

# 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.



Minister for Social Development

Dated at <sup>Auckland</sup> 3rd this 3rd day of October 2020  
EJS

### 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.