

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]

*House of Representatives, 17 October 1963*

Words inserted by the Committee of the Whole are shown in roman underlined with a double rule or with double rule before first line and after last line of new matter; words struck out are shown within bold round brackets.

*Hon. Mr McKay*

## SOCIAL SECURITY AMENDMENT

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## A BILL INTITULED

### An Act to amend the Social Security Act 1938

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

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**1. Short Title**—This Act may be cited as the Social Security Amendment Act 1963, and shall be read together with and deemed part of the Social Security Act 1938\* (hereinafter referred to as the principal Act).

## PART I

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### MEDICAL AND HOSPITAL BENEFITS AND OTHER RELATED BENEFITS

**2. Commencement of this Part**—This Part of this Act shall come into force on the first day of April, nineteen hundred and sixty-four.

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**3. Administration of this Part**—Subject to the control and direction of the Minister of Health, this Part of this Act shall be administered in the Department of Health.

Cf. 1938, No. 7, s. 77; 1956, No. 65, s. 140 (1)

\*1957 Reprint, Vol. 14, p. 475

Amendments: 1958, No. 46; 1959, No. 80; 1960, No. 13; 1961, No. 6; 1962, No. 22; 1962, No. 102

**4. Interpretation**—(1) In this Part of this Act, unless the context otherwise requires,—

“Department” means the Department of Health:

5 “Disciplinary Committee” means the Disciplinary Committee established under the Medical Practitioners Act 1950; and “Divisional Disciplinary Committee” means a Divisional Disciplinary Committee appointed under that Act:

10 “Drug Tariff” means every general direction by the Minister for the time being in force under subsection (1) of section 14 of this Act fixing the prices to be paid by the Department for pharmaceutical requirements supplied to persons entitled to claim pharmaceutical benefits and the terms and conditions on which those pharmaceutical require-

15 ments shall be supplied:

“General medical services” means all proper and necessary services of medical practitioners provided for persons who are entitled to any of the benefits provided for by this Part of this Act; but does not include services that are within any of the following classes:

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(a) Specialist medical services:

(b) Medical services afforded in relation to maternity benefits under this Part of this Act:

25 (c) Medical services provided by any medical practitioner to his dependants or his partner or the dependants of his partner or to other persons from whom or in respect of whom he would not be entitled to recover any fees if neither this Act nor the Social Security Amendment Act 1941 had been passed:

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(d) Medical services provided by any medical practitioner under an agreement made by him with a friendly society or branch registered under the Friendly Societies Act 1909:

35 (e) Such services as may, by regulations made pursuant to section 38 of this Act, be declared not to be general medical services for the purposes of this Part of this Act, either absolutely or in special circumstances to be defined in the regulations:

40 “Health district” or “district” means a health district constituted under the Health Act 1956:

“Hospital” means a hospital or other institution maintained by a Hospital Board under the Hospitals Act 1957 or a private hospital licensed under Part V of that Act; and includes any other institution or place in which sick or injured persons are received for treatment, or in which maternity patients are received for delivery, and which is for the time being recognised and approved by the Minister as a hospital for the purposes of this Part of this Act: 5

“Hospital patient” means a person for the time being maintained in a hospital for the purpose of receiving hospital treatment therein: 10

“Hospital treatment” means all medical and surgical treatment and nursing care and attendance afforded in any hospital to a hospital patient; and includes the maintenance in the hospital of any such patient: 15

“Maternity benefits” means—

(a) In the case of a woman who is confined in a hospital, all necessary medical and nursing attendance, maintenance, and care at her confinement and in respect of her and her child for the period of fourteen days succeeding the date of the birth of her child: 20

(b) In the case of a woman who is confined elsewhere than in a hospital, the services of a medical practitioner and of an approved midwife, or an approved maternity nurse, at her confinement and in respect of her and her child for the period of fourteen days succeeding the date of the birth of her child: 25 30

(c) The provision by a medical practitioner of all such ante-natal and post-natal advice and treatment as may in any case be required:

(d) In the case of a woman who suffers a miscarriage not earlier than seven days after having received any ante-natal advice or treatment from any medical practitioner or midwife, all such medical services as she may require in relation to the miscarriage, for a period of fourteen days: 35 40

“Medical benefits” means all proper and necessary services of medical practitioners, except such services as are, by regulations made pursuant to section 38 of this Act, excluded therefrom, either absolutely or in special circumstances to be defined in the regulations:

“Medical Officer of Health” means a Medical Officer of Health as defined in the Health Act 1956:

“Medical practitioner” means a medical practitioner registered under the Medical Practitioners Act 1950:

5 “Minister” means the Minister of Health:

“Obstetric specialist” means a medical practitioner who is recognised by the Minister as an obstetric specialist in accordance with the provisions of section 28 of this Act; and includes every medical practitioner who immediately before the commencement of this Act was recognised as an obstetric specialist under the provisions of section 14 of the Social Security Amendment Act 1939:

15 “Pharmaceutical benefits” means the right of every person entitled to claim such benefits to be supplied by a person approved by the Minister for the purpose, in accordance with the provisions of section 16 of this Act, with all such pharmaceutical requirements to which the Drug Tariff applies as are ordered for that person or for any member of his family by any medical practitioner in the course of providing any medical benefits or other benefits in accordance with this Part of this Act:

25 “Pharmaceutical requirements” means medicines, drugs, appliances, and materials:

“Specialist medical services” means medical services that involve the application of special skill and experience of a degree or kind that general medical practitioners as a class cannot reasonably be expected to possess.

30 (2) For the purposes of this Part of this Act, two or more contiguous boroughs shall together be deemed to be one borough:

35 Provided that, where the Minister is satisfied that no medical practitioner resides or has a surgery in any borough that is contiguous to another borough, he may, by notice in the *Gazette*, declare the first-mentioned borough to be a separate borough for the purposes of this Act, and the borough shall be deemed to be a separate borough accordingly.

40 (3) If any question arises as to whether any service provided by a medical practitioner is within the scope of medical benefits or is included in the expression “general medical services”, or as to whether any amount, and if so what amount, is payable by the Department, it shall be decided by the

Minister after consultation with the appropriate committee appointed under section 36 of this Act or after considering the recommendation of the Disciplinary Committee, and the Minister's decision thereon shall be final and conclusive.

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(4) The decision of the Minister that any person is or is not a hospital patient or that any treatment afforded in or at a hospital is or is not hospital treatment for the purposes of this Part of this Act shall be final and conclusive.

(5) Where any general medical services or pharmaceutical requirements are provided or supplied by any medical practitioner acting as the agent or employee of any other medical practitioner, they shall for the purposes of this Part of this Act be deemed to be provided or supplied by the last-mentioned medical practitioner.

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Cf. 1938, No. 7, ss. 77, 89 (1), 91, 95 (1); 1939, No. 31, ss. 11 (1), 14; 1940, No. 30, s. 13; 1941, No. 14, ss. 2, 3, 10; 1942, No. 14, s. 12 (1); 1947, No. 28, s. 21; 1949, No. 38, ss. 24, 29 (1); 1951, No. 54, s. 18; 1955, No. 9, s. 20

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**5. Classes of benefits to be provided**—(1) Benefits of the following classes shall be provided in accordance with this Part of this Act, namely:

(a) Medical benefits:

(b) Pharmaceutical benefits:

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(c) Hospital benefits:

(d) Maternity benefits:

(e) Supplementary benefits provided in accordance with regulations made pursuant to section 31 of this Act.

(2) No benefit, fee, or other payment shall be payable under this Part of this Act in respect of the receipt of services or goods by any person who was not within New Zealand at the time of that receipt.

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Cf. 1938, No. 7, s. 78

**6. Qualifications of persons entitled to claim benefits**—

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(1) Except as provided in subsection (2) of section 5 and in section 7 of this Act, every person who is over sixteen years of age and is ordinarily resident in New Zealand shall be entitled to claim for himself and for every member of his family under sixteen years of age the several benefits provided for by this Part of this Act.

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(2) For the purposes of this Part of this Act, a child under sixteen years of age shall be deemed to be a member of the family of the person who for the time being has the care and control of that child.

5 (3) Without limiting the meaning of the expression "ordinarily resident in New Zealand", it is hereby declared that, for the purposes of subsection (1) of this section, any person who has continuously resided in New Zealand throughout the two preceding years, or who intends to remain in New  
10 Zealand until he has completed two years' continuous residence therein, shall be deemed to be ordinarily resident in New Zealand.

(4) Where the Minister is satisfied that persons ordinarily resident in New Zealand are or will be, while in any other  
15 country or territory, entitled (whether by agreement with the Government of that country or territory or otherwise) to claim benefits that substantially correspond to benefits provided for by this Part of this Act or to any of those benefits, he may, by notice in the *Gazette*, declare that persons  
20 ordinarily resident in that country or territory, not being the master or an officer or any other member of the crew of any ship, shall be entitled while in New Zealand to claim the several benefits provided for in this Part of this Act or any one or more of those benefits specified in the notice, and  
25 those persons shall be entitled accordingly to claim the benefit or benefits specified in the notice as if they were ordinarily resident in New Zealand.

Cf. 1938, No. 7, s. 80; 1960, No. 13, s. 18

**7. Right to benefits restricted in cases where person**  
30 **receiving medical or other treatment is entitled to claim compensation or damages—**(1) To the extent to which in respect of any injury or disease any person has recovered or is or has been entitled to recover any compensation under the Workers' Compensation Act 1956 on account of any matter, or has  
35 recovered or is or has been entitled to recover special damages in respect of any matter, he shall not be entitled to any benefit under this Part of this Act (other than a pharmaceutical benefit) in respect of the same matter:

Provided that in any such case the Minister may authorise  
40 the making of a provisional payment by the Department in respect of any treatment actually given or services actually rendered or goods actually supplied. Any such payment may be recovered at any time from the person to whom it was made as a debt due to the Crown.

(2) No payment made under subsection (1) of this section shall restrict the right of the person concerned to recover the full amount of compensation or damages, and the amount paid under that subsection shall constitute a charge on any compensation or damages recovered or that may thereafter be recovered in respect of any of the matters mentioned in that subsection. 5

(3) Any such charge may be recovered as a debt due to the Crown from the person to whom any such compensation or damages have been paid or from any person liable for the payment of any such compensation or damages. 10

(4) For the purposes of this section—

(a) The terms “compensation” and “damages” include, unless the Minister in any particular case otherwise directs, any *ex gratia* payment made in settlement of or on account of a claim for compensation or damages, as the case may be: 15

(b) If a claim for compensation or damages is settled without apportioning the sum or sums paid in settlement— 20

(i) In the case of a claim under the Workers’ Compensation Act 1956, between compensation in respect of matters for which a benefit, other than a pharmaceutical benefit, would have been payable if this section had not been enacted and compensation in respect of other matters; or 25

(ii) In any other case, between special damages in respect of the matters first-mentioned in subparagraph (i) of this paragraph and general damages,— 30

and any dispute arises with respect to that apportionment, the Minister may direct how the sum or sums shall be apportioned, and his decision thereon shall be final and conclusive: 35

(c) A person shall be deemed to be entitled to compensation or damages when—

(i) A judgment to that effect has been entered in his favour or a binding agreement has been concluded by him or on his behalf with the person or the agent of the person who is liable to pay the compensation or damages under the terms of that agreement; or 40



(ii) The Minister is satisfied that that person has or has had good grounds to claim compensation or damages in respect of a matter referred to in sub-section (1) of this section and unreasonably fails or  
5 refuses or has unreasonably failed or refused to take the necessary steps to institute, prosecute, or enforce such a claim:

(d) The extent to which a hospital patient has recovered or is entitled to recover compensation or special  
10 damages shall be computed by applying the sum recovered or to be received in respect of hospital treatment to the satisfaction of the charges incurred in respect of such treatment over such period as may be appropriate, commencing on the date of the  
15 patient's admission to the hospital concerned:

(e) Any compensation or special damages paid to or on account of any person in respect of any hospital treatment for which a benefit, other than a pharmaceutical benefit, would have been payable if this  
20 section had not been enacted shall be deemed to have been paid firstly in or towards the satisfaction of the charges of the hospital and secondly in or towards the satisfaction of any other expenses incurred by that person in respect of such treatment.

(5) Any payment of a benefit, other than a pharmaceutical benefit, in a case which is found, whether before or after that payment, to be a case to which this section applies shall be deemed to be a provisional payment under this section,  
25 except to the extent that the Minister is satisfied that no compensation or damages, as the case may be, can be recovered in respect of the same matter by the person to whom or on whose behalf the payment was made.

(6) Nothing in this section or in section 16 of this Act shall affect the rights conferred on a Hospital Board by section 79  
35 of the Hospitals Act 1957 or the rights conferred on any person by the Workers' Compensation Act 1956.

Cf. 1938, No. 7, s. 81; 1953, No. 114, s. 6 (1)

### *Medical Benefits*

**8. Fees for general medical services—**(1) Subject to the  
40 provisions of this Part of this Act, every medical practitioner who provides any general medical services for any patient shall be entitled to receive from the Department the following fees:

- (a) For every occasion on which any such services are provided at the medical practitioner's surgery or place of residence, a reasonable fee not exceeding seven shillings and sixpence:
- (b) For every occasion on which any such services are provided within a borough elsewhere than at the surgery or place of residence of the medical practitioner, where that surgery or place of residence is situated within the borough, a reasonable fee not exceeding seven shillings and sixpence:
- (c) For every other occasion on which any such services are provided, a reasonable fee not exceeding seven shillings and sixpence, together with such mileage fees as may be payable by the Department under section 9 of this Act.
- (2) Except as provided in this section, no payment shall be made by the Department under this section in respect of medical services provided for any person who is for the time being entitled to medical services under special arrangements made by the Minister in accordance with section 32 of this Act.
- (3) Subsection (2) of this section shall not apply in any case where a medical practitioner provides any general medical services for any such person in good faith and in reliance on a statement by the patient or by some responsible person on his behalf to the effect that the patient is not a person entitled to medical services by virtue of any such special arrangements. Where any such statement is incorrect, the patient or any person responsible for his debts shall be liable to reimburse to the Department any money paid to any medical practitioner under this Part of this Act in respect of services provided in reliance on that statement.
- (4) Subsection (2) of this section shall not apply in any case where, in an emergency, a medical practitioner provides for any person such medical services as are in the best interests of the patient.
- (5) Every payment made by the Department to a medical practitioner under this section shall be deemed to have been made on behalf of the patient in respect of whom the payment was made.

Cf. 1941, No. 14, s. 4; 1949, No. 38, s. 26

5 **9. Milage fees**—(1) Where any medical practitioner provides any general medical services in any case or cases to which paragraph (c) of subsection (1) of section 8 of this Act applies, he shall be entitled to receive from the Department milage fees in accordance with this section.

10 (2) Subject to the provisions of this Part of this Act, milage fees shall be computed in respect of every journey made by the medical practitioner to any place or places for the purpose of providing the services, and shall be computed at the rate of one shilling and threepence for every mile or part of a mile of the distance necessarily travelled by him in going from his surgery or place of residence to that place or those places and in returning to his surgery or place of residence.

15 (3) In any case where the Medical Officer of Health is satisfied that, by reason of the nature of the mode of transport that in his opinion it was reasonable to use, any milage fees computed as provided in the foregoing provisions of this section are inadequate, he may increase the milage fees to such extent as he considers necessary to make them adequate.

20 (4) Where in the opinion of the Medical Officer of Health arrangements could conveniently have been made that would have avoided the necessity of making the visit or visits in respect of which any claim for milage fees is made or would have reduced the amount of the claim, he may disallow the claim wholly or partly.

25 Cf. 1941, No. 14, s. 5; 1943, No. 19, s. 30; 1949, No. 38, s. 27 (2)

**10. Pharmaceutical requirements**—(1) Where any medical practitioner supplies for the treatment of any patient, before they can be conveniently obtained elsewhere, any pharmaceutical requirements to which the Drug Tariff applies, the medical practitioner shall be entitled to receive from the Department an amount computed in accordance with the Drug Tariff, but reduced by a discount of ten per cent thereof instead of the discount provided for by the Drug Tariff.

30 (2) Where any medical practitioner supplies for the treatment of any patient, before they can be conveniently obtained elsewhere, any pharmaceutical requirements to which the Drug Tariff does not apply, the medical practitioner may recover from the patient or from any person responsible for his debts an amount not exceeding the reasonable cost to the medical practitioner of those requirements.

Cf. 1941, No. 14, s. 6

**11. Refund system—**(1) Where any medical practitioner is entitled in accordance with section 8 or section 10 of this Act to receive from the Department any amount in respect of any general medical services provided, or any pharmaceutical requirements supplied, he may, by notice in writing to the Director-General of Health, elect to recover any such amount from his patients, or from any persons responsible for their debts, and may at any time in like manner revoke that election. No medical practitioner who has made any such election shall be entitled to any payment from the Department in respect of any such services provided, or any such requirements supplied, during any period in which any such election remains in force. 5 10

(2) Where any person pays any amount to a medical practitioner in respect of any such general medical services or pharmaceutical requirements, that person or his agent or representative shall, subject to the provisions of this Part of this Act, be entitled to receive from the Department a refund of the amount so paid: 15

Provided that the total amount refunded in respect of any such services or requirements shall not exceed the amount that the medical practitioner would have been entitled to receive from the Department in respect thereof if he had not recovered any amount in respect thereof under this section. 20

(3) It shall be the duty of every medical practitioner to whom any such amount is paid by any person to supply to that person such receipts, certificates, or other documents as that person may require to obtain from him for the purposes of a claim for a refund under this section. 25

Cf. 1941, No. 14, s. 7; 1949, No. 38, s. 25 30

**12. Specialist medical services—**(1) Where any medical practitioner provides for any person who is entitled to any of the benefits provided for in this Part of this Act any specialist medical services, the person by whom the fee in respect of those services is paid to the medical practitioner shall, subject to the provisions of this section, be entitled to receive from the Department a refund not exceeding seven shillings and sixpence for every occasion on which any such services have been provided. 35

(2) Nothing in this section shall apply with respect to any specialist medical services that are provided in connection with any benefits or supplementary benefits under this Part of this Act. 40

(3) Notwithstanding anything in subsection (1) of this section, payment of the sum referred to in that subsection may be made, at the option of the medical practitioner, direct to him instead of by way of refund to the person by whom the  
5 fee was paid.

Cf. 1942, No. 14, s. 12; 1951, No. 54, s. 19

**13. Recovery of fees from patients**—(1) No medical practitioner shall be entitled to recover any fees or charges for medical services as defined in subsection (8) of this section  
10 until the expiration of one month after an account signed by him and showing particulars of the services provided on each occasion for which a fee or charge is claimed and the amount claimed for each occasion has been delivered to the person chargeable:

15 Provided that any Judge or Magistrate may, on the *ex parte* application of any medical practitioner, authorise him to commence an action for the recovery of any fees or charges before the expiration of the period limited by this subsection on proof that there is reasonable cause for believing that the  
20 person chargeable is about to leave New Zealand or has done or is about to do any other act that would tend to prevent or delay the medical practitioner from obtaining payment.

(2) That delivery may be effected either by personal delivery of the account to the person chargeable or by forwarding  
25 it to him by post in a registered letter addressed to him at his place of residence or last known place of residence.

(3) Within one month after the delivery of an account in accordance with this section, the person chargeable may apply to the Divisional Disciplinary Committee for the district in  
30 which the medical practitioner resides for an examination of the account by the Committee and for its opinion as to what are reasonable fees or charges for the services for which the account is rendered.

(4) Every such application shall be in writing addressed to  
35 the Secretary of the Committee, and shall be accompanied by the account and supported by such other information as the Committee may require of the applicant.

(5) If the Court in which any action for the recovery of any fees or charges in respect of any medical services is pending is satisfied that an application has been made under this  
40 section for an examination of the account for those fees or charges, the Court shall not complete the hearing of the action until the opinion of the Committee is made known to the Court.

(6) The Court in which any action for the recovery of any fees or charges in respect of any medical services is pending may of its own motion or on the application of any party refer the account for the fees or charges for examination to the Divisional Disciplinary Committee for the district in which the medical practitioner resides, and in any such case the Court shall not complete the hearing of the action until the opinion of the Committee is made known to the Court. 5

(7) Where in any action for the recovery of fees or charges in respect of any medical services the opinion of the Divisional Disciplinary Committee on the account for the fees or charges has been made known to the Court, the Court shall not give judgment for any amount exceeding that which is expressed to be reasonable in the opinion of the Committee without first affording the Committee reasonable opportunity of appearing by counsel and adducing evidence and making representations on the matter. 10 15

(8) In this section—

“Medical practitioner” includes the personal representatives and assignees of a medical practitioner: 20

“Medical services” means any general medical services or pharmaceutical requirements or any specialist medical services that may be the subject of payments from the Department in accordance with this Part of this Act, or, in the case of services or requirements provided before the commencement of this Act, that would have been the subject of payments from the Social Security Fund in accordance with Part III of the principal Act if this Act had not been passed. 25 30

Cf. 1949, No. 38, s. 29

### *Pharmaceutical Benefits*

#### **14. Fixing of prices for pharmaceutical requirements—**

(1) The Minister may from time to time fix the prices to be paid by the Department for pharmaceutical requirements supplied to persons entitled to claim pharmaceutical benefits, and the terms and conditions subject to which such requirements shall be supplied. 35

(2) Any direction by the Minister under subsection (1) of this section may be a general direction relating to pharmaceutical requirements supplied to all persons entitled to claim pharmaceutical benefits, or may be a special direction relating to specified pharmaceutical requirements supplied to a specified person. 40

Cf. 1938, No. 7, s. 90 (1)

15. **Contracts for pharmaceutical requirements**—(1) Subject to the provisions of subsections (8) to (10) of section 37 of this Act, every proprietor of a pharmacy within the meaning of the Pharmacy Act 1939 who for the time being  
5 keeps in accordance with the requirements of that Act and the regulations thereunder an open shop or place of business for the compounding or dispensing of prescriptions shall be approved by the Minister for the purposes of this section, if he signifies to the Minister in the prescribed form and manner  
10 that he is willing to supply pharmaceutical requirements at the prices and in accordance with the terms and conditions fixed by the Minister.

(2) The Minister may also, for the purposes of the supply of pharmaceutical requirements, approve any person who is competent and willing to undertake the supply of the same in  
15 accordance with terms and conditions fixed by the Minister but is not entitled as of right to a contract under subsection (1) of this section.

Cf. 1938, No. 7, ss. 89 (2), 90 (2), (3)

#### 20 *Hospital Benefits*

16. **Hospital treatment afforded by Hospital Boards**—  
(1) Except to the extent that, in respect of any injury or disease, a hospital patient has recovered or is or has been  
entitled to recover any compensation under the Workers'  
25 Compensation Act 1956 on account of any hospital treatment in a hospital maintained by a Hospital Board, or has recovered or is or has been entitled to recover special damages in respect of any such treatment, no Hospital Board shall demand or accept or be entitled to recover from the patient or any other  
30 person any payment for hospital treatment afforded to a hospital patient who is entitled to receive hospital benefits under this Part of this Act.

(2) Except as aforesaid, section 51 of the Destitute Persons Act 1910 shall not apply in respect of hospital treatment  
35 afforded in a hospital maintained by a Hospital Board to a hospital patient referred to in subsection (1) of this section.

(3) The provisions of subsection (4) of section 7 of this Act shall, with any necessary modifications, apply for the purposes of this section.

40 Cf. 1938, No. 7, s. 92; 1954, No. 69, s. 19

**17. Payments in respect of hospital treatment in private hospitals—**(1) Where any person who is entitled to claim hospital benefits in accordance with this Part of this Act, or any member of the family of any such person, receives any hospital treatment in any private hospital, there shall be payable by the Department to the licensee or other person entitled to claim payment in respect of that treatment such amount in respect of that treatment as may be prescribed. 5

(2) Any amount paid under this section in respect of any hospital treatment received by any person shall be in full or partial satisfaction of any claim by the licensee or other person to whom the payment is made in respect of that treatment. 10

Cf. 1938, No. 7, s. 93; 1954, No. 69, s. 20; 1962, No. 102, s. 3 (1)

**18. Payments in respect of hospital treatment in institutions—**(1) In respect of hospital treatment afforded in any institution or place recognised and approved by the Minister as a hospital for the purposes of this Part of this Act to persons who are entitled to claim hospital benefits in accordance with this Part of this Act, or to members of the families of any such persons, there shall be payable by the Department to the person entitled to claim payment in respect of that treatment such amounts as may be prescribed. 15 20

(2) Without limiting the provisions of subsection (1) of this section, it is hereby declared that an institution in respect of which a licence is for the time being in force under section 45 of the Mental Health Act 1911 may be recognised and approved by the Minister as a hospital for the purposes of this Part of this Act. 25

(3) Unless the Minister otherwise determines in any case or class of cases, any amount paid under this section in respect of the hospital treatment of any person shall be in full or partial satisfaction of any claim by the person to whom the payment is made in respect of that treatment. 30

Cf. 1938, No. 7, s. 93A; 1939, No. 31, s. 10 (1); 1954, No. 69, s. 21 35

**19. Hospital benefits not payable in respect of treatment in public mental institutions—**The foregoing provisions of this Part of this Act as to hospital benefits shall have no application with respect to treatment afforded in any public institution within the meaning of the Mental Health Act 1911. 40

Cf. 1938, No. 7, s. 94; 1939, No. 31, s. 10 (2)



- 20. Hospital benefits not payable where maternity benefits payable**—Where any hospital treatment is afforded to any woman who has received or is entitled to claim maternity benefits, no hospital benefits shall be payable in respect of  
5 any such hospital treatment that is received by that woman at any time during the period for which payments are made to the licensee of any private hospital or to any other person in respect of maternity benefits afforded to that woman.

Cf. S.R. 1954/157, reg. 10

10 *Maternity Benefits*

- 21. Rights to maternity benefits**—(1) Every woman who is entitled to the services of a medical practitioner in relation to any maternity benefits shall have the right to select the medical practitioner by whom such services shall be given:  
15 Provided that the right of selection conferred by this subsection shall, in the case of a woman who is confined in a maternity hospital, be subject to the concurrence of the person or body for the time being having authority to control the admission of patients to that hospital.
- 20 (2) Maternity benefits may in special cases approved by the Minister be afforded in respect of a woman who suffers a miscarriage, notwithstanding that the condition prescribed by paragraph (d) of the definition of the term “maternity benefits” in subsection (1) of section 4 of this Act has not  
25 been complied with.
- (3) Any fees payable to a medical practitioner in respect of maternity benefits shall be in addition to any fees payable to him in respect of the medical benefits provided for in accordance with the foregoing provisions of this Part of this Act.
- 30 (4) All fees and other money payable in respect of maternity benefits shall be paid by the Department.

Cf. 1938, No. 7, ss. 95 (2), 100; 1939, No. 31, s. 11 (2),  
(3)

- 22. Payment from National Provident Fund where maternity benefits received**—(1) Notwithstanding anything to the  
35 contrary in the National Provident Fund Act 1950, no payment shall be made out of the National Provident Fund in respect of the birth of any child if, in connection with the birth of the child, the mother received full maternity benefits  
40 as defined in paragraph (a) or paragraph (b) of the definition of the term “maternity benefits” in subsection (1) of section 4 of this Act.

(2) Where in connection with the birth of any child a woman entitled to claim maternity benefits has received partial benefits in accordance with the said paragraph (a) or the said paragraph (b), but has not received the full benefits to which she was entitled thereunder, any payment made from the National Provident Fund in respect of the birth of the child shall not exceed the actual cost incurred by or on account of the mother in respect of any additional services in the nature of maternity benefits received by her, or the amount that would have been payable by the Department in respect of those services if they had been afforded as maternity benefits, whichever is the less. 5 10

Cf. 1938, No. 7, s. 95 (3); 1940, No. 5, s. 8 (1)

**23. Maternity benefits afforded by Hospital Boards—**

(1) No Hospital Board shall demand or accept or be entitled to recover from the patient or any other person any payment for maternity benefits afforded to a woman who is entitled to receive such benefits under this Part of this Act. 15

(2) Section 51 of the Destitute Persons Act 1910 shall not apply in respect of maternity benefits afforded in a hospital maintained by a Hospital Board to a woman referred to in subsection (1) of this section. 20

Cf. 1938, No. 7, s. 96

**24. Payments in respect of maternity benefits afforded in private hospital—**(1) Where any woman who is entitled to claim maternity benefits in accordance with this Part of this Act is confined in a hospital, other than a hospital maintained by a Hospital Board or a State maternity hospital, there shall be payable by the Department to the licensee or other person entitled to claim payment in respect of the benefits afforded such fees as may be prescribed. 25 30

(2) Any amount paid under this section shall, in accordance with arrangements made between the Minister and the licensee of the hospital or other person entitled to claim payment, be in full or in partial satisfaction of any claim by the licensee or other person in respect of the maternity benefits afforded. 35

Cf. 1938, No. 7, s. 97

**25. Services of registered midwives and maternity nurses—**(1) The Minister may from time to time fix the fees to be paid by the Department in respect of the services of approved midwives and approved maternity nurses for  
5 services rendered by them in providing maternity benefits in accordance with this Part of this Act, and the terms and conditions subject to which such services shall be rendered.

(2) Every registered midwife and every registered maternity nurse shall be approved for the purposes of this Part of  
10 this Act who signifies to the Minister in the prescribed form and manner that she is willing to carry out the duties of a midwife or maternity nurse in consideration of the fees and on the terms and conditions fixed by the Minister.

Cf. 1938, No. 7, s. 98

**15 26. Fixing of fees—**(1) The amount of the fees to be paid by the Department for any medical services afforded in relation to maternity benefits shall be determined in accordance with a scale of fees to be fixed in accordance with this section.

**20** (2) The scale of fees may be fixed by agreement between the Minister and any person or persons having the authority of the New Zealand Branch of the British Medical Association (hereinafter referred to as the Medical Association) to enter into such an agreement.

**25** (3) In default of agreement, or in so far as any such agreement does not extend, the scale of fees shall be fixed by a tribunal to be appointed by the Minister, consisting of a President and two assessors. The President of the tribunal shall be a Judge of the Supreme Court or, if in the opinion of  
**30** the Minister of Justice a Judge of the Supreme Court is not available for the purpose, the President shall be some other suitable person whose appointment as President is agreed to by both the Minister and the Medical Association. One of the assessors shall be appointed on the recommendation of the  
**35** Council of the Medical Association, and the other shall be selected by the Minister. A decision by any two members of the tribunal shall be deemed to be a decision of the tribunal.

(4) The scale of fees in force at the commencement of this Act shall be deemed to have been fixed under this section.

(5) Any scale of fees may at any time be altered by agreement between the Minister and appointed representatives of the Medical Association, and unless so altered shall, subject to the provisions of subsection (6) of this section, continue in force for a period of two years and thereafter until a new scale of fees comes into force. 5

(6) The Minister or the Medical Association may at any time give notice to the other that the scale of fees should be revised, and the scale shall thereupon be revised in accordance with the foregoing provisions of this section, and the revised scale shall come into force on the expiry of the period fixed for the duration of the former scale, unless an earlier or a later date is agreed to or is fixed by a tribunal appointed for the purposes of this section. 10

(7) In addition to fees for medical services, the scale of fees may fix milage fees in respect of visits to patients, and may specify the circumstances and conditions in and subject to which milage fees shall be payable by the Department. 15

Cf. 1939, No. 31, s. 12

**27. Payment of fees—**(1) Except as provided in subsection (3) or in subsection (4) of this section, every medical practitioner who renders any services for which fees are fixed in accordance with section 26 of this Act to any woman who is entitled to receive maternity benefits under this Part of this Act shall be entitled to receive from the Department fees calculated in accordance with the scale of fees for the time being in force. Payment of the fees calculated as aforesaid shall be accepted by the medical practitioner in full satisfaction of his claims in respect of the services for which the payment is made. 20 25 30

(2) Where any medical practitioner renders any medical services in respect of which fees are not fixed as aforesaid, he may charge a fee for those services, and may recover the fee from the patient or any other person liable for the payment of the fee; and nothing in this Part of this Act shall be construed to affect the liability of any such person to pay for those services. The authority conferred by this subsection shall include authority to charge and recover reasonable milage fees in respect of visits to patients for travelling distances for which milage fees are not made payable by the Department. 35 40

(3) Except as provided in section 28 of this Act with respect to obstetric specialists, no medical practitioner shall demand or accept or be entitled to recover from the patient or any other person any fees in respect of services rendered  
5 by him for which he is entitled to receive payment from the Department or for which he would be entitled to receive payment from the Social Security Fund if this Act had not been passed:

Provided that if any woman who is entitled to receive  
10 maternity benefits under this Part of this Act notifies the medical practitioner concerned (before he has undertaken to accept her as a patient for medical treatment in relation to maternity) that she does not wish to receive any medical  
15 treatment by way of maternity benefits, the medical practitioner shall not be entitled to make a claim for payment from the Department in respect of services afforded to her, and may recover the amount of his fees from the patient or from any other person liable for the payment thereof.

(4) Any medical practitioner may at any time give notice  
20 in writing to the Minister that he is unwilling to afford medical services in relation to maternity benefits on the terms provided for in this section, and any medical practitioner who has given such a notice may recover any fees in respect of his professional services as if neither this Act nor the Social  
25 Security Amendment Act 1939 had been passed. Any notice given by a medical practitioner to the Minister in accordance with this subsection may at any time be in like manner withdrawn.

(5) The Minister shall from time to time give public notice  
30 in such manner as he considers sufficient of the name of any medical practitioner who, in accordance with subsection (4) of this section, has notified the Minister that he is unwilling to afford medical services in relation to maternity benefits or who has withdrawn any such notice.

35 Cf. 1939, No. 31, s. 13

**28. Obstetric specialists**—(1) No medical practitioner shall be recognised as an obstetric specialist, unless the Minister is satisfied that he possesses recognised academic qualifications in obstetrics, and that he has held or  
40 holds hospital or other public appointments affording special opportunities for acquiring special skill and experience in obstetrics.

(2) Every application by a medical practitioner for recognition as an obstetric specialist shall be referred by the Minister to the Director-General of Health and to the Council of the New Zealand Branch of the British Medical Association for report and recommendations, and the Minister shall take those reports and recommendations into consideration before granting or refusing the application. 5

(3) Any obstetric specialist may, in addition to the fees payable to him by the Department for medical services afforded by him in relation to maternity benefits, charge a fee for those services, and may recover the fee from any person liable for the payment of the same. 10

(4) The Minister shall from time to time give public notice in such manner as he considers sufficient of the names of medical practitioners who are duly recognised as obstetric specialists. 15

Cf. 1939, No. 31, s. 14 (2)–(5)

**29. State maternity hospitals—**(1) Except as is provided in subsection (2) of this section and in section 30 of this Act, the foregoing provisions of this Part of this Act as to maternity benefits shall have no application with respect to patients in any State maternity hospital, and no charge shall be made in respect of the confinement of any woman in any such hospital. 20

(2) If any woman who is not entitled under section 6 of this Act to claim maternity benefits receives treatment in a State maternity hospital, such reasonable charges as the Minister approves may be made in respect of that treatment. 25

Cf. 1938, No. 7, s. 99; 1939, No. 31, s. 9 (3), (4)

**30. Maternity benefits in respect of State maternity hospitals—**(1) Notwithstanding anything in section 29 of this Act, the Minister may from time to time, subject to such conditions as he considers necessary, approve the grant of maternity benefits to every woman to whom medical services are rendered in a specified State maternity hospital by a medical practitioner selected by her. 30 35

(2) Without limiting the general power to impose conditions conferred by subsection (1) of this section, the Minister may as a condition of his approval require that the medical practitioner by whom the services are rendered shall have entered into an agreement with the medical superintendent for the time being of the State maternity hospital, acting on 40

behalf of the Crown, in terms approved by the Minister as to the conditions on which the medical practitioner is to be entitled to treat his patients in that hospital.

(3) Where any woman is entitled to maternity benefits pursuant to subsection (1) of this section, sections 26, 27, and 28 of this Act shall apply with respect to medical services rendered to her.

(4) The Minister may withdraw in whole or in part any approval given by him under subsection (1) of this section, and may from time to time modify, add to, or revoke any conditions imposed by him under that subsection.

Cf. 1950, No. 49, s. 23

*Supplementary Benefits*

**31. Supplementary benefits—**(1) Without limiting the general power to make regulations conferred by section 140 of the principal Act, regulations may be made under that section prescribing such supplementary benefits as in the opinion of the Governor-General are necessary for the effective operation of the several classes of benefits expressly provided for in the foregoing provisions of this Part of this Act, or as in his opinion are necessary to maintain and promote the public health.

(2) Without limiting the provisions of subsection (1) of this section, that subsection shall be deemed to authorise the making of regulations to provide for treatment at hospitals for outpatients, for physiotherapy services, for radiological and laboratory services, for services in relation to the administration of anaesthetics, for the services of specialists and consultants, for dental services, for ambulance services, and for home-nursing services and domestic assistance.

(3) All fees and other money payable in respect of any benefits under this section shall be paid by the Department.

Cf. 1938, No. 7, s. 101

*Miscellaneous Provisions*

**32. Provisions in special circumstances—**(1) Notwithstanding anything to the contrary in this Part of this Act, the Minister may make such special arrangements as in the circumstances he considers advisable for the purpose of providing that adequate services instead of or in addition to all or any of the benefits provided for in this Part of this Act will be made available for the benefit of any persons or classes of persons.

(2) The Minister may from time to time as occasion requires in any particular case or class of cases make arrangements for such supplementary services or supplies as in his opinion are necessary for the effective operation of the several classes of benefits expressly provided for in the foregoing provisions of this Part of this Act or in regulations made pursuant to section 31 of this Act. 5

(3) All fees and other money payable in respect of any arrangements made under this section shall be paid by the Department. 10

Cf. 1938, No. 7, s. 82; 1941, No. 14, s. 12 (1); 1947, No. 28, s. 20

**33. Miscellaneous purposes for which money may be expended by Department**—In addition to all all other money payable by the Department in accordance with the provisions of this Part of this Act, such amounts as the Minister approves from time to time may be paid out of money appropriated by Parliament for any of the following purposes in relation to the provision of medical services and other related services in respect of which benefits are provided for by this Part of this Act, namely: 15 20

- (a) The purchase, leasing, or other acquisition of any land or buildings:
- (b) The erection, alteration, extension, improvement, repair, or maintenance of any buildings: 25
- (c) The purchase, acquisition, replacement, alteration, extension, improvement, repair, or maintenance of any plant, equipment, materials, or furniture:
- (d) The payment of remuneration, allowances, and expenses to medical practitioners, registered nurses, pharmaceutical chemists, dentists, technicians, clerical assistants, or other persons who provide any such medical services or other related services or who are employed in connection therewith: 30
- (e) The making of grants or loans to assist any medical practitioners, pharmaceutical chemists, dentists, or other persons who have undertaken to provide any such medical services or other related services or any supplies in connection therewith. 35

Cf. 1943, No. 19, s. 26; 1951, No. 54, s. 20 40



**34. Claims for payments and refunds—**(1) All claims for payments or refunds by the Department under this Part of this Act shall be made to the Medical Officer of Health of the district in which the medical practitioner resides, or to such other person as may be prescribed by regulations made pursuant to section 38 of this Act.

(2) Every such claim shall be made in such form and shall be accompanied by such certificates, receipts, or other documents as may be prescribed by regulations made pursuant to section 38 of this Act or required by the Medical Officer of Health.

Cf. 1941, No. 14, s. 9

**35. Payments under this Part—**(1) All money payable by the Department under the provisions of this Part of this Act shall be paid out of money appropriated by Parliament for the purpose.

(2) Where a claim for a payment or refund is received after the commencement of this Act in respect of services or requirements provided before the commencement of this Act which would have been payable from the Social Security Fund under Part III of the principal Act if this Act had not been passed, the payment or refund shall be paid out of money appropriated by Parliament for the purpose.

**36. Appointment of Committees—**(1) The Minister may from time to time appoint such Committees or other advisory bodies as he considers necessary for the purpose of advising him as to the fixing of the terms and conditions subject to which any of the benefits provided for by this Part of this Act will be made available, of hearing any complaints and disputes that may arise in relation to any such benefits, or for any other purpose in connection with the administration of this Part of this Act.

(2) Any Committee or other representative body for the time being constituted to promote or safeguard the interests of the members of any profession affected by the operation of this Part of this Act may be recognised by the Minister, and shall thereupon be deemed to be a Committee appointed by the Minister for the purposes of this Part of this Act.

(3) Where any Committee is appointed under this section with particular reference to the members of any profession, not less than half of the members of the Committee (exclusive of the Chairman) shall be appointed to represent members of that profession.

(4) References in this Part of this Act to the appropriate Committee shall, in their application to any case, be deemed to be references to such Committee as the Minister in that case determines.

(5) There shall be paid by the Department to the members of any Committee or advisory body appointed under this section and to the members of any special tribunal appointed for the purposes of section 37 of this Act remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if the Committee, body, or tribunal were a statutory Board within the meaning of that Act.

Cf. 1938, No. 7, s. 83; 1951, No. 79, s. 10 (1)

**37. Termination of contracts—**(1) This section applies to contracts entered into for the purposes of this Part of this Act, other than contracts entered into pursuant to the powers conferred by section 32 of this Act, between the Minister and any pharmaceutical chemist, midwife, maternity nurse, or any other person, whereby any such person has, in accordance with the terms and conditions fixed by the Minister in that behalf, undertaken to render any professional or other services or to supply any pharmaceutical requirements in respect of any benefits to be provided in accordance with this Part of this Act.

(2) If in respect of any contract to which this section applies the Minister has reason to believe that the person bound thereby to render any services has habitually or regularly failed to render any such services, or that he has been guilty of any grave misconduct in the performance of the duties required of him under the contract, or that for any reason the continuance of the contract would be gravely prejudicial to the efficiency of any of the benefits to be provided under this Part of this Act, he may refer the matter for investigation by a special tribunal to be appointed for the purpose in accordance with subsection (3) of this section.

(3) Every tribunal appointed for the purposes of this section shall consist of—

- (a) A President thereof, who shall be either a Judge of the Supreme Court or a Stipendiary Magistrate; and
- (b) Not less than two other persons, who shall be members of the same profession or calling as the person to whose contract of service the investigation relates,

(4) Every tribunal appointed for the purposes of this section shall have all the powers of a Commission appointed under the Commissions of Inquiry Act 1908.

5 (5) On the completion of any investigation under this section in relation to any contract, it shall be the duty of the tribunal to recommend to the Minister that the contract be terminated or that it be not terminated, as the case may be. The tribunal may make such other recommendations (if any) as in the circumstances it thinks proper.

10 (6) For the purposes of subsection (5) of this section, a recommendation by a majority of the members of the tribunal shall be deemed to be a recommendation made by the tribunal.

15 (7) If the tribunal appointed under this section in respect of any contract recommends to the Minister that the contract be terminated, the Minister may by writing under his hand terminate the contract as from a date to be specified therein in that behalf.

20 (8) No person whose contract has been terminated in accordance with this section or who, in the case of a contract with a company, was at the time when the contract was so terminated a shareholder in or a director, manager, or other principal officer of the company, and no company, any shareholder in which or any director or manager or other principal officer of which has had a contract so terminated, shall at any  
25 time thereafter be entitled as of right to enter into a new contract for any of the purposes of this Part of this Act.

(9) Where the Minister has referred any matter for investigation under this section, then, pending the completion  
30 of the investigation, no company of which the person whose contract is the subject of the investigation is a shareholder or a director or manager or other principal officer shall be entitled as of right to enter into a new contract for the purposes of this Part of this Act.

35 (10) Notwithstanding the provisions of any enactment or of any rule of law, any contract to which this section applies shall, for the purposes of this section, be deemed to remain in full force and effect until it has been terminated pursuant to this section or by proper notice or by the death of the person bound to render services thereunder or, where the  
40 person bound is a company, by the dissolution of the company.

(11) Notwithstanding the foregoing provisions of this section, and without limiting the power to make regulations conferred by section 140 of the principal Act, regulations may  
45 be made under that section empowering the Minister to terminate any class of contract to which this section applies by

not less than three months' notice, and in that event the Minister may so terminate contracts of that class without complying with the provisions of this section.

Cf. 1938, No. 7, s. 84

**38. Regulations**—Without limiting the power to make regulations conferred by section 140 of the principal Act, regulations may be made under that section for all or any of the following purposes:

- (a) Providing for the calculation of the payments to be made by the Department in respect of benefits provided by this Part of this Act by reference to the individual patients or other persons receiving the benefits or in any other manner: 10
- (b) Prescribing, in relation to hospital benefits or maternity benefits, different rates of payments for different classes of patients or for different classes of hospitals as defined in the regulations or otherwise; and providing that the determination of the Minister as to the class in which any patient or hospital is included shall be final and conclusive: 15 20
- (c) Providing for benefits in respect of any class or classes of specialist medical services and for the payment by the Department in respect of any such services of fees to be determined in accordance with a scale of fees to be fixed under the provisions of section 26 of this Act as if it were a scale of fees under that section, and providing that such other provisions of that section as may be specified shall apply in respect of any such matters: 25
- (d) Providing for the official recognition of medical practitioners as specialists in any branch or branches of medicine or surgery, and for the determination of questions or disputes as to whether or not a particular service is a specialist medical service: 30
- (e) Authorising any medical practitioner to receive from the Department fees higher than those provided for by the foregoing provisions of this Part of this Act in respect of any general medical services or of any class thereof or to receive from the Department mileage fees computed at a rate higher than that specified in section 9 of this Act: 35 40
- (f) Preventing abuses of the provisions of this Part of this Act:

(g) Prescribing offences against the regulations and prescribing penalties for such offences, not exceeding a fine of twenty pounds:

5 (h) Providing for such matters as are contemplated by or necessary for giving full effect to the provisions of this Part of this Act and for the due administration thereof.

10 Cf. 1938, No. 7, s. 101A; 1941, No. 14, s. 11; 1949, No. 38, ss. 27 (1), 28; 1954, No. 69, s. 22; 1962, No. 102, s. 3 (2)

**39. Consequential amendment**—Section 141 of the principal Act is hereby amended by inserting in subsection (1) after the words “any Part of this Act”, the words “or of Part I of the Social Security Amendment Act 1963”.

15 **40. Repeals**—The enactments specified in the Schedule to this Act are hereby repealed.

## PART II

### RATES OF MONETARY BENEFITS

20 **41. Commencement of this Part**—This Part of this Act shall be deemed to have come into force on the seventeenth day of July, nineteen hundred and sixty-three.

### *Superannuation Benefits*

25 **42. Increasing rate of superannuation benefits**—(1) Section 13 of the principal Act (as substituted by section 15 of the Social Security Amendment Act 1960) is hereby amended by omitting from subsection (1) the words “two hundred and twenty-seven pounds ten shillings”, and substituting the words “two hundred and thirty-four pounds”.

30 (2) Section 2 of the Social Security Amendment Act 1962 is hereby repealed.

### *Age Benefits*

35 **43. Increasing rate of age benefits**—(1) Section 16 of the principal Act is hereby amended by omitting from subsection (1) the words “two hundred and twenty-seven pounds ten shillings”, and substituting the words “two hundred and thirty-four pounds”.

(2) Section 3 of the Social Security Amendment Act 1962 is hereby repealed.

**44. Increasing allowable income and rate of age benefit of married man—**(1) Section 17 of the principal Act is hereby amended—

(a) By omitting from paragraph (b) of subsection (2) the words “three hundred and eighty-three pounds ten shillings”, and substituting the words “three hundred and ninety pounds”:

(b) By omitting from the first proviso to the same paragraph (as substituted by section 5 of the Social Security Amendment Act 1954) the words “two hundred and twenty-seven pounds ten shillings”, and substituting the words “two hundred and thirty-four pounds”.

(2) Section 4 of the Social Security Amendment Act 1962 is hereby repealed.

**45. Allowable income of South African War veterans—**

(1) Section 19 of the principal Act is hereby amended by omitting from the proviso the words “three hundred and eighty-three pounds ten shillings”, and substituting the words “three hundred and ninety pounds”.

(2) Section 5 of the Social Security Amendment Act 1962 is hereby repealed.

#### *Widows' Benefits*

**46. Increasing rates of widows' benefits—**(1) Section 23 of the principal Act (as substituted by section 2 of the Social Security Amendment Act 1946) is hereby amended—

(a) By omitting from paragraph (a) the words “two hundred and twenty-seven pounds ten shillings”, and substituting the words “two hundred and thirty-four pounds”:

(b) By omitting from subparagraph (i) of paragraph (b) (as substituted by section 7 of the Social Security Amendment Act 1957) the words “one hundred and sixty-two pounds ten shillings”, and substituting the words “one hundred and sixty-nine pounds”.

(2) Section 6 of the Social Security Amendment Act 1960 is hereby repealed.

#### *Orphans' Benefits*

**47. Increasing rate of orphans' benefits—**(1) Section 27 of the principal Act is hereby amended by omitting from subsection (1) the words “one hundred and twenty-three pounds ten shillings”, and substituting the words “one hundred and thirty pounds”.

(2) Section 7 of the Social Security Amendment Act 1962 is hereby repealed.

*Invalids' Benefits*

5 **48. Increasing rates of invalids' benefits**—(1) Section 34 of the principal Act is hereby amended—

(a) By omitting from paragraph (a) of subsection (1) the words “two hundred and twenty-seven pounds ten shillings” wherever they occur, and substituting in each case the words “two hundred and thirty-four pounds”:

10 (b) By omitting from paragraph (b) of the same subsection the words “one hundred and eighty-eight pounds ten shillings”, and substituting the words “one hundred and ninety-five pounds”:

15 (c) By omitting from paragraph (c) of the same subsection the words “two hundred and twenty-seven pounds ten shillings”, and substituting the words “two hundred and thirty-four pounds”:

20 (d) By omitting from paragraph (b) of subsection (2) (as substituted by section 16 of the Social Security Amendment Act 1960) the words “three hundred and eighty-three pounds ten shillings”, and substituting the words “three hundred and ninety pounds”:

25 (e) By omitting from the proviso to paragraph (b) of the same subsection the words “two hundred and twenty-seven pounds ten shillings”, and substituting the words “two hundred and thirty-four pounds”:

(f) By omitting from the same proviso the words “thirteen pounds fifteen shillings”, and substituting the words “fourteen pounds”.

30 (2) Section 8 of the Social Security Amendment Act 1962 is hereby repealed.

**49. Allowable income for subsidy on earnings of blind beneficiary**—(1) Section 35 of the principal Act is hereby  
35 amended by omitting from the proviso the words “five hundred and thirty-nine pounds ten shillings”, and substituting the words “five hundred and forty-six pounds”.

(2) Section 9 of the Social Security Amendment Act 1962 is hereby repealed.

*Miners' Benefits*

**50. Increasing rates of miners' benefits**—(1) Section 41 of the principal Act (as substituted by section 21 of the Social Security Amendment Act 1945) is hereby amended by omitting the words “two hundred and twenty-seven pounds ten shillings” wherever they occur, and substituting in each case the words “two hundred and thirty-four pounds”. 5

(2) Section 10 of the Social Security Amendment Act 1962 is hereby repealed.

**51. Benefit to widow of deceased miner**—(1) Section 44 10 of the principal Act is hereby amended by omitting from subsection (1) the words “one hundred and ninety-five pounds” and substituting the words “two hundred and one pounds ten shillings”.

(2) Section 11 of the Social Security Amendment Act 15 1962 is hereby repealed.

*Sickness Benefits*

**52. Increasing rates of sickness benefits**—(1) Subsection (2) of section 46 of the principal Act (as substituted by section 23 of the Social Security Amendment Act 1945) is 20 hereby amended—

(a) By omitting from paragraph (a) the words “sixty-two shillings and sixpence”, and substituting the words “sixty-five shillings”:

(b) By omitting from paragraph (b) the words “eighty- 25 seven shillings and sixpence” wherever they occur, and substituting in each case, the words “ninety shillings”.

(2) Section 12 of the Social Security Amendment Act 30 1962 is hereby repealed.

*Unemployment Benefits*

**53. Increasing rates of unemployment benefits**—(1) Subsection (1) of section 52 of the principal Act is hereby amended—

(a) By omitting from paragraph (a) the words “sixty-two 35 shillings and sixpence”, and substituting the words “sixty-five shillings”:

(b) By omitting from paragraph (b) the words “eighty- seven shillings and sixpence” wherever they occur, and substituting in each case the words “ninety 40 shillings”.

(2) Section 13 of the Social Security Amendment Act 1962 is hereby repealed.



## PART III

(FINANCIAL PROVISIONS) MISCELLANEOUS AMENDMENTSNew

5 **53AA. Monetary benefit where beneficiary not ordinarily resident in New Zealand**—The principal Act is hereby further amended by inserting, after section 62, the following section:

10 “62A. Notwithstanding anything in this Part of this Act, the Commission, in its discretion, may refuse to grant any benefit or may terminate any benefit already granted in any case where, in the opinion of the Commission, the applicant or the wife or husband of the applicant or any person in respect of whom the benefit or any part of the benefit is or would be payable is not ordinarily resident in New Zealand.”

15 **53A. Advances to beneficiaries and war pensioners for provision of essential services to home**—Section 106A of the principal Act (as inserted by subsection (1) of section 29 of the Social Security Amendment Act 1958) is hereby amended by adding to subsection (1) the words “or of providing essential services to the premises”.

25 **54. Cost of repair and replacement of artificial limbs**—The principal Act is hereby further amended by inserting, after section 106A (as inserted by subsection (1) of section 29 of the Social Security Amendment Act 1958), the following section:

30 “106B. The Commission shall from time to time pay out of the Social Security Fund such sums as may be necessary to defray the reasonable cost of the repair or renewal by the Disabled Servicemen’s Re-establishment League Incorporated, or by any other body or person specified from time to time by the Minister of Labour, by notice in the *Gazette*, of any artificial arm, hand, leg, or foot belonging to any person who is entitled to have that artificial limb repaired or renewed free of charge pursuant to the provisions of section 23A of the

35 **Workers’ Compensation Act 1956** (as inserted by section 2 of the Workers’ Compensation Amendment Act 1963).”

Section 40

## SCHEDULE

- 1938, No. 7—The Social Security Act 1938: Part III. (1957 Reprint, Vol. 14, p. 542.)
- 1939, No. 31—The Social Security Amendment Act 1939: Sections 9 to 15. (1957 Reprint, Vol. 14, pp. 542, 560, 564–570, 578.)
- 1940, No. 5—The Social Security Amendment Act 1940: Section 8. (1957 Reprint, Vol. 14, p. 580.)
- 1940, No. 30—The Finance Act (No. 4) 1940: Sections 13 and 14. (1957 Reprint, Vol. 14, pp. 547, 580.)
- 1941, No. 14—The Social Security Amendment Act 1941. (1957 Reprint, Vol. 14, pp. 548–555, 582.)
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- 1949, No. 38—The Social Security Amendment Act 1949: Part III. (1957 Reprint, Vol. 14, pp. 556, 557, 596.)
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- 1954, No. 69—The Social Security Amendment Act 1954: Part III. (1957 Reprint, Vol. 14, p. 605.)
- 1955, No. 9—The Social Security Amendment Act 1955: Part III. (1957 Reprint, Vol. 14, p. 608.)
- 1957, No. 92—The Social Security Amendment Act 1957: Part III. (1957 Reprint, Vol. 14, p. 612.)
- 1960, No. 13—The Social Security Amendment Act 1960: Part III.
- 1962, No. 102—The Social Security Amendment Act (No. 2) 1962: Section 3.