

# Ministerial Direction - Single Living Alone Rates Amendment 2020

To: The Chief Executive of the Ministry of Social Development

This instrument is made under section 7(1) of the Social Security Act 2018 by the Minister for Social Development.

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## Instrument

### 1 Title

This is the Ministerial Direction - Single Living Alone Rates Amendment 2020.

### 2 Commencement

This Instrument comes into effect on 9 November 2020.

### 3 Direction amended

This Instrument amends the Ministerial Direction – Single Living Alone Rates dated the 23<sup>rd</sup> day of November 1999 (the **principal direction**)<sup>1</sup>.

### 4 Clause 1 amended (Interpretation)

In clause 1, insert, in the appropriate alphabetical order:

**mobile home** has the meaning in clause 2A

### 5 Clause 2 amended (Meaning of house or flat)

(1) In clause 2(b), revoke subparagraph (iii)(a)(i).

(2) In clause 2(b)(iii)(c), replace “toilet.” with “toilet; and”.

(3) In clause 2(b), after subparagraph (iii)(c), insert:

(d) A sink with a tap connected to an adequate supply of potable water.

### 6 New clause 2A (Meaning of mobile home)

The following clause is inserted after clause 2:

#### **Clause 2A. Meaning of mobile home**

When assessing whether a single person is living alone, you should only determine that the principal place of residence occupied by the person is a mobile home where-

<sup>1</sup> New Zealand Gazette, 25 November 1999, Notice No. 177, page 4235.

- (a) That residence-
  - (i) Contains, for the exclusive use of the occupant, adequate areas-
    - (a) Used for day to day living; and
    - (b) Used for sleeping; and
    - (c) Used for preparing and cooking food; and
  - (ii) contains, for the exclusive use of the occupant-
    - (a) a sink; and
    - (b) a toilet.
  - (iii) is sufficiently self-contained to be reasonably habitable as a residence.
- (b) The occupant has access to facilities for bathing or showering, whether or not these are permanently located within the mobile home.
- (c) For the purpose of this clause, you should only determine a mobile home is sufficiently self-contained to be reasonably habitable as a residence where that mobile home is equipped with-
  - (i) a fresh water tank or tanks; and
  - (ii) a waste water tank or tanks;-whether or not the mobile home is from time to time connected to water and waste water supplies.



Minister for Social Development

At Wellington this 7 day of Sep 2020

Explanatory note

*This note is not part of this instrument but is intended to indicate its general effect*

This instrument, which comes into force on the day that it is signed by the Minister, amends the Ministerial Direction – Single Living Alone Rates. The instrument changes the current definition of house or flat to require the residence to have a sink with a tap connected to an adequate supply of water whether or not it is in the kitchen. It also inserts a new Clause 2A on the meaning of mobile home which provides criteria that must be met when determining whether a person's principal residence is a mobile home. This

clause also provides guidance on what it means for a mobile home to be sufficiently self-contained.

I certify that this instrument is in order for signing by the Minister

Lauren Smith  
Team Manager  
02/09/2020

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#### 4 Clause 1 amended (Interpretation)

In clause 1, insert, in the appropriate alphabetical order:

**mobile home** has the meaning in clause 2A

#### 5 Clause 2 amended (Meaning of house or flat)

(1) In clause 2(b), revoke subparagraph (iii)(a)(i).

(2) In clause 2(b)(iii)(c), replace “toilet.” with “toilet; and”.

(3) In clause 2(b), after subparagraph (iii)(c), insert:

(d) A sink with a tap connected to an adequate supply of potable water.

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  - (ii) contains, for the exclusive use of the occupant-,
    - (a) a sink; and
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  - (iii) is sufficiently self-contained to be reasonably habitable as a residence.
- (b) The occupant has access to facilities for bathing or showering, whether or not these are permanently located within the mobile home.
- (c) For the purpose of this clause, you should only determine a mobile home is sufficiently self-contained to be reasonably habitable as a residence where that mobile home is equipped with-
- (i) a fresh water tank or tanks; and
  - (ii) a waste water tank or tanks;-
- whether or not the mobile home is from time to time connected to water and waste water supplies.



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Minister for Social Development

At Wellington this 7 day of Sep 2020

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clause also provides guidance on what it means for a mobile home to be sufficiently self-contained.