

# **Ministerial Direction on Application of Reviews of Continued Eligibility for Social Housing Amendment 2024**

This instrument is made under Section 102(3)(b) of the Public and Community Housing Management Act 1992 (the Act) by the Minister of Finance, the Minister of Housing, and the Minister for Social Development and Employment (the joint Ministers), after consultation with the Agency appointed under section 100 of the Act, the Regulatory Authority appointed under section 159 of the Act, and any social housing providers that, in the Minister's opinion, will be materially affected.

<b>Contents</b>		<b>Page</b>
1	Title	1
2	Commencement	2
3	Direction amended	2
4	Clause 5 amended (Classes of tenants whose eligibility may be reviewed)	2
5	Clause 6 amended (Classes of tenants whose eligibility may not be reviewed)	3

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## **Instrument**

### **1 Title**

This instrument is the Ministerial Direction on Application of Reviews of Continued Eligibility for Social Housing Amendment 2024.

## **2 Commencement**

This instrument comes into force on the 28<sup>th</sup> day after its publication in the Gazette.

## **3 Direction amended**

This direction amends the Ministerial Direction on Application of Reviews of Continued Eligibility for Social Housing (given on 18 October 2018)<sup>1</sup> (the principal direction).

## **4 Clause 5 amended (Classes of tenants whose eligibility may be reviewed)**

In clause 5(1)(a), replace “;” with “:”

In clause 5(1)(b), replace “;” with “:”

In clause 5(1)(c), replace “;” with “:”

In clause 5(1)(d), replace “housing.” with “housing:”

In clause 5, after clause 5(1)(d), insert:

“5(1)(e) tenants who, at the time they are assessed for eligibility for a review under this clause—

- (i) have been a tenant in their current social housing for three years or more; and
- (ii) are paying market rent for that social housing.

In clause 5, after clause 5(2), insert:

“(3) Subclause (1)(e) applies if at least one tenant of that particular social housing meets the criteria in 5(1)(e).”

## **5 Clause 6 amended (Classes of tenants whose eligibility may not be reviewed)**

In clause 6(2), replace “The agency may not, under [section 117\(1\)\(b\)](#) of the Act, review the continued eligibility for social housing of the following classes of tenant unless any of paragraphs (a) to (d) of [clause 5\(1\)](#) applies to the tenant:” with “Unless any of paragraphs (a) to (d) of [clause 5\(1\)](#) applies to the tenant, the agency may not, under [section 117\(1\)\(b\)](#) of the Act,

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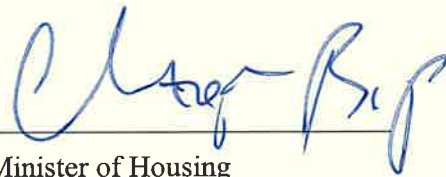
<sup>1</sup> New Zealand Gazette, Number 5461, dated 1 November 2018.

review the continued eligibility for social housing of the following classes of tenant.”

Dated at 20 this day of February 2024



Minister of Finance



Minister of Housing



Minister for Social Development and Employment

#### **Explanatory Note**

*This note is not part of the direction, but is intended to indicate its general effect.*

This instrument, which comes into effect on the 28<sup>th</sup> day after its publication in the Gazette, amends the Ministerial Direction on Application of Reviews of Continued Eligibility for Social Housing. It amends the classes of tenants whose eligibility may be reviewed, to include tenants who at the time they are assessed for eligibility for review, have been let their current social housing for three years or more

and are paying market rent for that social housing. It also amends clause 6(2) to improve its readability. It also makes minor editorial corrections.