

# Instrument amending Ministerial Directions and Welfare Programmes (No 2) 2018

This instrument is made under sections 7 and 101 of the Social Security Act 2018 and regulations 90 and 211 of the Social Security Regulations 2018 by the Minister for Social Development.

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## **Instrument**

- 1 Title**

This instrument is the Instrument amending Ministerial Directions and Welfare Programmes (No 2) 2018.
- 2 Commencement**

This instrument comes into force on 26 November 2018.
- 3 Principal directions and programmes**

This instrument amends—

  - (a) the Ministerial directions listed in Part 1 of the Schedule—
    - (i) given under section 5 of the Social Security Act 1964 and saved by clause 2(1) of Schedule 1 of the Social Security Act 2018;
    - (ii) given under section 125AA(1) for the purpose of section 125AA(5) of the Social Security Act 1964 and saved by clause 2(3) of Schedule 1 of the Social Security Act 2018;
    - (iii) given for the purposes of section 60RAB(1)(b) of the Social Security Act 1964 and saved by clause 2(5) of Schedule 1 of the Social Security Act 2018;
    - (iv) given under section 86(1BC) of the Social Security Act 1964 and saved by clause 43(6) of Schedule 1 of the Social Security Act 2018; and
  - (b) the welfare programmes listed in Part 2 of the Schedule (established and approved under section 124(1)(d) of the Social Security Act 1964 and saved by clause 21 of Schedule 1 of the Social Security Act 2018) (the **principal directions and programmes**).
- 4 Amendments to principal directions and programmes**

Amend the principal directions and programmes in the manner set out in the Schedule.

# Schedule

CI 4

## Part 1

### Amendments to Ministerial directions

#### Direction on Advance Payment of Benefits (given on 25 May 1999)<sup>1</sup>

On and after 26 November 2018, this direction is called the Direction on Advance Payments of Instalments of Benefit.

After the enacting formula, insert:

This direction is saved by clause 2(1) of Schedule 1 of the Social Security Act 2018 as if it were a direction given to MSD under section 7 of the Act.

In the preamble, replace “section 82(6) of the Social Security Act 1964” with “section 347 of the Social Security Act 2018”.

In the preamble, replace “advance payment of a benefit under section 82(6C)(a) of the Social Security Act 1964” with “advance payment of instalments of a benefit under section 347 of the Social Security Act 2018 and regulation 202 of the Social Security Regulations 2018”.

In the preamble, third paragraph, delete.

In the preamble, fourth paragraph, after “advance payment of”, insert “instalments of”.

In clause 1.1, definition of **Act**, replace “1964” with “2018”.

In clause 1.1, definition of **advance**, after “payment of”, insert “instalments of”.

In clause 1.1, definition of **advance**, replace “section 82 (6)” with “section 347”.

In clause 1.1, definition of **beneficiary**, paragraph (a), replace “section 83 of the Act” with “section 337 of the Act and regulation 191 of the Social Security Regulations 2018”.

In clause 1.1, definition of **cash assets**, paragraph (b)(v), replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 1.1, insert in its appropriate alphabetical order;

**MSD** has the same meaning as in Schedule 2 of the Act

In clause 1.1, definition of **preferred supplier**, replace “the chief executive” with “MSD”.

In clause 1.1, definition of **preferred supplier**, replace “section 125AA(3)” with “section 366”.

In clause 1.2, replace “section 3(1)” with “Schedule 2”.

In clause 2.3(a)(i), replace “Schedule 31” with “Schedule 5”.

<sup>1</sup> *New Zealand Gazette*, 24 June 1999, No. 75, page 1687

In clause 2.3(a)(ii), replace “married or in a civil union or in a de facto relationship” with “in a relationship”.

In clause 4.1A, replace “section 82(6AA)” with “section 368(1)(a)(iii), (b), and (c)”.

In clause 4.1A, replace “section 125AA(3)” with “section 366”.

In clause 6, insert as clause 6.4:

6.4 You may consider that the Beneficiary’s application for an advance should be refused if you are satisfied that the Beneficiary (B), or B’s spouse or partner (C), has failed—

- (a) to take reasonable steps to reduce his or her costs or increase his or her income or better manage his or her finances; or
- (b) to take all reasonable steps to obtain any assistance towards his or her costs from any other source from which B or C may be entitled to assistance; or
- (c) to comply with any requirement of MSD to undertake a budgeting activity under section 348 of the Act.

In clause 7.2.1(a), replace “section 102A(1)(f) with “section 146(1)(d)” in each place.

In clause 7.2.1(a), replace “section 123B” with “section 324”.

**Direction setting approval criteria for specified early childhood education programmes for purposes of social obligations under the Social Security Act 1964 (given on 24 June 2013)<sup>2</sup>**

In the title, change “1964” to “2018”.

After the enacting formula, insert:

This direction is saved by clause 2(5) of Schedule 1 of the Social Security Act 2018 as if it were a notice given under regulations made under section 430(1)(a) of the Act.

In clause 1, replace “1964” with “2018”.

In clause 3(1), definition of **Act**, replace “1964” with “2018”

In clause 3(1), definition of **ECE**, replace “early-childhood education in an approved early-childhood education programme (as defined in regulation 3(1) of the Social Security (Childcare Assistance) Regulations 2004 made under section 132AC of the Act” with “early childhood education in an approved early childhood education programme (as defined in regulation 20 of the Social Security Regulations 2019 made under section 424 of the Act”.

In clause 3(2), replace “section 3(1)” with “Schedule 2”.

In clause 4, heading, replace “**under section 60RAB(1)(b)**” with “**for purposes of sections 131 and 132**”.

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<sup>2</sup> *New Zealand Gazette*, 4 July 2013, No. 85, page 2300

In clause 4, replace “section 60RAB(1)(b)” with “paragraph (b) of the definition of approved early childhood education programme in regulation 90 of the Social Security Regulations 2018”.

In clause 4, replace “a recognised” with “an approved”.

In clause 4, replace “section 60RA(3)(a)(i) or (b)(i)” with “sections 131(1)(a) or 132(1)(a)”.

### **Ministerial Direction on Debt Recovery (given on 30 June 2014)<sup>3</sup>**

After the enacting formula, insert:

This direction is saved by clause 43 of Schedule 1 of the Social Security Act 2018 as if it were a direction given to MSD under regulations made under section 444 of the Act.

In clause 3(1), definition of **Act**, replace “1964” with “2018”.

In clause 3(1), definition of **advance payment of benefit**, replace “means an advance payment of benefit under section 82(6)” with “means an advance payment of instalments of a benefit under section 347”.

In clause 3(1), definition of **age**, replace “86” with “362”.

In clause 3(1), definition of **debt**, replace “section 85A of the Act” with “regulation 206” in each place.

In clause 3(1), definition of **deduction notice**, replace “section 86A of the Act” with “section 353(b) of the Act and regulation 217”.

In clause 3(1), definition of **method of recovery**, replace with:

“**method of recovery** means a method set out in regulation 209(2)”.

In clause 3(1), insert in their appropriate alphabetical order;

**MSD** has the same meaning as in Schedule 2 of the Act

**regulation** means a regulation of the Social Security Regulations 2018

In clause 3(2), replace “section 3(1) and 86D of the Act” with “Schedule 2 of the Act and regulation 216”.

In clause 4, replace “the chief executive” with “MSD” in each place.

In clause 4(1), replace “section 86(1BA)(a) of the Act” with “regulation 209(1)”.

In clause 4(4), replace “section 85A(c) or (d) of the Act” with “regulation 206(c) or (d)”.

In clause 4(4), after “advance payment”, insert “of instalments”.

In clause 4(4)(b), after “advance payments”, insert “of instalments”.

In clause 5, replace “the chief executive” with “MSD” in each place.

In clause 5(1), replace “section 86(1BA)(b) of the Act” with “regulation 210”.

In clause 5(4), replace “section 10A” with “section 391”.

In clause 5(4), replace “section 12J” with “section 397, 398, or 399”.

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<sup>3</sup> *New Zealand Gazette*, 10 July 2014, No. 73, page 2061

In clause 5(5), replace “section 85A(c) or (d) of the Act” with “regulation 206(c) or (d)”.

In clause 5(5) and (5)(b), after “advance payment”, insert “of instalments”.

In clause 6, replace “the chief executive” with “MSD” in each place.

In clause 6(5), replace “weekly compensation” with “weekly loss of earnings compensation”.

In clause 6(6), replace “section 86A of the Act” with “section 353(b) of the Act and regulation 217”.

In clause 6(10)(a), replace “section 10A” with “section 391”.

In clause 6(10)(a), replace “section 12J” with “section 397, 398 or 399”.

In clause 6(10)(b), replace “section 86(1BA)(b) of the Act” with “regulation 210”.

In clause 6(11), definition of **debt**, paragraph (a), replace “section 86A(1C) of the Act” with “paragraph (d) or (e) of the definition of eligible debt due to the Crown in regulation 216”.

In clause 6(11), definition of **weekly compensation**, revoke.

#### **Ministerial Direction - Disability Allowance** (given on 28 March 1999)<sup>4</sup>

After the enacting formula, insert:

This direction is saved by clause 2(1) of Schedule 1 of the Social Security Act 2018 as if it were a direction given to MSD under section 7 of the Act.

In the text under the heading “Direction”, replace section “69C of the Social Security Act 1964” with “section 85 of the Social Security Act 2018”.

In clause 1(1), definition of **Act**, replace “1964” with “2018”.

In clause 1(1), insert in its appropriate alphabetical order;

**MSD** has the same meaning as in Schedule 2 of the Act

In clause 1(2), replace “section 3(1) and section 69C(8)” with “sections 84 and 85 and Schedule 2”.

In clause 2, replace “section 69C(2A)(a)” with “85(2)(d)”.

In clause 2(d), replace “registered health professional” with “health practitioner”.

In clause 4, replace “section 69C(2A)(a)” with “section 85(2)(d)”.

In clause 5, replace “section 69C(2A)(a)” with “section 85(2)(d)”.

In clause 5A, replace “section 69C(2A)(a)” with “section 85(2)(d)”.

In clause 5B, definition of **existing allowance**, revoke.

In clause 5B, definition of **person**, replace with:

**person** means—

(a) a person applying for a disability allowance for counselling costs:

<sup>4</sup> *New Zealand Gazette*, 1 April 1999, No. 41, page 983

- (b) a person receiving a disability allowance for other expenses who applies for the disability allowance to be increased to include counselling costs:
- (c) a person receiving a disability allowance

In clause 5B, replace “section 81” with “section 304”.

In clause 5C, delete “, on or after 24 February 2003”.

In clause 5C(b), replace “; or” with “.”

In clause 5C, paragraph (c), revoke.

In clause 5D, replace “medical practitioner” with “prescribed health practitioner for the purpose of section 88 of the Act”.

In clause 5D, delete “on or after 24 February 2003”.

In clause 6, replace “section 69C” with “section 85”.

#### **Direction in relation to Emergency Benefit and Benefits on Ground of Hardship (given on 6 October 1998)<sup>5</sup>**

After the enacting formula, insert:

This direction is saved by clause 2(1) of Schedule 1 of the Social Security Act 2018 as if it were a direction given to MSD under section 7 of the Act.

In the preamble, paragraph (a), replace “61” with “63”.

In the preamble, paragraph (b), replace “section 88B pursuant to section 88C” with “section 25”.

In the preamble, replace “section 61 or section 88C” with “section 25 or 63”.

In clause 1, definition of **Act**, replace “1964” with “2018”.

In clause 1, definition of **Cash assets**, paragraph (l), replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 1, insert in its appropriate alphabetical order;

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 1, replace “terms otherwise defined in section 3(1)” with “terms otherwise defined in Schedule 2”.

In clause 7(1), replace “section 74AA” with “section 16”.

In clause 7(2), replace “section 61” with “section 63”.

In clause 7(4), replace “section 123E(1)(a)” with “section 365(1)(a)”.

In clause 8(a), replace “section 61” with “section 63”.

In clause 8(b)(ii), replace “section 40B” with “section 34”.

In clause 9(a), replace “section 3(1)” with “Part 2 of Schedule 3”.

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<sup>5</sup> *New Zealand Gazette*, 15 October 1998, page 4120

**Direction in relation to new-born children and hardship assistance** (given on 21 May 2014)<sup>6</sup>

After the enacting formula, insert:

This direction is saved by clause 2(1) of Schedule 1 of the Social Security Act 2018 as if it were a direction given to MSD under section 7 of the Act.

In clause 3, replace “sections 82(6B), 86(1), and 124(1)(d)” with “sections 101, 348, and 362”.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **hardship assistance**, paragraph (a), replace “an advance payment of a benefit under section 82(6)” with “an advance payment of instalments of a benefit under section 347”.

In clause 4(1), definition of **hardship assistance**, paragraph (b), after “section 124(1)(d)” insert “of the Social Security Act 1964 and saved by clause 21 of Schedule 1 of the Act”.

In clause 4(1), insert in its appropriate alphabetical order;

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In clause 4(2), after “Benefit”, insert “(as saved by clause 2(1) of Schedule 1 of the Act)”.

In clause 5, paragraph (a), replace “section 82(6B) of the Act in the circumstances specified in regulation 5, and of a kind specified in regulation 6, of the Social Security (Advance Payment of Benefit) Regulations 2010” with “section 348 of the Act in the circumstances specified in regulation 203, and of a kind specified in regulation 204, of the Social Security Regulations 2018”.

**Direction Relating to Non-resident Spouses** (given on 28 February 2005)<sup>7</sup>

On and after 26 November 2018, this direction is called the Direction Relating to Non-resident Spouses and Partners.

After the enacting formula, insert:

This direction is saved by clause 2(1) of Schedule 1 of the Social Security Act 2018 as if it were a direction given to MSD under section 7 of the Act.

In clause 1, after “Spouses”, insert “and Partners”.

In clause 3, replace “1964” with “2018, **MSD** has the same meaning as in Schedule 2 of the Act”.

In clause 4(1), replace “section 74(1)(a)” with “section 204(1)”.

In clause 4(1), after “spouse”, insert “or partner”.

In clause 4(2)(a) to (iii), replace “section 124(1)(d) of the Act that applies section 74” with “section 101 of the Act that applies section 204”.

In clause 4(2)(b)(ii) and (c), after “spouse”, insert “or partner”.

<sup>6</sup> *New Zealand Gazette*, 29 May 2014, No. 56, page 1575

<sup>7</sup> *New Zealand Gazette*, 10 March 2005, No. 48, page 1263

In clause 4(3), replace “as unmarried under section 63(a)” with “as single under section 8”.

In clause 5, heading, replace “**section 74(1)(a)**” with “**section 204(1)**”.

In clause 5(1) and (2), replace “section 74(1)(a)” with “section 204(1)”.

In clause 5(2), replace “unmarried” with “single”.

In clause 6, replace “unmarried” with “single”.

In clause 6, replace “section 83(2) of the Act” with “regulation 191(3) of the Social Security Regulations 2018”.

**Direction in relation to the preferred supply of goods and services** (given on 23 May 2013)<sup>8</sup>

After the enacting formula, insert:

This direction is saved by clause 46(2) of Schedule 1 of the Social Security Act 2018 as if it were made under section 367 of the Act.

In clause 3(1), definition of **Act**, replace “1964” with “2018”.

In clause 3(1), insert in its appropriate alphabetical order;

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 3(1), definition of **premises**, replace “section 61E(1)” with “section 66(3)”.

In clause 3(2), replace “section 3(1) and 125AA” with “section 366 and Schedule 2”.

In clause 4, heading, replace “**section 125AA(3)**” with “**section 366**”.

In clause 4, replace “section 125AA(3)” with “section 366”.

In clause 4, replace “the chief executive” with “MSD”.

In clause 4, replace “section 125AA(2)(b) and (d)” with “section 367(2)(b) and (c)”.

In clause 5, heading, replace “**section 125AA(3)**” with “**section 366**”.

In clause 5, replace “section 125AA(3)” with “section 366”.

In clause 4, replace “the chief executive” with “MSD”.

In clause 5, replace “section 125AA(2)(b) and (d)” with “section 367(2)(b) and (c)”.

**Ministerial Direction on Redirection of Benefit Payments** (given on 17 March 2015)<sup>9</sup>

After the enacting formula, insert:

This direction is saved by clause 2(1) of Schedule 1 of the Social Security Act 2018 as if it were given to MSD under section 7 of the Act.

<sup>8</sup> *New Zealand Gazette*, 13 June 2013, No. 74, page 1978

<sup>9</sup> *New Zealand Gazette*, 26 March 2015, No. 32, go1763



In clause 3, definition of **Act**, replace “1964” with “2018”.

In clause 3, insert in its appropriate alphabetical order;

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 3(2), replace “section 3(1), 61E, and 136” with “section 66 and Schedule 2 of the Act and section 5 of the Residential Care and Disability Support Services Act 2018”.

In clause 4, paragraph (a), replace “the proviso to section 82(3)” with “section 339(1)”.

In clause 5(1), replace “the proviso to section 82(3)” with “section 339(1)”.

In clause 5(1), replace “section 126A(1), with “clause 13(6) of Schedule 6”.

In clause 5(2), replace “section 70, 70A, or 71A” with “section 189, 192, or 198”.

**Ministerial Direction - Single Living Alone Rates** (given on 23 November 1999)<sup>10</sup>

After the enacting formula, insert:

**This direction is saved by clause 2(1) of Schedule 1 of the Social Security Act 2018 as if it were given to MSD under section 7 of the Act.**

In the preamble, replace “section 12 or 81 of the Social Security Act 1964” with “sections 298, 301, or 304 of the Act”.

Replace clause 1 with:

**1 Interpretation**

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

**Act** means the Social Security Act 2018

**house or flat** has the meaning in clause 2

**living alone** has the same meaning as in section 4A of the New Zealand Superannuation and Retirement Income Act 2001

**MSD** has the same meaning as in Schedule 2 of the Act

**single living alone rate** has the same meaning as in section 4 of the New Zealand Superannuation and Retirement Income Act 2001.

(2) Terms otherwise defined in Schedule 2 of the Act have the same meanings in this direction.

In clause 2, replace “a person” with “a single person”.

**Direction in relation to Special Benefit** (given on 10 February 1999)<sup>11</sup>

After the enacting formula, insert:

**This direction is saved by clause 2(1) of Schedule 1 of the Social Security Act 2018 as if it were given to MSD under section 7 of the Act.**

Replace the preamble with:

<sup>10</sup> *New Zealand Gazette*, 25 November 1999, No. 177, page 4235

<sup>11</sup> *New Zealand Gazette*, 16 December 1999, No. 193, page 4599

In the exercise of the following determinations, you must have regard to the matters set out in this direction:

- (a) determining the amount or rate of a special benefit granted to an applicant under former section 61G of the Social Security Act 1964 and continued by section 23 of the Social Security (Working for Families) Act 2004 (**section 23**), (as saved by clause 19 of Schedule 1 of the Act):
- (b) determining in accordance with section 23 that the applicant is no longer qualified to receive the special benefit under that former section and no longer entitled to have fixed in respect of him or her a special entitlement to a special benefit under that former section.

In clause 1.1, replace “the Act” with “under former section 61G of the Social Security Act 1964”.

In clause 1.4(d), replace “disability services” with “disability support services”.

In clause 2.1, definition of **Accommodation costs**, replace “section 61E” with “section 65(2)”.

In clause 2.1, definition of **the Act**, replace “1964” with “2018”.

In clause 2.1, definition of **Allowable costs**, replace “section 68A” with “sections 186 and 310 and clause 20 of Schedule 3”.

In clause 2.1, definition of **Allowable costs**, paragraph (a), replace “accommodation benefit, accommodation supplement, rent rebate allowance, or tenure protection allowance” with “accommodation supplement”.

In clause 2.1, definition of **Allowable costs**, paragraph (c), replace “section 69C” with “section 85”.

In clause 2.1, definition of **Allowable costs**, paragraph (ca), replace “of the Act” with “of the Social Security Act 1964 (and saved by clause 21 of Schedule 1 of the Act)”.

In clause 2.1, definition of **Allowable costs**, paragraph (ca)(ii), replace “of the Act” with “of the Social Security Act 1964”.

In clause 2.1, definition of **Allowable costs**, paragraph (k)(ii), replace “advance payment of benefit under section 82(6)” with “advance payment of instalments of a benefit under section 347”.

In clause 2.1, definition of **Allowable costs**, paragraph (k)(ii), replace “section 124(1)(d)” with “section 101”.

In clause 2.1, definition of **Cash assets**, paragraph (l), replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 2.1, definition of **Chargeable income**, paragraph (a), replace “section 61GA” with “section 77”.

In clause 2.1, definition of **Chargeable income**, paragraph (e), replace “section 3(1)” with “Part 2 of Schedule 3”.

In clause 2.1, definition of **Chargeable income**, paragraph (f)(i), (ii), and (iii), replace “section 124(1)(d)” with “section 101” in each place.

In clause 2.1, definition of **Dependent child**, replace “section 3(1)” with “Schedule 2”.

In clause 2.1, definition of **Income**, replace “section 3(1)” with “Part 2 of Schedule 3”.

In clause 2.1, definition of **Living alone**, replace “section 13” with “section 4A”.

In clause 2.1, definition of **main benefit under this Act**, replace “section 3(1)” with “Schedule 2”.

In clause 2.1, insert in its appropriate alphabetical order;

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 2.1, definition of **specified processing error**, replace “of the Act” with “of the Social Security Act 1964”.

In clause 2.2, replace “section 3(1)” with “Schedule 2”.

In clause 3.1(a)(i), replace “Schedule 31” with “Schedule 5”.

In clause 5.1, replace “receiving special benefit under the Act” with “continuing to receive special benefit under section 23 of the Social Security (Working for Families) Amendment Act 2004”.

In clause 5.1, delete “the later of”.

In clause 5.1, paragraph (a), revoke.

In clause 5.1, paragraph (b), replace with:

(b) the date of any review of the person’s special benefit under section 304 of the Act.

In the Schedule, clause 1, replace “Schedule 9” with “Part 1 of Schedule 4”.

In the Schedule, clauses 1(c), 4(c), 6(c), 7(c), 9, 10, 13, 15, 16, 17, and 18, replace “married or in a civil union or in a de facto relationship” with “in a relationship” in each place.

In the Schedule, clauses 4, 10, and 15, replace “section 40B” with “section 34”.

In the Schedule, clause 5, replace “the Act” with “the Social Security Act 1964”.

In the Schedule, clauses 6, 13, and 15, replace “section 40D” with “section 40”.

In the Schedule, clauses 6, 13, and 15, replace “a patient requiring care” with “another person”.

In the Schedule, clause 6(a), revoke.

In the Schedule, clause 9 and 13, replace “Schedule 9” with “Part 1 of Schedule 4”.

**Direction in relation to sections 61G and 179** (set out in clause 14 of the Employment and Work Readiness Assistance Programme and given on 26 June 2014)<sup>12</sup>

Revoke.

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## Part 2

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<sup>12</sup> *New Zealand Gazette*, 3 July 2014, No. 70, page 1972

## Amendments to welfare programmes

**Away from Home Allowance Programme** (as established and approved on 19 January 1998)<sup>13</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 2.1, definition of **Act**, replace “1964” with “2018”.

In clause 2.1, definition of **Dependent**, paragraph (d), replace “Children, Young Persons, and Their Families Act 1989” with “Oranga Tamariki Act 1989”.

In clause 2.1, insert in its appropriate alphabetical order;

**MSD** has the same meaning as in Schedule 2 of the Act

In clause 2.2, replace “section 3(1)” with “Schedule 2”.

In the heading to clause 4, delete “1964”

In clause 4.1, after “programme”, insert “and every applicant”.

In clause 4.1, replace “was” with “were”.

In clause 4.1, replace “Sections 10, 12, 64, 66, 66A, 66B, 68, 69, 70B, 74, 74A, 77, 80A, 81, and 82 (1), (2), (4), and (7)” with “sections 19, 110, 111, 113, 114, 195, 196, 202, 204, 205, 219, 292, 298, 301, 337, 338, 340, clauses 2, 9, 11 to 14, and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

Clause 4.2, revoke.

In clause 5.1, replace “The Director-General” with “MSD”.

In clause 5.1.1(b), replace “a training benefit” with “jobseeker support”.

In clause 5.1.3(b), replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 6, replace “the Director-General” with “MSD” in each place.

In clause 7.3, replace “section 61E” with “section 65(2)”.

In clause 8.3.2, replace “the Director-General” with “MSD”.

**Community Costs Programme** (as established and approved on 15 March 2006)<sup>14</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

<sup>13</sup> *New Zealand Gazette*, 29 January 1998, page 349

<sup>14</sup> *New Zealand Gazette*, 23 March 2006, No. 27, page 729

In clause 4(1), definition of **cash assets**, replace “Social Security (Temporary Additional Support) Regulations 2005” with “regulation 60 of the Social Security Regulations 2018”.

In clause 4(1), insert in its appropriate alphabetical order;

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In clause 5(1), replace “Sections 12, 62, 63, 71A, 74A, 76, 77, 80BD(1), 81, 82 (except 82(6)), 84, and 86J” with “Sections 8, 19, 110, 111, 114, 198, 217, 218, 219, 292, 293, 298, 301, 303, 325, 337 to 340, 346, 348, 364, 368, 371, and 417, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6(2), replace “the chief executive” with “MSD” in each place.

In clause 7(b), replace “section 136 of the Act” with “section 5 of the Residential Care and Disability Support Services Act 2018”.

In clause 7(c), after “2004”, insert “(as saved by clause 19 of Schedule 1 of the Act)”.

In clause 7(d)(iii), replace “Children, Young Persons, and Their Families Act 1989” with “Oranga Tamariki Act 1989”.

In clause 7(e)(i), replace “Schedule 31” with “Schedule 5”.

In clause 7(f), replace “Schedule 31” with “Schedule 5”.

In clause 8(2), replace “the chief executive” with “MSD”.

In clause 9(1), replace “The chief executive may, in his or her discretion,” with “MSD may, in its discretion,”.

In clause 9(2)(g), replace “the chief executive” with “MSD”.

In clause 10, replace “the chief executive” with “MSD” in each place.

In clause 11(4), replace “the chief executive” with “MSD” in each place.

In clause 12(2), replace “the chief executive” with “MSD”.

In the Schedule, clause 1, replace “the chief executive” with “MSD”.

In the Schedule, clause 2(c), replace “clause 6 of Schedule 2 of the Social Security (Temporary Additional Support) Regulations 2005” with “regulation 71(6) of the Social Security Regulations 2018”.

**Domestic Violence and Witness Protection (Relocation) Programme 2001**  
(as established and approved on 27 March 2002)<sup>15</sup>

After the enacting formula, insert:

**This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.**

In clause 4(1), definition of **accompanying person**, replace “the chief executive” with “MSD”.

<sup>15</sup> *New Zealand Gazette*, 11 April 2002, No. 34, page 1029

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **cash assets**, paragraph (1), replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD** has the same meaning as in Schedule 2 of the Act

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In clause 4(3), replace “the chief executive must apply section 70B” with “MSD must apply sections 195 and 196”.

In the heading to clause 5, delete “1964”.

In clause 5(1), replace “Sections 12, 63, 74A, 76, 81, 82 (except 82(7)), 83, 84, and 86J” with “Sections 8, 19, 195, 196, 205, 217, 218, 292, 293, 298, 301, 337 to 340, 346 to 348, 353, 364, 368, 371, and 417, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 5(1), after “this programme”, insert “and every applicant”.

In clause 7, replace “the chief executive” with “MSD”.

In clause 9(1), replace “the chief executive” with “MSD”.

In clause 9(4)(a), replace “Schedule 31” with “Schedule 5”.

In clause 10(2), replace “Part II of the Eighteenth Schedule” with “Part 7 of Schedule 4”.

In clause 12, replace “The chief executive” with “MSD”.

In clause 12(a), replace “the chief executive” with “MSD”.

In clause 12(b), replace “the chief executive’s” with “its”.

In clause 13, replace “The chief executive” with “MSD”.

In clause 13(1)(b)(i), (2), and (3), replace “the chief executive” with “MSD” in each place.

In clause 13(3), after “payments of”, insert “instalments of”.

In clause 13(3), replace “section 82(6)” with “section 347”.

In clause 14, replace “the chief executive” with “MSD” in each place.

In clause 15, replace “The chief executive” with “MSD”.

In clause 15(b)(ii), replace “the department” with “MSD”.

In clause 16(1), replace “the Act” with “the Social Security Act 1964”.

**Employment and Work Readiness Assistance Programme** (as established and approved on 6 March 2014)<sup>16</sup>

After the enacting formula, insert:

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<sup>16</sup> *New Zealand Gazette*, 13 March 2014, No. 29, page 837

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 3(b)(i), replace “sickness” with “health condition”.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **applicant**, paragraph (b), replace “the chief executive” with “MSD”.

In clause 4(1), definition of **cash assets**, replace “section 61E(1)” with “section 68(2)”.

In clause 4(1), definition of **contracted service provider**, replace “section 125A” with “section 373(1)”.

In clause 4(1), definition of **employment**, replace “section 3(1)” with “Schedule 2”.

In clause 4(1), definition of **main benefit under the Act**, replace “section 3(1)” with “Schedule 2”.

In clause 4(1), insert in their appropriate alphabetical order:

**MSD** has the same meaning as in Schedule 2 of the Act

**recognised voluntary work** has the same meaning as in Schedule 2 of the Act

In clause 4(1), definition of **services**, replace “the specified regulations” with “subpart 1 of Part 8 of the Social Security Regulations 2018”.

In clause 4(1), definition of **specified regulations**, revoke.

In clause 4(1), definition of **stand down period**, replace “section 80BA” with “section 316”.

In clause 4(1), definition of **voluntary work**, revoke.

In clause 4(1) definition of **youth service**, replace “section 123E(1)(a) of the Act and Regulation 4 of the specified regulations” with “section 365(1) of the Act and regulation 265 of the Social Security Regulations 2018”.

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In clause 5(1), replace “Sections 12(1A) to (3), 63, 74(1)(a), 76, 80A, 81, 82(1) and (4), and 84” with “Sections 8, 113, 204, 217, 218, 292, 293, 298(3), 337, 340, 417, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6(1), replace “the chief executive may, in his or her absolute discretion and subject to such conditions as the chief executive thinks fit” with “MSD may, in its absolute discretion and subject to such conditions as MSD thinks fit”.

In clause 6(2A), replace “the chief executive” with “MSD” in each place.

In clause 6(2A)(a), replace “staff of the department” with “MSD employees”.

In clause 6(2B), replace “section 85A(d)(ii) of the Act” with “regulation 206(d)(ii) of the Social Security Regulations 2018”.

In clause 6(3)(c)(iii), replace “the chief executive” with “MSD”.

In clause 6(3)(c)(iii), replace “section 40K” with “section 39”.

In clause 6(3)(c)(iv), replace “section 11E of the Act (pre-benefit activities) applies” with “section 184 of the Act and subpart 1 of Part 4 of the Social Security regulations 2018 (pre-benefit activities) apply”.

In clause 6(3)(c)(v), replace “the department” with “MSD”.

In clause 6(3)(c)(vi), replace “section 40B” with “section 34”.

In clause 6(3A), replace “sickness” with “health condition”.

In clause 6(3A)(c), replace “the chief executive” with “MSD”.

In clause 7, replace “the chief executive” with “MSD” in each place.

In clause 7(1)(a), replace “the chief executive’s” with “its”.

In clause 7(3), replace “the department” with “MSD”.

In clause 8, replace “the chief executive” with “MSD”.

In clause 8(a), replace “section 1B” with “section 4”.

In clause 8(e), replace “obligations under section 60Q” with “work preparation obligations under section 124 or 125”.

In clause 8(f), replace “section 60H(3)” with “section 225”.

In clause 8(f), replace “section 60H(2)” with “section 226”.

In clause 10, replace “The chief executive may, in his or her discretion,” with “MSD, may in its discretion.”.

In clause 10(d), replace “the chief executive” with “MSD”.

In clause 11, replace “the chief executive” with “MSD” in each place.

In clause 11(3), replace “section 75B(6) or (7)” with “section 209 or 213”.

In clause 12(3) and (4), replace “of the Act” with “of the Social Security Act 1964”.

In the Schedule, replace “the chief executive” with “MSD” in each place.

In the Schedule, clause 4, replace “section 125A” with “section 373”.

In the Schedule, clause 6(1)(c)(iii), replace “the chief executive’s” with “its”.

In the Schedule, clause 6(2), replace “of the Act” with “of the Social Security Act 1964 and saved by clause 21 of Schedule 1 of the Act”.

In the Schedule, clause 7 heading, replace “**sickness**” with “**health condition**”.

In the Schedule, clause 7(a) and (b), replace “sickness” with “health condition” in each place.

In the Schedule, clause 8(b), replace “the department” with “MSD”.

In the Schedule, clause 9 heading, replace “**sickness**” with “**health condition**”.

In the Schedule, clause 9, replace “sickness” with “health condition”.

In the Schedule, clause 10, replace “section 125A” with “section 373”.

In the Schedule, clause 11 heading, before “**voluntary work**”, insert “**recognised**”.

In the Schedule, clause 11, before “voluntary work”. insert “recognised”.



In the Schedule, clause 11A, replace “Regulation 5 of the specified regulations” with “regulation 266 of the Social Security Regulations 2018”

In the Schedule, clause 11A, replace “section 125A” with “section 373”.

**Employment Transition Programme** (as established and approved on 23 June 2005)<sup>17</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 3, replace “section 40B” with “section 34”.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **employment trial**, replace “chief executive” with “MSD”.

In clause 4(1), definition of **employment trial**, replace “section 40K(2)” with “section 39(2)”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD** has the same meaning as in Schedule 2 of the Act

In clause 4(1), definition of **net specified income**, paragraph (a), replace “section 3(1)” with “Part 2 of Schedule 3”.

In clause 4(1), definition of **net specified income**, paragraph (b)(i), replace “section 3(1)” with “Schedule 2”.

In clause 5(1), replace “Sections 12, 62, 66, 74, 74A, 76, 77, 80(1), 80A, 80BD, 81, 82(1) and (4), 84, 84A, and 86J” with “Sections 19, 113, 114, 202, 204, 217, 218, 219, 292, 293, 298, 301, 303, 311(1), 325 to 330, 337, 340, 364, 388, and 417, clauses 2, 9, and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6(1)(a), replace “section 40B” with “section 34”.

In clause 6(2), replace “The chief executive” with “MSD”.

In clause 6(2)(b), replace “section 40B” with “section 34”.

In clause 7(3), definition of **c**, replace “section 40B” with “section 34”.

In clause 8(2) and (4), replace “section 40B” with “section 34” in each place.

In clause 9, replace “section 81” with “section 304”

In clause 9A heading, replace “Savings in respect of invalid’s benefit” with “**Transitional and savings provisions**”.

In clause 9A(a), replace “section 40B” with “section 34”.

In clause 9A(a), replace “section 40 of the Act” with “section 40 of the Social Security Act 1964”

In clause 9A(b), replace “section 40K” with “section 39”.

<sup>17</sup> *New Zealand Gazette*, 30 June 2005, No. 100, page 2383

In clause 9A(b), replace “section 44A” with “section 44A of the Social Security Act 1964”.

In clause 9A, insert as paragraphs (c) and (d):

- (c) a reference to a supported living payment under section 34 of the Act includes a reference to a supported living payment granted before 26 November 2018 under section 40B of the Social Security Act 1964 (as it was before its repeal by section 455 of the Act); and
- (b) a reference to an employment trial under section 39 of the Act includes reference to an employment trial commenced before that date under section 40K of the Social Security<sup>a</sup> Act 1964 before its repeal on that date by section 455 of the Act.

**Families Package (Transitional Assistance) Programme** (as established and approved on 12 February 2018)<sup>18</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

After clause 3, insert:

### **3A Transitional and savings provisions**

The transitional and savings provisions in the Schedule have effect according to their tenor.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD** has the same meaning as in Schedule 2 of the Act

In clause 4(1), definition of **net income**, replace “Schedule 1 of the Social Security (Temporary Additional Support) Regulations 2005” with “regulation 69 of the Social Security Regulations 2018”.

In clause 4(1), definition of **net income**, replace “section 61GA” with “section 96”.

In clause 4(1), definition of **specified enactments**, paragraph (a), replace “the Act” with “the Social Security Act 1964”.

In clause 4(1), definition of **specified payment**, paragraph (a), replace “section 3(1)” with “Schedule 2”.

In clause 4(1), definition of **specified payment**, paragraph (d), replace “section 61EA” with “section 65”.

In clause 4(1), definition of **specified payment**, paragraph (e), replace “section 61GA” with “section 77”.

In clause 4(1), definition of **specified payment**, paragraph (f), replace “69C” with “section 85”.

<sup>18</sup> *New Zealand Gazette*, 15 February 2018, Notice No. 2018-go692

In clause 4(1), definition of **specified payment**, paragraph (g), after “2004”, insert “(as saved by clause 19 of Schedule 1 of the Act)”.

In clause 4(1), definition of **specified payment**, paragraph (h), replace “section 61G” with “section 96”.

In clause 4(1), definition of **specified payment**, paragraph (i), replace “of the Act” with “of the Social Security Act 1964 and continued by clause 21 of Schedule 1 of the Act or approved and established under section 101 of the Act”.

In clause 4(1), definition of **transitional assistance**, replace “the chief executive” with “MSD”.

In clause 5(1), replace “Sections 12, 62, 63, 64, 66A, 70, 71, 74, 74A, 77, 80A, 80B, 80BD, 81, 82, 83, and 84” with “Sections 8, 19, 110, 111, 113, 114, 186 to 191, 197, 202, 204, 205, 219, 292, 293, 298, 301, 303, 325 to 330, 337 to 340, 346 to 348, 368, 371, 417, clauses 2, 9, 11 to 14, and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 5(2), replace “section 85A(d)” with “section 304 (Review of entitlement and rate payable)”.

In clause 6(1), replace “The chief executive” with “MSD”.

In clause 6(1)(b), replace “the chief executive” with “MSD”.

In clause 7(1), replace “The chief executive” with “MSD”.

In clause 7(1)(b), replace “the chief executive” with “MSD”.

In clause 8(1), replace “The chief executive” with “MSD”.

In clause 8(1), replace “the chief executive” with “MSD”.

In clause 8(1), replace “section 61GA” with “section 77”.

In clause 10(1), replace “section 81” with “section 304”.

In clause 10(2), replace “the chief executive’s” with “its”.

In clause 12, replace “the chief executive” with “MSD” in each place.

After clause 12, insert:

## Schedule

CI 3A

### Transitional and savings provisions

- 1 Despite the amendments to this programme made on 26 November 2018 by the Instrument amending Ministerial Directions and Welfare Programmes (No 2) 2018, MSD must not under any of clauses 6 to 8 of this programme make any new grant of transitional assistance.
- 2 Transitional assistance granted before that date under any of those clauses continues until an event referred to in clause 11(2) of this programme occurs and MSD may, before that date, adjust its amount or review it under clauses 9 or 10 of this programme.

**Family Start and Early Start (Childcare Assistance) Programme** (as established and approved on 12 September 2005)<sup>19</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **Family Start or Early Start family**, replace “the chief executive” with “MSD”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD** has the same meaning as in Schedule 2 of the Act

In clause 4(1), definition of **Regulations**, replace with

**Regulations** means subpart 6 of Part 2 of the Social Security Regulations 2018.

In clause 5(1), replace “Sections 12, 62, 74(1)(a), 74A, 80(1), 80A, 80BD(1), 81, 84, 84A and 86J” with “Sections 19, 113, 118, 204, 292, 293, 298, 301, 303, 311(1), 325, 364, 388, and 417 and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6, replace “The chief executive” with “MSD”.

In clause 6, replace “early-childhood” with “early childhood”.

In clause 7(1), replace “the chief executive” with “MSD” in each place.

In clause 8(3), definition of **a**, paragraph (a), replace “early-childhood” with “early childhood”.

In clause 9, replace “early-childhood” with “early childhood”.

In clause 10, replace “early-childhood” with “early childhood” in each place.

In clause 10(1)(b), replace “an officer of the department” with “an MSD employee”.

In clause 10(2), replace “section 80A” with “section 113”.

In clause 11, heading, replace “**early-childhood**” with “**early childhood**”.

In clause 11, replace “early-childhood” with “early childhood” in each place.

In clause 11(2), replace “the chief executive” with “MSD”.

In clause 12, replace “early-childhood” with “early childhood” in each place.

**Guaranteed Childcare Assistance Payment Programme** (as established and approved on 13 August 2012)<sup>20</sup>

After the enacting formula, insert:

<sup>19</sup> *New Zealand Gazette*, 15 December 2005, No. 207, page 5275

<sup>20</sup> *New Zealand Gazette*, 16 August 2012, No. 98, page 2739

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **appropriate contracted service provider**, replace “section 123E(1)(a)” with “section 365(1)(a)”.

In clause 4(1), definition of **appropriate contracted service provider**, paragraph (b), replace “section 181” with “section 378”.

In clause 4(1), definition of **approved early-childhood education programme**, replace “**early-childhood**” with “**early childhood**”.

In clause 4(1), definition of **approved early-childhood education programme**, replace “Social Security (Childcare Assistance) Regulations 2004” with “subpart 6 of Part 2 of the Social Security Regulations 2018”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(1), definition of **TIA programme**, replace “Act” with “Social Security Act 1964 and revoked on 30 June 2014 by clause 12 of the Employment and Work Readiness Assistance Programme”.

In clause 4(1), definition of **youth activity obligation** replace “section 170(1)(a), (b), or (c)” with “section 162(1)(a) or (b), or 164(1)(a)”.

In clause 4(2), replace “section 3(1) or 157” with “section 162 or Schedule 2”.

In clause 5(1), replace “Sections 11D, 12, 62, 63, 74, 74A, 75, 76, 77, 80(1), 80AA, 80A, 80BD, 81, 82(1), 82(3) to (5), 84, and 86J” with “Sections 8, 19, 113, 114, 202, 204(1), 205, 206, 207, 217, 218, 219, 292, 293, 297, 298, 301, 303, 311(1), 317, 318, 325 to 330, 337, 339, 340, 346, 364, 417, clauses 2 and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6, replace “the chief executive” with “MSD” in each place.

In clause 6(1)(a), replace “Part 5” with “subpart 8 of Part 2”.

In clause 6(1)(b), replace “section 171(2)” with “section 167”.

In clause 6(2)(a), replace “early-childhood” with “early childhood”.

In clause 6(2)(b)(ii) and (7)(b), replace “section 170(1)(a)” with “section 162(1)(a)”.

In clause 6(2)(b)(ii), replace “section 170(4)” with “section 163”.

In clause 6(7)(e), replace “sickness” with “a health condition”

In clause 7(1)(b)(i), after “de facto relationship”, insert “(in the case of a de facto relationship entered into after 13 August 2018, with the consent of a Family Court judge under section 46A of the Care of Children Act 2004)”.

In clause 7(2), replace “The chief executive” with “MSD”.

In clause 7(2), replace “the chief executive” with “MSD”.

In clause 7(2), replace “early-childhood” with “early childhood”.

In clause 8(a), replace “section 61GA” with “section 77”.

In clause 8(c), replace “of the Act” with “of the Social Security Act 1964 and saved by clause 20 of Schedule 1 of the Act, or approved and established under section 101 of the Act”.

In clause 9(2), definition of **a**, paragraph (a), replace “early-childhood” with “early childhood”.

In clause 12(4), replace “early-childhood” with “early childhood”.

In clause 12(4), replace “the chief executive” with “MSD” in each place.

In clause 13(1), replace “early-childhood” with “early childhood” in each place.

In clause 13(1)(b), replace “an officer of the department” with “an MSD employee”.

In clause 13(2), replace “section 80A” with “section 113”.

In clause 14(3), replace “the chief executive” with “MSD”.

In clause 15, replace “early-childhood” with “early childhood” in each place.

In clause 15(2), replace “the chief executive” with “MSD”.

In clause 16, replace “early-childhood” with “early childhood” in each place.

### **Home Help Programme** (as established and approved on 6 May 2004)<sup>21</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **cash assets**, replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In clause 5(1), replace “Sections 12, 62, 63, 64, 66, 66B, 68, 74, 74A, 76, 77, 80(1), 80A, 80BD(1), 81, 82(1) and (4), 84, 84A, and 86J” with “Sections 8, 19, 113, 114, 202, 204, 217 to 219, 292, 293, 298, 303, 311(1), 325, 337, 340, 364, 388, and 417, clauses 2, 9, 11 to 14, and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6(1)(c)(i), replace “the chief executive” with “MSD”.

In clause 8(1), replace “the chief executive” with “MSD” in each place.

In clause 8(2)(c)(ii) replace “the Social Security (Childcare Assistance) Regulations 2004” with “subpart 6 of Part 2 of the Social Security Regulations 2018”.

<sup>21</sup> *New Zealand Gazette*, 13 May 2004, No. 52, page 1290

In clause 8(2)(d)(i), replace “Children, Young Persons, and Their Families Act 1989” with “Oranga Tamariki Act 1989”.

In clause 9(1), replace “the chief executive” with “MSD”.

In clause 10, replace “the chief executive” with “MSD”.

In clause 11, replace “of the Act” with “of the Social Security Act 1964”.

**Housing Support Assistance Programme** (as established and approved on 26 June 2014)<sup>22</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of applicant, replace “the chief executive” with “MSD” in each place.

In clause 4(1), definition of **beneficiary**, replace “section 61E(1) of the Act” with “regulation 17 of the Social Security Regulations 2018”.

In clause 4(1), definition of **cash assets**, replace “section 61E(1)” with “section 68(2)”.

In clause 4(1), definition of **cash assets limit**, replace “married or in a civil union or in a de facto relationship” with “in a relationship”.

In clause 4(1), definition of **cash assets limit**, paragraphs (a) and (b), replace “section 61EC(3)(a) of the Act” with “regulation 15(1)(a) of the Social Security Regulations 2018”.

In clause 4(1), definition of **cash assets limit**, paragraph (c), replace “section 61EC(3)(b) of the Act” with “regulation 15(1)(b) of the Social Security Regulations 2018”.

In clause 4(1), definition of **income limit**, paragraph (a), replace “clause 2 of Schedule 18 of the Act” with “regulation 18 of the Social Security Regulations 2018”.

In clause 4(1), definition of **income limit**, paragraph (a), replace “that schedule” with “Part 7 of Schedule 4 of the Act”.

In clause 4(1), definition of **income limit**, paragraph (b), replace “Schedule 31” with “Schedule 5”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(1), definition of **non-beneficiary**, replace “section 61E(1) of the Act” with “regulation 17 of the Social Security Regulations 2018”.

In clause 4(3), replace “section 3(1)” with “Schedule 2”.

<sup>22</sup> *New Zealand Gazette*, 3 July 2014, No. 70, page 1975

In clause 5(1), replace “Sections 12(1A) to (3), 63, 74(1)(a) and (d), 76, 80A, 81, 82(1) and (4), and 84” with “Sections 8, 113, 204, 217, 218, 292, 293, 298(3), 337, 340, 417, clause 16 of Schedule 3, and clause 1 of Schedule 6”.

In clause 6, replace “the chief executive” with “MSD” in each place.

In clause 6A(1), replace “the chief executive” with “MSD”.

In clause 8, replace “the chief executive” with “MSD” in each place.

In clause 8(3), replace “the department” with “MSD”.

In clause 9, replace “The chief executive” with “MSD”.

In clause 9(c), replace “the chief executive” with “MSD”.

In clause 11(1)(iii), replace “the department” with “MSD”.

In clause 11(1)(c), replace “the chief executive’s” with “its”.

In clause 12(1)(b), replace “the chief executive’s” with “its”.

In clause 14, replace “the chief executive” with “MSD” in each place.

In clause 15(1), replace “the chief executive” with “MSD”.

In clause 17(1)(a)(iii), replace “the department” with “MSD”.

In clause 17(1)(b), replace “the chief executive’s” with “its” in each place.

In clause 19(1), replace “the chief executive” with “MSD”.

In clause 20, replace “the chief executive” with “MSD” in each place.

In clause 21(1), replace “the chief executive” with “MSD”.

In clause 22, replace “section 85A(d)(i) of the Act” with “regulation 206(d)(i) of the Social Security Regulations 2018”.

In clause 24(1)(a)(iii), replace “the department” with “MSD”.

In clause 24(1)(b), replace “the chief executive’s” with “its”.

In clause 25(b), after “advance payment”, insert “of instalments”.

In clause 25(b), replace “section 124(1)(d) of the Act” with “section 101 of the Act or under section 124(1)(d) of the Social Security Act 1964 and saved by Schedule 1 clause 20 of the Social Security Act 2018”.

In clause 27, replace “the chief executive” with “MSD”.

In clause 30(1), replace “the chief executive” with “MSD” in each place.

In clause 30(1)(b), replace “the chief executive’s” with “its”.

In clause 32, replace “the chief executive” with “MSD” in each place.

In clause 35, replace “the chief executive” with “MSD” in each place.

In clause 35(a)(iii), replace “the department” with “MSD”.

In clause 35(c), replace “the chief executive’s” with “its”.

In clause 36, replace “The chief executive” with “MSD”.

In clause 36, replace “the chief executive” with “MSD” in each place.

In clause 36(3), replace “the department” with “MSD” in each place.



In clause 38, replace “section 85A(d)(i) of the Act” with “regulation 206(d)(i) of the Social Security Regulations 2018”.

In clause 40(1)(a)(iii), replace “the department” with “MSD”.

In clause 40(b), replace “the chief executive’s” with “its”.

In clause 43, replace “the chief executive” with “MSD” in each place.

In clause 43(b), after “advance payment”, insert “of instalments”.

In clause 44(1), replace “the chief executive” with “MSD”.

In clause 46, replace “the chief executive” with “MSD” in each place.

In clause 46(b), replace “the chief executive’s” with “its”.

In clause 49, replace “the chief executive” with “MSD”.

In clause 50, replace “the chief executive” with “MSD” in each place.

In clause 50, replace “the department” with “MSD” in each place.

In clause 51, replace “the chief executive” with “MSD”.

In clause 51, replace “the department” with “MSD”.

In clause 52, replace “the chief executive” with “MSD” in each place.

In clause 53(3), replace “section 85A(d)(i) of the Act” with “regulation 206(d)(i) of the Social Security Regulations 2018”.

In clause 65, replace “the chief executive” with “MSD” in each place.

In clause 65, replace “the department” with “MSD”.

**New Employment Transition Grant Programme** (as established and approved on 9 December 1998)<sup>23</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 2.1, definition of **Act**, replace “1964” with “2018”.

In clause 2.1, definition of **Cash Assets**, paragraph (1), replace “the Social Security (Income and Cash Assets Exemption) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 2.1, definition of **Eligible Parent**, paragraph (a)(ii), replace “married or in a civil union or in a de facto relationship” with “in a relationship” in each place.

In clause 2.1, definition of **Eligible Parent**, paragraph (a)(ii), replace “clause 5 of the Schedule 9” with “clause 3 of Part 1 of Schedule 4”.

In clause 2.1, definition of **Eligible Parent**, paragraph (a)(ii), replace “section 117 and 120” with “sections 236, and 245 to 247”.

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<sup>23</sup> *New Zealand Gazette*, 17 December 1998, No. 200, page 4769

In clause 2.1, definition of **Eligible Parent**, paragraph (c), replace “Schedule 31” with “Schedule 5”.

In clause 2.1, insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 2.2, replace “section 3(1)” with “Schedule 2”.

In the heading to clause 3, delete “1964”.

In clause 3.1, replace “Sections 3(1), 12, 62, 64, 66, 68, 70, 70B, 71, 71A, 73, 74, 74A, 77, 80(1), 80A, 80BD(1), 81, 84, and 84A” with “Sections 19, 113, 114, 187 to 191, 195 to 198, 202, 203, 204, 219, 292, 293, 298, 301, 303, 311(1), 325, 364, 388, and 417, clause 31 of Schedule 1, Schedule 2, clauses 2, 9, 11 to 14, and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 4.1, replace “The chief executive” with “MSD”.

In clause 5.3, replace “married or in a civil union or in a de facto relationship” with “in a relationship”.

### **Orphan's and Unsupported Child's Benefit (Additional Assistance)**

**Programme** (as established and approved on 16 December 2013)<sup>24</sup>

After the enacting formula, insert:

**This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.**

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **CYPF Act**, revoke.

In clause 4(1), definition of **home for life status**, after “sole guardianship”, insert “, special guardianship”.

In clause 4(1), definition of **home for life status**, replace “CYPF Act” with “Oranga Tamariki Act 1989” in each place.

In clause 4(1), definition of **home for life status**, after “parenting orders”, insert “for day-to-day care”.

In clause 4(1), insert in their appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In clause 5(1), replace “Sections 12, 62, 63, 63A, 74, 74A, 76, 77, 80AA, 80A, 81, 82(1), (3) to (5), 84, and 86J” with “Sections 8, 19, 103, 113, 114, 202, 204, 217 to 219, 292, 293, 298, 301, 303, 317, 318, 337, 339, 340, 346, 364, 417, clauses 2 and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6(1), replace “The chief executive” with “MSD”.

In clause 6(1), replace “section 28 or 29” with “section 43 or 46”.

<sup>24</sup> *New Zealand Gazette*, 9 January 2014, No. 1, page 37

In clause 9(1), replace “The chief executive” with “MSD”.

In clause 9, replace “the chief executive” with “MSD” in each place.

In clause 9(4), replace “the department” with “MSD”.

In clause 9(4)(a), replace “the chief executive’s” with “its”.

**Recoverable Assistance Programme** (as established and approved on 15 February 1999)<sup>25</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 2(b), after “advance payments”, insert “of instalments”.

In clause 3.1, definition of **Act**, replace “1964” with “2018”.

In clause 3.1, definition of **applicable payment**, paragraph (a), replace “of a benefit under section 82(6)” with “of instalments of a benefit under section 347”.

In clause 3.1, definition of **applicable payment**, paragraph (b), replace “of the Act” with “of the Social Security Act 1964 (as continued by clause 21 of Schedule 1 of the Act)”.

In clause 3.1, definition of **budgeting activity**, replace “regulation 6 of the Social Security (Advance Payment of Benefit) Regulations 2010” with “regulation 204 of the Social Security Regulations 2018”.

In clause 3.1, definition of **beneficiary**, replace “section 61E of the Act” with “regulation 17 of the Social Security Regulations 2018”.

In clause 3.1, definition of **cash assets**, paragraph (l), replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 3.1, definition of **departmental debt balance**, delete “departmental”.

In clause 3.1, definition of **immediate family**, paragraph (a), replace “married or in a civil union or in a de facto relationship” with “in a relationship”.

In clause 3.1, insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 3.1, definition of **parent**, paragraph (d), replace “the Chief Executive” with “MSD”.

In clause 3.1, definition of **parent**, paragraph (d), replace “section 70B(2)” with “section 196”.

In clause 3.1, definition of **preferred supplier**, replace “the chief executive has, under section 125AA(3)” with “MSD has, under section 366”.

<sup>25</sup> *New Zealand Gazette*, 25 February 1999, No. 23, page 567

In clause 3.1, definition of **supported living payment**, replace “section 40B” with “section 34”.

In clause 3.2(b), replace “section 3(1)” with “Schedule 2”.

In the heading to clause 4, delete “1964”.

In clause 4.1, replace “Sections 3, 12, 63, 63A, 64, 66A, 71, 74, 74A, 76, 77, 78, 80A, 81, 86, and 86A to 86J” with “Sections 8, 19, 103, 113, 114, 197, 202, 204, 217 to 219, 292, 298, 301, 353, 354 to 358, 362, 363, and 364, clauses 2, 9, 11 to 14, and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 4.1, after “this programme”, insert “and to any applicant”.

In clause 5(a) and (b), replace “the Chief Executive” with “MSD”.

In clause 7.1, replace “Schedule 31” with “Schedule 5”.

In clause 7.3, replace “of the Act” with “of the Social Security Act 1964 and saved by Schedule 1 clause 20 of the Act”.

In clause 8.3(a), replace “Schedule 31” with “Schedule 5”.

In clause 9, replace “the Chief Executive” with “MSD” in each place.

In clause 9, replace “the chief executive” with “MSD” in each place.

In clause 9.3, delete “Departmental”.

In clause 9.5, replace “The chief executive” with “MSD”.

In clause 9.6(b)(iii), replace “section 85A of the Act” with “regulation 206 of the Social Security Regulations 2018”.

In clauses 9.9(c)(ii) and 9.11, replace “section 82(6B)” with “section 348(2)”.

In clause 11.1.1, replace “The Chief Executive” with “MSD”.

In clause 11.1.1(d), replace “section 124(1BA)” with “section 368(1).”

In clause 11.1.1(d), replace “section 125AA(3)” with “section 366”.

In clause 11.1.2(c), replace “section 69C” with “section 85”.

In clauses 11.2.1 and 11.2.2, replace “The Chief Executive” with “MSD”.

In clauses 11.3.1 and 11.3.2, replace “The Chief Executive” with “MSD”.

In clauses 11.4.1 and 11.4.2, replace “The Chief Executive” with “MSD”.

In clauses 11.5.1 and 11.5.2, replace “the Chief Executive” with “MSD”.

In clause 11.6.1, replace “The Chief Executive” with “MSD”.

In clause 11.7.1, replace “The Chief Executive” with “MSD”.

In clause 11.7.1, replace “the Chief Executive” with “MSD”.

In clause 11.8.1, replace “The Chief Executive” with “MSD”.

In clause 11.8.2(b) and (c), replace “married or in a civil union or in a de facto relationship” with “in a relationship”.

In clauses 11.9.1 and 11.9.2, replace “The Chief Executive” with “MSD”.

In clause 11.9.2(a), replace “Act” with “Social Security Act 1964 or an accommodation supplement under the Act”.

In clause 11.9.2(b), replace “section 124(1BA)” with “section 368(1)”.

In clause 11.9.2(b), replace “section 125AA(3)” with “section 366”.

In clause 11.10, replace “The Chief Executive” with “MSD”.

In clause 11.11.1, replace “the chief executive” with “MSD”.

In clause 12.1, replace “The Chief Executive” with “MSD”.

In clause 12.1, replace “the Chief Executive” with “MSD” in each place.

In clauses 12A.1.1 and 12A.1.3, replace “The Chief Executive” with “MSD”.

In clauses 12A.2.1 and 12A.2.5, replace “The Chief Executive” with “MSD”.

In clause 12A.2, replace “the Chief Executive” with “MSD” in each place.

In clause 12A.2.2(a), replace “section 102A(1)(f)” with “section 146(1)(d)”.

In clause 12A.3.1 and 12A.3.3, replace “The Chief Executive” with “MSD”.

In clause 13.1, replace “the Department” with “MSD”.

In clauses 15.1, 15.3 and 15.5, replace “The Chief Executive” with “MSD”.

In clauses 15.2 and 15.4, replace “the Chief Executive” with “MSD”.

**Seasonal Work Assistance Programme** (as established and approved on 7 July 2002)<sup>26</sup>

After the enacting formula, insert:

The welfare programme set out in Part 1 of the Schedule is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

**Amendments to the welfare programme**

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **cash assets**, replace “section 61E” with “section 68(2)”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(1), definition of **working-age benefit**, replace “section 3(1)” with “Schedule 2”.

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In clause 5(1), replace “Sections 12, 62, 63, 63A, 64, 74, 74A, 76, 82 (other than 82(6)), 84, and 86J” with “Sections 8, 19, 103, 110, 111, 202, 204, 217, 218, 292, 293, 298, 301, 303, 337 to 340, 346, 348, 364, 368, 371, 417, clauses 2, 11 to 14, and 16 of Schedule 3, and clause 1 of Schedule 6 (see also the Social Security Regulations 2018)”.

In clause 6(1)(c), replace “Schedule 31” with “Schedule 5”.

In clause 6(2), replace “The chief executive” with “MSD”.

<sup>26</sup> *New Zealand Gazette*, 11 July 2002, No. 78, page 2079

In clause 6(2), replace “the chief executive’s” with “its”.

In clause 6(3), replace “the chief executive” with “MSD”.

In clause 6(3)(d), replace “section 61” with “section 63”.

**Social Rehabilitation Assistance Programme** (as established and approved on 20 July 2003)<sup>27</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **amount of benefit**, paragraph (b), replace “section 83 of the Act” with “regulation 191 of the Social Security Regulations 2018”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(2) replace “section 3(1)” with “Schedule 2”.

In clause 5(1), replace “Sections 12, 62, 63, 74, 74A, 76, 77, 80A, 80BD(1), 81, 82(1) and (4), and 84” with “Sections 8, 19, 113, 114, 202, 204, 217 to 219, 292, 293, 298, 301, 303, 325, 337, 340, 346, 417, clauses 2 and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6(2), replace “The chief executive” with “MSD”.

In clause 6(2), replace “the chief executive” with “MSD”.

In clause 6(2)(d), replace “Schedule 31” with “Schedule 5”.

In clause 7(1), replace “the chief executive” with “MSD”.

In clause 7(1)(a), replace “clause 3 of Part II of the Eighteenth Schedule” with “clause 3 of Part 7 of Schedule 4”.

In clause 7(1)(b), replace “clause 2 of the Nineteenth Schedule” with “clause 2 of Part 9 of Schedule 4”.

In clause 8(1), replace “The chief executive” with “MSD”.

In clause 8(2), replace “section 80BD(1)” with “section 325”.

In clause 9, replace “The chief executive” with “MSD”.

In clause 10, replace “The chief executive” with “MSD”.

In clause 10(b), replace “the chief executive” with “MSD”.

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<sup>27</sup> *New Zealand Gazette*, 31 July 2003, No. 89, page 2288

**Sole Parent Study Assistance Programme** (as established and approved on 16 December 2010)<sup>28</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 3, purpose, paragraph (a), replace “section 165” with “section 56”.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(1), definition of **study costs**, paragraph (c), replace “section 61GA” with “section 77”.

In clause 4(1), definition of **study costs**, paragraph (c), replace “of the Act” with “of the Social Security Act 1964 and saved by clause 21 of Schedule 1 of the Act or approved and established under section 101 of the Act”.

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In the heading to clause 5, delete “1964”.

In clause 5(1), replace “Sections 12, 62, 68A, 71, 74, 74A, 76, 77, 80A, 81, 82(3), (4), and (7), and 84” with “Sections 19, 110, 111, 113, 114, 186, 197, 202, 204, 217, 218, 219, 292, 293, 298, 301, 303, 310, 337, 339, 340, 364, 417, clauses 2, 16, and 21 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6(1), replace “the chief executive may, in his or her discretion,” with “MSD may, in its discretion,”.

In clause 6(1)(a), replace “section 20D” with “section 29”.

In clause 6(1)(a), replace “section 165” with “section 56”.

In clause 6(3) and (5)(b), replace “the chief executive” with “MSD” in each place.

In clause 6(5), replace “The chief executive” with “MSD”.

In clause 6(5), delete “he or she is”.

In clause 6(5)(a), replace “officer of the department” with “MSD employee”.

Clause 6A, revoke.

In clause 8, replace “the chief executive” with “MSD” in each place.

In clause 9(2), replace “the chief executive” with “MSD”.

In clause 12(1), replace “Section 85A of the Act” with “Regulation 206(d) of the Social Security Regulations 2018”.

In clause 12(1), replace “and, in accordance with section 86 of the Act, may be recovered by the chief executive from the applicant” with “and is subject to its

<sup>28</sup> *New Zealand Gazette*, 23 December 2010, No. 179, page 4457

duty under section 362 of the Act to take all reasonable steps to recover the debt from the applicant”.

In clause 12(2) and (4), replace “The chief executive” with “MSD”.

In clause 12(3) and (5), replace “the chief executive” with “MSD” in each place.

In clause 12(5), replace “section 86 of the Act” with “regulation 209 of the Social Security Regulations 2018”.

**Special Needs Grants Programme** (as established and approved on 18 December 1998)<sup>29</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 2(c), after “advance payments”, insert “of instalments”.

In clause 3.1, definition of **Act**, replace “1964” with “2018”.

In clause 3.1, definition of **applicable payment**, paragraph (a), replace “advance payment of benefit under section 82(6)” with “advance payment of instalments of a benefit under section 347”.

In clause 3.1, definition of **applicable payment**, paragraph (c), replace “of the Act” with “of the Social Security Act 1964 (and saved by clause 21 of Schedule 1 of the Act)”.

In clause 3.1, definition of **approved organisation**, replace “CYPF Act” with “Oranga Tamariki Act 1989”.

In clause 3.1, definition of **budgeting activity**, replace “regulation 6 of the Social Security (Advance Payment of Benefit) Regulations 2010” with “regulation 204 of the Social Security Regulations 2018”.

In clause 3.1, definition of **care**, replace “CYPF Act” with “Oranga Tamariki Act 1989”.

In clause 3.1, definition of **cash assets**, paragraph (l), replace “the Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 3.1, definition of **CYPF Act**, revoke.

In clause 3.1, insert in their appropriate alphabetical order:

**MSD** has the same meaning as in Schedule 2 of the Act

**nurse practitioner** has the same meaning as in regulation 3(1) of the Social Security Regulations 2018

In clause 3.1, definition of **funder**, revoke.

In clause 3.1, definition of **income**, replace “section 3(1)” with “Part 2 of Schedule 3”.

<sup>29</sup> *New Zealand Gazette*, 28 January 1999, No. 8, page 202



In clause 3.1, definition of **immediate family**, paragraph (a), replace “married or in a civil union or in a de facto relationship” with “in a relationship”.

In clause 3.1, definition of **non-entitlement period**, replace “any of sections 60H, or 117” with “sections 225 to 229, or 238”.

In clause 3.1, definition of **parent**, replace “the chief executive” with “MSD”.

In clause 3.1, definition of **parent**, replace “section 70B” with “sections 195 and 196”.

In clause 3.1, definition of **responsible department**, replace “CYPF Act” with “Oranga Tamariki Act 1989”.

In clause 3.1, definition of **stand down**, replace “section 80BA” with “section 316”.

In clause 3.2, replace “section 3(1)” with “Schedule 2”.

In clause 3, definitions, replace “**chief executive**,” with “**MSD, partner**,”.

In clause 3, definitions, replace “Social Security Act 1964, s 3” with “Social Security Act 2018, Schedule 2”.

In clause 4.1, replace “Sections 3, 12, 62, 63, 63A, 64, 66, 66A, 66B, 68, 68A, 70, 71, 73, 74, 74A, 76, 77, 78, 80A, 81, 82, 82A, 83, 84, and 86J” with “Sections 8, 19, 103, 110, 111, 112, 113, 114, 186, 187 to 191, 197, 202, 203, 204, 217 to 218, 219, 292, 293, 298, 301, 303, 310, 337 to 340, 346, 347, 348, 364, 368, 371, 417, clauses 2, 9, 11 to 14, 16, and 21 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 4.1, after “to this programme”, insert “and any applicant”.

In clause 4.1, replace “section 74A” with “section 19”.

In clause 4, definitions, replace “Social Security Act 1964, s 3” with “Social Security Act 2018, Schedule 2”.

In clause 5(a) and (b), replace “the chief executive” with “MSD”.

In clause 5, definitions, replace “**chief executive**, Social Security Act 1964, s 3” with “**MSD**, Social Security Act 2018, Schedule 2”.

In clause 6, definitions, replace “Social Security Act 1964, s 3” with “Social Security Act 2018, Schedule 2”.

In clause 7.1, replace “Schedule 31” with “Schedule 5”.

In clause 7.3, replace “of the Act” with “of the Social Security Act 1964 (and saved by clause 21 of Schedule 1 of the Act)”.

In clause 7, definitions, after “**income**,” insert “**partner**,”.

In clause 7, definitions, replace “Social Security Act 1964, s 3” with “Social Security Act 2018, Schedule 2”.

In clause 8.3(a), replace “Schedule 31” with “Schedule 5”.

In clause 8.3(b), replace “married or in a civil union or in a de facto relationship” with “in a relationship”.

In clause 8, definitions, replace “Social Security Act 1964, s 3” with “Social Security Act 2018, Schedule 2”.

In clause 9, replace “the chief executive” with “MSD” in each place.

In clause 9.5(a), replace “section 3(1) with “Schedule 2”.

In clause 9.7(c), replace “section 69C” with “section 85”.

In clause 9.11, replace “section 117” with “section 236, 237, or 239”.

In clause 9.13, replace “section 85A of the Act” with “regulation 206 of the Social Security Regulations 2018”.

In clause 9.16 and 9.18, replace “section 82(6B)” with “section 348”.

In clause 9, definitions, delete “**chief executive, disability services**”.

In clause 9, definitions, after “**payment,**”, insert “**MSD,**”.

In clause 9, definitions, delete “**chief executive, disability services**”.

In clause 9, definitions, replace “Social Security Act 1964, s 3” with “Social Security Act 2018, Schedule 2”.

In clause 11.2, replace “The chief executive” with “MSD” in each place.

In clause 11.2.2, replace “the chief executive” with “MSD”.

In clause 11.2.2, replace “married or in a civil union or in a de facto relationship” with “in a relationship” in each place.

In clause 11.4.2, replace “The chief executive” with “MSD”.

In clause 11.4.4, delete “registered”.

In clause 11.4.4, after “medical practitioner”, insert “or nurse practitioner”.

In clause 11.4.4, replace “the chief executive” with “MSD”.

In clause 11.4.5, replace “The chief executive” with “MSD”.

In clause 11.4.6, replace “The chief executive” with “MSD” in each place.

In clause 11.4.6.1(a) and 11.4.6.2(b)(iii), delete “registered”.

In clause 11.4.6.1(a) and (b)(iii), after “medical practitioner”, insert “or nurse practitioner”.

In clause 11.4.6.4(a) and (b), replace “the chief executive” with “MSD”.

In clause 11.4.6.5, definition of **Secondary Health Service**, replace “health service (within the meaning of the Health and Disability Services Act 1993)” with “personal health services (as defined in section 6 of the New Zealand Public Health and Disability Act 2000)”.

In clause 11.4.6.5, definition of **Secondary Health Service**, paragraph (a), replace “registered medical practitioner” with “medical practitioner or a nurse practitioner”.

In clause 11.7.1, replace “The chief executive” with “MSD”.

In clause 11.8.1, replace “The chief executive” with “MSD”.

In clause 11.8.1(b)(i), delete “(within the meaning of section 61E of the Act)”.

In clause 11.8.1(b)(ii), insert “Te Ture Whenua Maori Act 1993/” before “Maori Land Act 1993”.

In clause 11, definitions, replace “**chief executive**” with “**in a relationship, medical practitioner, MSD, partner**”.

In clause 11, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2; **nurse practitioner** clause 3.1”.

In clause 12, replace “the chief executive” with “MSD” in each place.

In clause 12, definitions, replace “**chief executive**” with “**MSD, partner**”.

In clause 12, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2”.

In clause 13.2.1, replace “The chief executive” with “MSD”.

In clause 13.2.1(b), replace “registered dental practitioner” with “dentist”.

In clause 13.3, replace “The chief executive” with “MSD” in each place.

In clause 13.4.1, replace “the chief executive” with “MSD”.

After clause 13.4.4, insert:

**Definitions dentist, MSD, partner, spouse, Social Security Act 2018, Schedule 2**

In clause 14, replace “the chief executive” with “MSD” in each place.

In clauses 14.1, 14.1B, and 14.7, replace “The chief executive” with “MSD”.

In clause 14.1B, replace “he or she” with “MSD”.

In clause 14.5(a) and (b), replace “section 11D(2)(b) of the Act” with “regulation 166(1)(b) of the Social Security Regulations 2018”.

In clause 14.6, replace “section 76” with “section 217”.

In clause 14, definitions, replace “**chief executive**” with “**MSD, partner**”.

In clause 14, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2”.

In clause 14A, replace “the chief executive” with “MSD” in each place.

In clause 14A.1, replace “The chief executive” with “MSD”.

After clause 14A.8, insert:

**Definitions MSD Social Security Act 2018, Schedule 2; emergency housing clause 3.1**

In clause 15.1.1, replace “the chief executive” with “MSD”.

In clause 15.1.3, replace “The chief executive” with “MSD”.

In clause 15.2.1, replace “the chief executive” with “MSD”.

In clause 15.2.2, replace “The chief executive” with “MSD”.

In clause 15.3.1, replace “the chief executive” with “MSD”.

In clause 15.3.2, replace “The chief executive” with “MSD”.

In clause 15.4.1, replace “The chief executive” with “MSD”.

In clause 15.4, definitions, replace “**chief executive**” with “**MSD**”.

In clause 15.4 definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2”.

In clause 15.5.10, replace “the chief executive” with “MSD”.

In clause 15.6.1(a), replace “CYPF Act” with “Oranga Tamariki Act 1989”.

In clause 15.6.1(d), replace “Schedule 31” with “Schedule 5”.

In clause 15.6.2, replace “the chief executive” with “MSD”.

In clause 15.6.3 and 15.6.4, replace “The chief executive” with “MSD”.

After clause 15.6.4, insert:

**Definitions MSD Social Security Act 2018, Schedule 2; income, Transition from Care to Independence Initiative clause 3.1**

In clause 15B.1, replace “The chief executive may from time to time, in the chief executive's discretion” with “MSD may from time to time, in its discretion”.

In clauses 15B.1 and 15B.2, replace “the chief executive” with “MSD” in each place.

In clause 15B.4, replace “Schedule 9” with “Part 1 of Schedule 4”.

In clause 15B.5, replace “The chief executive may, in the chief executive's discretion,” with “MSD may, in its discretion,”.

In clause 15B.5(b), replace “section 74A” with “section 19”.

In clause 15B, definitions, delete “chief executive,”.

In clause 15B, definitions, after “Income Test 3”, insert “MSD”.

In clause 15B, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2”.

In clause 15C.3, replace “The chief executive may, in the chief executive's discretion,” with “MSD may, in its discretion,”.

In clause 15C.4, replace “section 74A” with “section 19”.

In clause 15C.4, replace “section 77” with “sections 114 and 219”.

In clause 15C.5, replace “The chief executive” with “MSD”.

In clause 15C.7(a), replace “the chief executive” with “MSD”.

In clause 15C.7(a), replace “Schedule 3A” with “Part 2 of Schedule 4”.

In clause 15C.7(c)(ii), replace “Part 2 of Schedule 18” with “Part 7 of Schedule 4”.

After clause 15C.8, insert:

**Definitions child, dependent child, Income Test 1, MSD, principal caregiver, Social Security Act 2018, Schedule 2**

In clause 15D, replace “the chief executive” with “MSD” in each place.

In clause 15D.2, replace “The chief executive may, in his or her discretion,” with “MSD may, in its discretion,”.

In clause 15D.4, replace “section 74A(1)(c)” with “section 205(1)(c)”.

In clause 15D.6, replace “section 74A” with “section 19”.

After clause 15D.7, insert:

**Definitions dependent child, MSD, partner, spouse, Social Security Act 2018, Schedule 2**

In clause 15E.2, replace “The chief executive may, in his or her discretion, and subject to such conditions as the chief executive thinks fit to impose,” with “MSD may, in its discretion, and subject to any conditions MSD thinks fit to impose.”.

In clause 15E.4, replace “the chief executive” with “MSD”.

In clause 15E.5, replace “section 74A” with “section 19”.

After clause 15E.6, insert:

**Definitions dependent child, employment, MSD, partner, spouse, Social Security Act 2018, Schedule 2**

In clause 16.1, replace “The chief executive” with “MSD”.

Before clause 16A, insert:

**Definitions benefit, MSD, New Zealand superannuation, Social Security Act 2018, Schedule 2**

In clause 16A, replace “the chief executive” with “MSD” in each place.

In clause 16A.2(b) and 16A.3(a), replace “the department” with “MSD”.

In clause 16A.3, replace “section 86(1)(b) of the Act” with “regulation 209(2)(b) of the Social Security Regulations 2018”.

In clause 16A.5, definition of **specified benefit**, paragraph (c), replace “section 40B” with “section 34”.

In clause 16A, definitions, replace “**chief executive**”, with “**MSD, pay day**”.

In clause 16A, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2”.

In clause 17.1.1 and 17.1.1A, replace “The chief executive” with “MSD”.

In clause 17.1.1(b), replace “section 88D(b)” with “section 26(b)”.

In clause 17.1.1A, replace “section 11D(2)(b) of the Act” with “regulation 166(1)(b) of the Social Security Regulations 2018”.

In clause 17.1.1A, replace “section 11E(2) of the Act” with “regulation 110 of the Social Security Regulations 2018”.

In clause 17.1.1A(a), replace “section 11D(2)(b) of the Act” with “regulation 166(1)(b) of the Social Security Regulations 2018”.

In clause 17.1.1A(a), replace “section 11D(8) of the Act” with “regulation 166(2) of those regulations”.

In clause 17.1.1A(b), replace “section 11E(2) of the Act” with “regulation 110 of the Social Security Regulations 2018”.

In clause 17.1.1A(b), replace “section 11G(4) of the Act” with “regulation 111(4) of those regulations”.

In clause 17.1.1A(b), replace “section 11G(6) or 11H(2) of the Act” with “regulation 111(6) or 112(2) of those regulations”.

In clause 17.1.3(a), replace “section 80C” with “section 230”.

In clause 17.1.3(d), replace “section 80B” with “regulation 182 of the Social Security Regulations 2018”.

In clause 17.1.4, replace “under section 88M(3)” with “at the rate in clause 3 of Part 1 of Schedule 4”.

In clause 17.1.4, replace “section 120” with “under any of sections 245 to 247”.

In clause 17.2.1, replace “The chief executive” with “MSD”.

In clause 17.2.1, replace “section 11D or 11E of the Act” with “regulation 110 or 166 of the Social Security Regulations 2018”.

In clause 17.2.1, replace “section 11G(6) of the Act” with “regulation 111(6) of the Social Security Regulations 2018”.

In clause 17.3.1, replace “The chief executive” with “MSD”.

In clause 17.3.1, replace “the chief executive” with “MSD” in each place.

In clause 17.3.1(b)(ii), replace “section 11D or 11E of the Act” with “regulation 110 or 166 of the Social Security Regulations 2018”.

In clause 17.3.1(b)(ii)(B), replace “section 11G(6) of the Act” with “regulation 111(6) of the Social Security Regulations 2018”.

In clause 17.3.1(d)(ii)(B), replace “section 102A(1)(f)” with “section 146(1)(d)”.

In clause 17.3.1(d)(ii)(B), replace “section 123B” with “section 324”.

In clause 17.4.1, replace “married or in a civil union or in a de facto relationship” with “in a relationship”.

In clause 17.5.1, replace “The chief executive” with “MSD”.

In clause 17.5.1(b), replace “sickness” with “a health condition”.

In clause 17.5.1(b), replace “section 102A(1)(f)” with “section 146(1)(d)”.

In clause 17.5.1(b), replace “section 123B” with “section 324”.

In clause 17.5.2(a), replace “Schedule 9” with section “Part 1 of Schedule 4”.

In clause 17.5.3(b), replace “section 80C(1A)” with “section 230(3)”.

In clause 17, definitions, replace “**chief executive**” with “**in a relationship, MSD, non-entitlement period, partner, single**”.

In clause 17, definitions, after “**spouse,**” insert “**stand down,**”.

In clause 17, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2”.

In clauses 17A.1.1 and 17A.1.3, replace “The chief executive” with “MSD”.

In clauses 17A.2.1 and 17A.2.5, replace “The chief executive” with “MSD”.

In clauses 17A.2.2 and 17A.2.3, replace “the chief executive” with “MSD”.

In clause 17A.2.2(a), replace “section 102A(1)(f)” with “section 146(1)(d)”.

In clauses 17A.3.1 and 17A.3.3, replace “The chief executive” with “MSD”.

In clause 17A, definitions, replace “**chief executive**” with “**MSD, partner**”.

In clause 17A, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2”.

In clause 18.2, replace “The chief executive” with “MSD”.

In clause 18.4, definition of **cash assets**, paragraph (m), replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 18.7, replace “the chief executive may, in his or discretion” with “MSD may in its discretion”.

In clause 18.7, replace “the chief executive considers” with “MSD considers”.

In clause 18.8, table, replace “married or in a civil union or in a de facto relationship” with “in a relationship” in each place.

In clause 18, definitions, replace “**chief executive**” with “**in a relationship**”.

In clause 18, definitions, after “**income**,” insert “**MSD, partner, single**,”.

In clause 18, definitions, after “**sole parent**,” insert “**spouse**”.

In clause 18, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2”.

In clause 18A.3(2), replace “The chief executive” with “MSD”.

In clause 18A.3(3) and (4), replace “the chief executive” with “MSD” in each place.

In clause 18A.3(4)(b), replace “of the Act” with “of the Social Security Act 1964 and saved by clause 21 of Schedule 1 of the Act or approved and established under section 101 of the Act”.

After clause 18A, insert:

**Definitions MSD, Social Security Act 2018, Schedule 2**

In clause 19.1, replace “the Department” with “MSD”.

In clause 19.4, replace “The chief executive” with “MSD”.

In clause 19.4, replace “sickness” with “a health condition”.

After clause 19, insert:

**Definitions dependent child, MSD, Social Security Act 2018, Schedule 2; Parent clause 3.1**

In clause 20.1(b), replace “the chief executive” with “MSD”.

In clause 20, definitions, replace “**chief executive**” with “**MSD**”.

In clause 20, definitions, replace “Social Security Act 1964 s 3” with “Social Security Act 2018, Schedule 2; **Parent** clause 3.1”.

In clause 21.2, replace “The chief executive in his or her discretion” with “MSD in its discretion”.

In clauses 21.3 to 21.5, replace “The chief executive” with “MSD” in each place.

In clause 21, definitions, replace “**chief executive**, Social Security Act 1964 s 3” with “**MSD**, Social Security Act 2018, Schedule 2; **Parent** clause 3.1”.

## **Special Needs Grant (Citizenship Fees) Programme**

Revoke.

## **Special Needs (Travel Costs for Visits to Designated Doctors) Programme** (as established and approved on 9 October 1995)

On and from 26 November 2018, this programme is called the Special Needs (Travel Costs for Visits to Designated Health Practitioners) Programme.

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 1.1, replace “Doctors” with “Health Practitioners”.

In clause 2, replace “medical” with “health”.

In clause 3.1, definition of **Act**, replace “1964” with “2018”.

In clause 3.1, definition of **Applicant**, paragraphs (a) and (b), replace “section 40B” with “section 34”.

In clause 3.1, definition of **Applicant**, paragraph (b), replace “sickness” with “a health condition”.

In clause 3.1, definition of **Beneficiary**, replace “section 40B” with “section 34”.

In clause 3.1, definition of **Beneficiary**, replace “sickness” with “a health condition”.

In clause 3.1, definition of **Designated medical practitioner**, replace with:

**Designated health practitioner means—**

- (a) a prescribed health practitioner for the purpose of section 37 of the Act who is approved by MSD to assess whether applicants and beneficiaries meet the medical criteria for payment of a supported living payment under section 34 of the Act:
- (b) a prescribed health practitioner for the purpose of section 28 of the Act who is approved by MSD to assess whether applicants and beneficiaries meet the medical criteria or jobseeker support on the ground of health condition, injury, or disability

In clause 3.1, definition of **Health Agency**, replace “a funder or Crown Health Enterprise” with “or a publicly owned health and disability organisation (within the meaning of section 6 of the New Zealand Public Health and Disability Act 2000)”.

In clause 3.1, insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 3.2, replace “section 3(1)” with “Schedule 2”.

In the heading to clause 4, delete “1964”.



In clause 4.1, replace “Sections 3, 12, 62, 68A, 74, 74A, 81, 82, and 84” with “Sections 19, 110, 111, 186, 202, 204, 292, 293, 298, 301, 303, 310, 337 to 340, 346 to 348, 368, 371, 417, clauses 16, and 21 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 4.1, after “this programme”, insert “and to any Applicant”.

In clause 5.1, replace “medical practitioner” with “health practitioner”.

In clause 5.1, replace “the New Zealand Income Support Service” with “MSD”.

In clause 6.1 and 6.4, replace “the Director-General” with “MSD”.

In clause 6.2 and 6.4, replace “The Director-General” with “MSD”.

**Special Transfer Allowance Programme 2000** (as established and approved on 13 November 2000)<sup>30</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **accommodation costs**, replace “section 61E” with “section 65(2)”.

In clause 4(1), definition of **former special transfer allowance programme**, replace “Act” with “Social Security Act 1964”.

In clause 4(1), insert in its appropriate alphabetical order:

MSD has the same meaning as in Schedule 2 of the Act

In clause 4(1), definition of **qualifying person**, replace “of the Act” with “of the Social Security Act 1964”.

In clause 4(1), definition of **tenure protection allowance**, replace “of the Act” with “of the Social Security Act 1964”.

In clause 4(2), replace “sections 3(1) and 61E and in the Eighteenth Schedule of the Act” with “sections 65, 66, 68, Schedule 2, and Part 7 of Schedule 4 of the Act and regulation 17 of the Social Security Regulations 2018”.

In clause 5(1), replace “Sections 3, 12, 61E, 62, 63, 74, 74A, 76, 77, 80, 80A, 81, 82 (except section 82(6)), 84, 86J” with “Sections 8, 19, 65, 66, 110, 111, 113, 114, 202, 204, 217, 218, 219, 292, 293, 298, 301, 303, 311, 337, 338, 339, 340, 346, 348, 368, 371, 417, clauses 2, 16 and Part 4 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 5(1), after “this programme”, insert “and a person eligible for an allowance under clause 6, and any applicant for or recipient of an allowance”.

In clause 7, replace “The chief executive” with “MSD”.

In clause 7, replace “the chief executive’s” with “MSD’s”.

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<sup>30</sup> *New Zealand Gazette*, 16 November 2000, No. 154, page 3995

In clause 8(4), replace “the chief executive” with “MSD”.

In clause 10(1)(a), replace “the chief executive may, in his or her discretion” with “MSD may, in its discretion”.

In clause 12, replace “section 81” with “section 304”.

**Student Allowance Transfer Grant Programme** (as established and approved on 23 July 2002)<sup>31</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **Cash assets**, paragraph (1), replace “Social Security (Income and Cash Assets Exemptions) Regulations 2011 or to which regulation 5(3) of those regulations applies” with “Part 1 of Schedule 8 of the Social Security Regulations 2018”.

In clause 4(1), definition of **full-time student**, paragraph (a), replace “section 3(1)” with “Schedule 2”.

In clause 4(1), insert in its appropriate alphabetical order:

MSD has the same meaning as in Schedule 2 of the Act

In clause 4(1), definition of **working-age benefit**, replace “section 3(1)” with “Schedule 2”.

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In the heading to clause 5, delete “1964”.

In clause 5(1), replace “Sections 12, 62, 63, 63A, 64, 66A, 66B, 74A, 76, 81, 82, 84, and 86J of the Act” with “8, 19, 103, 110, 111, 217, 218, 292, 293, 298, 301, 303, 337 to 340, 346 to 348, 364, 368, 371, 417, clauses 9, and 11 to 14 of Schedule 3, and clause 1 of Schedule 6 (*see also the Social Security Regulations 2018*).

In clause 6(2), replace “The chief executive” with “MSD”.

In clause 6(2) and (3), replace “the chief executive” with “MSD”.

In clause 6(3), replace “Schedule 31” with “Schedule 5”.

In clause 7(2), replace “section 124(1)(d)” with “section 101”.

**Telephone Costs Payment Programme** (as established and approved on 28 March 1999)<sup>32</sup>

After the enacting formula, insert:

<sup>31</sup> *New Zealand Gazette*, 1 August 2002, No. 90, page 2435

<sup>32</sup> *New Zealand Gazette*, 1 April 1999, page 984

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 3.1, definition of **Act**, replace “1964” with “2018”.

In clause 3.1, definition of **Disability Allowance** replace “section 69C(1)” with “section 85(1)”.

In clause 3.1, insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 3.2, replace “section 3 (1)” with “Schedule 2”.

In clause 4.1, replace “3, 12, 62, 63, 63A, 64, 66, 66A, 66B, 68, 68A, 70, 71, 73, 74, 74A, 76, 77, 78, 80A, 81, 82 (except 82(6)), 82A, 84, and 86J” with “8, 19, 103, 110 to 114, 186 to 191, 197, 202 to 205, 217 to 219, 292, 293, 298, 301, 303, 310, 337 to 340, 346, 348, 364, 368, 371, 417, 421, clauses 9, 11 to 14, 16, and 21 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 4.1, after “this programme”, insert “and to a person referred to in clause 5.1”.

In clause 5.1, replace “The Chief Executive” with “MSD”.

In clause 5.1(b), replace “of the Act” with “of the Social Security Act 1964”.

In clause 6.1 proviso, replace “the Chief Executive” with “MSD”.

In clause 6.1 proviso, replace “clause 2 of the nineteenth schedule” with “clause 2 of Part 9 of Schedule 4”.

In clause 7.2(a) and (b), replace “section 69C (2A) (a)” with “section 85(2)(d)”.

In clause 7.2(b), replace “the Chief Executive” with “MSD”.

**Temporary Accommodation Assistance (Canterbury Earthquake) Programme** (as established and approved on 16 February 2011)<sup>33</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 5(1), definition of **accommodation supplement**, replace “section 61EA” with “section 65”.

In clause 5(1), definition of **Act**, replace “1964” with “2018”.

In clause 5(1), insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 5(2), replace “section 3(1) and 61E” with “sections 65 to 69 and Schedule 2”.

<sup>33</sup> *New Zealand Gazette*, 3 March 2011, No. 23, page 619

In clause 6(1), replace “Sections 12, 61EB, 62, 63, 63A, 74, 74A, 76, 77, 80A, 81, 82 (except 82(6) to 82(6D)), 83 (other than 83(3)), 84, and 86J” with “Sections 8, 19, 68, 103, 110, 111, 113, 114, 202, 204, 217 to 219, 292, 293, 298, 301, 303, 337 to 340, 346, 364, 417, clauses 2 and 16 of Schedule 3, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 7, replace “the department” with “MSD”.

In clause 7(a) and (b), replace “the chief executive” with “MSD”.

In clause 7(a), replace “the chief executive’s” with “MSD’s”.

In clause 8(1), replace “the chief executive” with “MSD”.

In clause 8(1)(ia), replace “the chief executive’s” with “MSD’s”.

In clause 8(2), replace “The chief executive” with “MSD”.

In clause 8(2) and (4), replace “the chief executive” with “MSD” in each place.

In clause 10(c), replace “the department” with “MSD”.

In clause 11, replace “the chief executive” with “MSD” in each place.

In clause 12, replace “section 81” with “section 304”.

#### **Work Bonus Programme** (as established and approved on 24 June 2013)<sup>34</sup>

After the enacting formula, insert:

This welfare programme is saved by clause 21 of Schedule 1 of the Social Security Act 2018 as if it were a special assistance programme approved and established under section 101 of the Act.

In clause 4(1), definition of **Act**, replace “1964” with “2018”.

In clause 4(1), definition of **additional dependent child**, replace “section 60GAE(1)” with “section 222(1)”.

In clause 4(1), definition of **main benefit under the Act**, replace “section 3(1)” with “Schedule 2”.

In clause 4(1), insert in its appropriate alphabetical order:

**MSD has the same meaning as in Schedule 2 of the Act**

In clause 4(1), definition of **specified beneficiary**, paragraph (a), replace “on the grounds of A’s sickness, injury, or disability, or total blindness, under section 40B” with “on the ground of A’s restricted work capacity or total blindness under section 34”.

In clause 4(1), definition of **specified beneficiary**, paragraph (b), replace “who is receiving a supported living payment under section 40B of the Act on the ground of B’s sickness, injury, disability, or total blindness” with “who is receiving a supported living payment under section 34 of the Act on the ground of B’s restricted work capacity or total blindness”.

In clause 4(1), definition of **specified beneficiary**, paragraph (b)(i), replace “section 40B” with “section 34”.

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<sup>34</sup> *New Zealand Gazette*, 4 July 2013, No. 85, page 2298

In clause 4(1), definition of **specified beneficiary**, paragraphs (c), (d), and (d)(i), replace “analogous” with “equivalent”.

In clause 4(1), definition of **specified beneficiary**, paragraph (c), replace “section 40B” with “section 34”.

In clause 4(1), definition of **specified beneficiary**, paragraphs (c) and (d), replace “sickness, injury, disability,” with “restricted work capacity”.

In clause 4(1), definition of **specified beneficiary**, paragraph (c), replace “section 61” with “section 63”.

In clause 4(1), definition of **specified beneficiary**, paragraphs (d) and (d)(i), replace “section 40B” with “section 34”.

In clause 4(1), definition of **specified beneficiary**, paragraph (e), replace “section 20D” with “section 29”.

In clause 4(1), definition of **specified beneficiary**, paragraph (g), replace “section 123B(3)” with “section 324(3)”.

In clause 4(1), definition of **unsuitable employment**, replace “the chief executive” with “MSD”.

In clause 4(2), replace “section 3(1)” with “Schedule 2”.

In clause 5(1), replace “Sections 12, 62, 63, 72, 74A, 76, 77, 80A, 81, 82 (except 82(6) to (6D)), 83(1) and (2), 84, and 86J” with “Sections 8, 18, 19, 110, 111, 113, 114, 199 to 201, 217, 218, 219, 292, 293, 298, 301, 303, 316, 337 to 340, 346, 364, and 417, and clause 1 of Schedule 6 (*see also* the Social Security Regulations 2018)”.

In clause 6(1), replace “section 117(1)(c)” with “section 238”.

In clause 6(1), replace “the chief executive” with “MSD”.

In clause 6(1)(c)(i) and (ii), replace “the department” with “MSD”.

In clause 6(1)(c)(ii), replace “the chief executive’s” with “MSD’s”.

In clause 7(1)(b), replace “section 83 of the Act” with “section 337 of the Act and regulation 191 of the Social Security Regulations 2018”.

In clause 7(2)(a), replace “section 117(1)(a) or (b)” with “section 236 or 237”.

In clause 10(c), replace “the chief executive” with “MSD”.

In clause 10(c), replace “section 60H” with “section 225 or 227”.

In clause 10(d), replace “section 60H(6)(b)” with “section 228”.

Dated at Wellington this *23rd* day of *October* 2018



Minister for Social Development

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### Explanatory note

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

This instrument, which is made under sections 7 and 101 of the Social Security Act 2018 (the **Act**) and regulations 90 and 211 of the Social Security Regulations 2018 and comes into force on 26 November 2018, amends the Ministerial directions and welfare programmes under the Social Security Act 1964 (and saved by Schedule 1 of the Act) that are listed in the Schedule of this instrument in the manner set out in that Schedule. The amendments update references to provisions of the Social Security Act 1964 to equivalent provisions of the Act or the Social Security Regulations 2018 and for changes of language in the Act. It also revokes a spent direction and welfare programme.