

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Thursday, 16 September 1982

SOCIAL SECURITY AMENDMENT BILL

Proposed Amendments

HON. V. S. YOUNG, in Committee, to move the following amendments:

Clause 5 (1): To omit the word "Every" in line 38 on page 3, and substitute the words "Subject to section 27ZG of this Act, every".

Clause 6: To omit the words "(as so inserted)" in line 28, and substitute the words "(as inserted by section 7 of the Social Security Amendment Act 1980)".

Clause 9 (1): New section 61D: To omit subsection (2) (all the words in lines 23 to 40 on page 7), and substitute the following subsections:

"(2) In sections 61DC and 61DE of this Act, the term 'assets' does not include, in relation to any deceased person or to any parent or guardian of a deceased child (such deceased person and any such parent or guardian being hereinafter referred to in this section as the 'relevant person'),—

"(a) The dwellinghouse or other residential unit that was, on the date of death of the deceased person or the deceased child, used habitually or from time to time by the relevant person as the only or principal family residence, or any land, buildings, or improvements appurtenant to any such dwellinghouse or unit and used wholly or principally for the purposes of the household of the relevant person; or

"(b) Chattels which, on the date of death of the deceased person or the deceased child, are owned by the relevant person or are in the possession of the relevant person pursuant to a hire purchase agreement or conditional sale agreement or an agreement for lease or hire, and which are—

"(i) Household furniture or household appliances, effects, or equipment, used wholly or principally for the purposes of the household of the relevant person; or

"(ii) Articles of household or family use or amenity or of household ornament, including tools, garden effects, and equipment, used wholly or principally for the purposes of the household of the relevant person; or

“(iii) Motor vehicles, caravans, trailers, or boats, used wholly or principally, in each case, for family purposes; or

“(iv) Accessories of a chattel to which subparagraph (iii) of this paragraph applies; or

“(v) Household pets; or

“(c) Any undivided beneficial freehold interest in common in Maori freehold land held by the relevant person.

“(2A) In this section and in section 61DE of this Act, the term ‘guardian’ includes any person for the time being having the care of a child.

Clause 11 (3): To omit this subclause (lines 21 to 29 on page 12).

Clause 14: To omit the word “bank” in line 4 on page 15.

To omit the word “or” where it first occurs in line 6 on page 15.

To insert, after the words “savings bank” in line 6 on page 15, the words “, or a building society which has been designated under section 63 (1) of the Building Societies Act 1965”.

EXPLANATORY NOTE

Clause 5 (1): The amendment is to make it clear that the new section 27K (1) of the principal Act (which provides for liable parents to contribute a minimum of \$10 a week) is subject to the provisions of section 27ZC which provides for relief in cases of serious hardship.

Clause 6 (2): The amendment is a drafting amendment.

Clause 9 (1): New section 61D: The amendments are mainly drafting amendments intended to clarify the provision under which the family home and chattels are excluded from the calculation of assets.

In addition, paragraph (c) is a new provision which excludes from the calculation of assets any undivided beneficial freehold interest in common in Maori freehold land.

The new subsection (2A) provides that the term “guardian” includes any person for the time being having the care of a child.

Clause 11 (3): This subclause is being omitted as it is now not necessary.

Clause 14: The amendment will allow the payment of benefits into accounts held by beneficiaries with building societies which have been designated as societies with which trustees may deposit trust funds.
