) This section applies to a person who, immediately before section 10 comes into force, is entitled under regulation 4 of the Social Security (Long-term Residential Care) Regulations 2005 to receive, and who is receiving, a veteran’s pension at the appropriate single rate as provided for by that regulation.
- (2) A person to whom this section applies is to be treated as a person to whom section 74BA of the War Pensions Act 1954 (as inserted by section 5 of this Act) applies for so long as—
 - (a) the person’s spouse or partner continues to be in long-term residential care in a hospital or rest home; and
 - (b) the person is not himself or herself in long-term residential care.

Legislative history

13 June 2006	Divided from New Zealand Superannuation and Veterans' Pensions (Entitlements of Spouses and Partners of People in Long-term Residential Care and Remedial Matters) Bill (Bill 22-1) as Bill 22-2B
27 June 2006	Third reading
30 June 2006	Royal assent

This Act is administered by the New Zealand Defence Force.
