

Special Needs Grants (Refugees, Protected Persons, Afghan Interpreters and Afghan Evacuees Re-Establishment Grants) Amendment 2021

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

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Instrument

1 Title

This instrument is the Special Needs Grants (Refugees, Protected Persons, Afghan Interpreters and Afghan Evacuees Re-Establishment Grants) Amendment 2021.

2 Commencement

This instrument comes into force on 10 December 2021.

3 Principal programme

This instrument amends the Special Needs Grants Programme¹ (as established and approved on 18 December 1998) (the **principal programme**).

4 Clause 4 amended (Application of the Social Security Act)

- (1) In clause 4.1, replace “15A.1 to 15A.4” with “15.1.1AA”

5 Clause 15.1 amended (Refugees, Protected Persons and Afghan Interpreters)

- (1) In clause 15.1, replace the heading with “**Refugees, Protected Persons, Afghan Interpreters and Afghan Evacuees**”.

¹ New Zealand Gazette, 28 January 1999, page 202.

- (2) In clause 15.1.1, replace “refugee, protected person or Afghan interpreter” with “refugee, protected person, Afghan interpreter or Afghan evacuee”
- (3) In clause 15.1.1, replace “refugees, protected persons or Afghan interpreters” with “refugees, protected persons, Afghan interpreters or Afghan evacuees”
- (4) After clause 15.1.1, insert:

15.1.1AA A grant under clause 15.1.1 may be made to an Applicant lawfully present in New Zealand who is awaiting the outcome of that Applicant’s application for an Afghan emergency resettlement visa.

- (5) In clause 15.1.2, replace “refugee, protected person or Afghan interpreter’s” with “refugee, protected person, Afghan interpreter or Afghan evacuee’s” wherever it appears.
- (6) In clause 15.1.4, after the definition of **Afghan interpreter**, insert:

Afghan emergency resettlement visa means a permanent resident visa of a kind described in the immigration instructions S4.35 as published at 10 December 2021 (Afghan Emergency Resettlement Category) under the Immigration Act 2009.

Afghan evacuee means—

- (a) a person who holds an Afghan emergency resettlement visa; or
- (b) a person who:
 - (i) holds a residence class visa (other than an Afghan emergency resettlement visa) under the Immigration Act 2009, or is a New Zealand citizen; and
 - (ii) would have been eligible for an Afghan emergency resettlement visa, if they did not hold a residence class visa, or were not a New Zealand citizen.



Minister for Social Development and Employment

Dated at Auckland this 6th day of December 2021

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 10 December 2021, 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 extends eligibility for re-establishment grants to Afghan evacuees who hold a residence class visa, are New Zealand citizens, or hold an Afghan emergency resettlement visa. It also extends eligibility to Applicants that have applied for an Afghan emergency resettlement visa.

This instrument also makes a minor technical amendment to the wording of clause 4.