

# Special Needs Grants (Refugees, Protected Persons and Afghan Interpreters Re-Establishment Grants) Amendment 2020

This instrument is made under section 101 of the Social Security Act 2018 by the Minister for Social Development.

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## Instrument

### 1 Title

This instrument is the Special Needs Grants (Refugees, Protected Persons and Afghan Interpreters Re-Establishment Grants) Amendment 2020.

### 2 Commencement

This instrument comes into force on 9 November 2020.

### 3 Principal programme

This instrument amends the Special Needs Grants Programme<sup>1</sup> (as established and approved on 18 December 1998) (the **principal programme**).

### 4 Clause 14C amended (Calculating emergency housing contribution)

In clause 14C.5(c), delete “for which the emergency housing grant is made” and replace with “to which the emergency housing contribution applies under clause 14B.3”.

### 5 Clause 15 amended (Re-establishment Costs)

Under the heading, insert:

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<sup>1</sup> New Zealand Gazette, 28 January 1999, page 202.

Grants made under any of clauses 15.1 to 15E must be made for or towards costs which MSD determines to be re-establishment costs.

**6 Clause 15.1 amended (Refugees and Protected Persons)**

- (1) In the heading, delete “**Refugees and Protected Persons**” and replace with “**Refugees, Protected Persons and Afghan Interpreters**”.
- (2) Delete clause 15.1.1 and replace with:

15.1.1 If a refugee, protected person or Afghan interpreter has ceased to be entitled to other forms of government assistance accorded to refugees, protected persons or Afghan interpreters, MSD may make non-recoverable Grants not exceeding \$5,000 in total for one or more of the following purposes:

- (a) accommodation, bond or rent in advance, up to a maximum of \$3,500 in total;
- (b) beds, bedding and essential appliances;
- (c) the cost of connecting telephone, electricity and gas;
- (d) clothing requirements;
- (e) the cost of, including transport costs of, attending English language classes; or
- (f) translation costs for work related documents.

- (3) In clause 15.1.2, replace “refugee’s or protected person’s” with “refugee, protected person or Afghan interpreter’s” wherever it appears.
- (4) In clause 15.1.2, delete “clause 15.1.1(b)(iv)” and replace it with “clause 15.1.1(e)”.
- (5) In clause 15.1.4, after the definition of **protected person**, insert:

**Afghan interpreter** means a person who has worked with the New Zealand Defence Force, the New Zealand Police or the New Zealand Special Air Service in Afghanistan and has been granted a residence class visa by the Minister of Immigration as an exception to residence instructions under section 72(3) of the Immigration Act 2009.

**7 Schedule 1AA amended (Transitional and savings provisions)**

After Part 1, insert new Part 2:

**Part 2**

**Provisions relating to Special Needs Grants (Refugees, Protected Persons and Afghan Interpreters Re-Establishment Grants) Amendment 2020**

- 1 This clause applies to any grant under clause 15.1.1 as amended by the Special Needs Grants (Refugees, Protected Persons and Afghan Interpreters Re-Establishment Grants) Amendment 2020.

2 On or after 9 November 2020, MSD must—

- (a) determine an application for a grant made prior to that date as if the Special Needs Grants (Refugees, Protected Persons and Afghan Interpreters Re-Establishment Grants) Amendment 2020 had not been made:
- (b) deduct the amount of any accommodation grant made to the applicant prior to that date under the former clause 15.1.1(a) from the maximum grant limit of \$3,500 in the new clause 15.1.1(a):
- (c) deduct the amount of any grant made to the applicant prior to that date under the former clause 15.1.1(b) from the overall maximum grant limit of \$5,000 in the new clause 15.1.1.

3 For the avoidance of doubt, the Special Needs Grants (Refugees, Protected Persons and Afghan Interpreters Re-Establishment Grants) Amendment 2020 does not affect the recoverability of any grant made under former clause 15.1.1(a) prior to 9 November 2020.

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Minister for Social Development

Dated at                      this              day of                      2020

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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 comes into force on 9 November 2020, amends the Special Needs Grants Programme made 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, as if it were made under section 101 of that Act.

This instrument increases the amount of, and makes fully non-recoverable, re-establishment grants for eligible refugees and protected persons. Eligibility has also been extended to Afghan interpreters granted a residence class visa by the Minister of Immigration as an exception to instructions under section 72(3) of the Immigration Act 2009.

This instrument also makes a minor technical amendment to the wording of clause 14C.5.