

Income Support Package (Transitional Assistance) Programme

This welfare programme for special assistance is established and approved under section 101 of the Social Security Act 2018 by the Minister of Social Development.

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Programme

1. Title

(1) This programme is the Income Support Package (Transitional Assistance) Programme.

2. Commencement

(1) This programme comes into force on 1 April 2020.

3. Purpose

(1) The purpose of this programme is to provide temporary financial assistance for specified people who are unintentionally financially disadvantaged as a result of the Income Support Package.

4. Interpretation

(1) In this programme, unless the context otherwise requires,—

Act means the Social Security Act 2018

applicant means—

(a) a person who is receiving a specified payment:

- (b) a person who has applied for or who has been granted transitional assistance under this programme.

change of circumstances, in relation to a person–

- (a) includes (without limitation) –
 - (i) the person becoming the caregiver of a dependent child or a further dependent child:
 - (ii) the person’s dependent child attaining an age that confers entitlement to a higher rate or amount of a specified payment: and
- (b) excludes (without limitation)–
 - (i) a change of hours in respect of which childcare assistance under Part 2, Subpart 12 of the Act is granted:
 - (ii) a specified payment increasing where there has been no other change in circumstances (for example, an increase to the rate of a specified payment to reflect movements in the New Zealand consumer price index):
 - (iii) any increase in the amount of any specified payment as a consequence of any specified amendment coming into force on a specified date:
 - (iv) a specified payment expiring if it is re-granted to the person:
 - (v) a change of specified payment if there is no change to the rate of financial assistance payable to the person.

Income Support Package means the amendments to social security legislation made by the Social Assistance Legislation (Budget 2019 Welfare Package) Amendment Act 2019.

net income, in relation to a person, has the same meaning as chargeable income in clause 69 of the Social Security Regulations 2018 except that it includes the amount of any temporary additional support under Part 2, Subpart 16 of the Act.

specified amendment means–

- (a) any amendment to any of the specified enactments that are made by the Social Assistance Legislation (Budget 2019 Welfare Package) Amendment Act 2019: and
- (b) any amendment to Income Test 1, Income Test 2, Income Test 3, and Income Test 4 in Schedule 2 of the Act.

specified enactment means–

- (a) the Act:
- (b) the Social Security Regulations 2018:
- (c) the Child Support Act 1991:
- (d) the Veterans’ Support Act 2014.

specified payment means any of the following benefits or payments:

- (a) temporary additional support under section 96 of the Act:
- (b) childcare assistance under section 77 of the Act:
- (c) special assistance under the Christchurch Mosques Attack Welfare Programme.

childcare assistance means the payment of that name under Part 2, Subpart 12 of the Act.

Christchurch Mosques Attack Welfare Programme means the welfare programme of that name established and approved on 27 May 2019.

temporary additional support means the payment of that name under Part 2, Subpart 15 of the Act.

transitional assistance means special assistance of a kind prescribed in clauses 6 and 7 that is provided by the chief executive under this programme.

- (2) If a term used in this programme is defined in the Act but not in this programme, the term has the meaning given by the Act.

5. Application of the Social Security Act 2018

- (1) Sections 8, 19, 110, 111, 112, 113, 114, 187 to 191, 197, 202, 203, 204, 205, 217 to 219, 292, 293, 298, 301, 303, 304 to 306, 346, 352, 364, 368, 390 to 417, clauses 2, 9, 11 to 14, 16 of Schedule 3, clause 1 of Schedule 6 of the Act apply to the following as if the transitional assistance under this programme were a benefit under the Act:
 - (a) this programme:
 - (b) an applicant under this programme:
 - (c) the spouse or partner of an applicant under this programme.
- (2) Nothing in clause 5(1) limits or affects the application of any other provision of the Act.

6. Transitional assistance for recipients of temporary additional support

- (1) The chief executive may with or without application grant transitional assistance to an eligible applicant if–
- (a) on 1 April 2020, the person’s net temporary additional support, or the combined net temporary additional support of the person and their spouse or partner is reduced; and
 - (b) the chief executive is satisfied that–
 - (i) the reason why the person’s net temporary additional support, or the combined net temporary additional support of the person and their spouse or partner is reduced, is or includes the effect of 1 or more specified amendments; and
 - (ii) none of the matters specified in subclause (2) contributed to the reduction of that income.
- (2) The matters referred to in subclause (1)(b)(ii) are–
- (a) a change in the circumstances of the person that took place on or before 1 April 2020; or
 - (b) the ineligibility of the person to receive any temporary additional support or rate of temporary additional support (other than an ineligibility that arises from a specified amendment); or
 - (c) the suspension, cancellation, or reduction of temporary additional support resulting from a failure or omission of the person.

7. Transitional assistance for recipients of childcare assistance

- (1) The chief executive may with or without application grant transitional assistance to an eligible applicant if–
- (a) on 1 April 2020, the person’s net childcare assistance, or the combined net childcare assistance of the person and their spouse or partner is reduced; and
 - (b) the chief executive is satisfied that–
 - (i) the reason why the person’s net childcare assistance, or the person and their spouse or partner’s combined net childcare assistance is reduced, is or includes the effect of 1 or more specified amendments; and

- (ii) none of the matters specified in subclause (2) contributed to the reduction of that income.

(2) The matters referred to in subclause (1)(b)(ii) are–

- (a) a change in the circumstances of the person that took place on or before 1 April 2020; or
- (b) the ineligibility of the person to receive any childcare assistance or rate of childcare assistance (other than an ineligibility that arises from a specified amendment); or
- (c) the suspension, cancellation, or reduction of childcare assistance resulting from a failure or omission of the person.

8. Transitional assistance for recipients of special assistance under Christchurch Mosques Attack Welfare Programme

(1) The chief executive may with or without application grant transitional assistance to an eligible applicant if–

- (a) on 1 April 2020, the special assistance or rate of special assistance of the person is reduced; and
- (b) the chief executive is satisfied that–
 - (i) the reason why the person’s special assistance is reduced is or includes the effect of 1 or more specified amendments; and
 - (ii) none of the matters specified in subclause (2) contributed to the reduction of that special assistance.

(3) The matters referred to in subclause (1)(b)(ii) are–

- (a) a change in the circumstances of the person that took place on or before 1 April 2020; or
- (b) the ineligibility of the person to receive any special assistance (other than an ineligibility that arises from a specified amendment); or
- (c) the suspension, cancellation, or reduction of special assistance resulting from a failure or omission of the person.

9. Calculation of transitional assistance payable

(1) The amount of transitional assistance payable is,–

- (a) in the case of transitional assistance payable to an applicant under clause 6, the amount by which the applicant’s net income is reduced as referred to in

that clause, not including any reduction in childcare assistance;

- (b) in the case of transitional assistance payable to an applicant under clause 7, the amount by which the applicant's net income is reduced as referred to in that clause, not including any reduction in temporary additional support; and
 - (c) in the case of transitional assistance payable to an applicant under clause 8, the amount by which the applicant's special assistance is reduced as referred to in that clause.
- (2) If, as a result of a change in circumstances of the applicant or the applicant's spouse or partner, their net income or combined net income decreases, the amount of transitional assistance must not be increased by reason of that change.
- (3) If, as a result of a change in circumstances of the applicant or the applicant's spouse or partner, they are no longer eligible for a specified payment, MSD may review the amount of transitional assistance payable under clauses 6, 7 and 8 and terminate any transitional assistance already granted.

10. Commencement and duration of transitional assistance

- (1) Transitional assistance commences on 1 April 2020.
- (2) Transitional assistance granted under clause 7 can be paid in respect of 30 and 31 March 2020.
- (3) Transitional assistance granted continues until the first of the following events occurs:
- (a) because of a change in circumstances, the net income of the person or combined net income of the person and the person's spouse or partner (if any) increases:
 - (b) the expiry of the period of 12 months commencing on 1 April 2020: or
 - (c) because of a change in circumstances, the person or the person's spouse or partner (if any) no longer permanently receives—
 - (i) for the purposes of clause 6, temporary additional support;
 - (ii) for the purposes of clause 7, childcare assistance; or

(iii) for the purposes of clause 8, special assistance under the Christchurch Mosques Attack Welfare Programme.

11. Entitlement if new or increased payment available but not sought

- (1) This clause applies where MSD is satisfied that an applicant's net income, or the combined net income of an applicant and their spouse or partner, has not increased because the applicant or their spouse or partner has not applied for, or has not supplied information required to determine entitlement to, a payment or a rate of a payment under the Act that has become available to the applicant, or to the applicant's spouse or partner.
- (2) If this clause applies, MSD may—
- (a) refuse to grant transitional assistance; or
 - (b) terminate any transitional assistance already granted.

12. When this programme expires

- (1) This programme expires on the close of 1 April 2021.

At Wellington this day of 2020

Minister for Social Development

Explanatory Note

This note is not part of the programme, but is intended to indicate its general effect.

This programme, which comes into effect on 1 April 2020, provides for the grant of temporary financial assistance for a maximum period of 12 months to people who are unintentionally financially disadvantaged by the combined effects of the Income Support Package. Clauses 6, 7 and 8 are the main eligibility provisions. Transitional assistance under this programme is available for a reduction of childcare assistance or temporary additional support, or both, or of special assistance under the Christchurch Mosques Attack Welfare Programme, if the reason for that reduction is or includes the effect of an amendment to social security legislation in the package, and no specified matters contributed to that

reduction. Payment of transitional assistance under this programme is subject to conditions specified in the programme. Transitional assistance for a reduction of childcare assistance is payable with respect to 30 and 31 March 2020 to reflect that the assessment and payment of this assistance is considered on a weekly basis.