

## In Confidence

Office of the Minister of Health

Office of the Minister for Social Development

Chair, Cabinet Legislation Committee

## **The Health Entitlement Cards Amendment Regulations (No 2) 2022 and the Social Security Amendment Regulations (No 2) 2022**

### Proposal

- 1 We seek authorisation to submit the Health Entitlement Cards Amendment Regulations (No 2) 2022 and the Social Security Amendment Regulations (No 2) 2022 to the Executive Council.

### Policy

- 2 On 7 June 2022 Cabinet agreed to amend the Health Entitlement Cards Regulation 1993 and the Social Security Regulations 2018 to add public transport authorities to those able to request or demand to see a Community Service Card and the combination SuperGold and Community Services Card as evidence that the cardholder is eligible for public transport concessions [CAB-22-MIN-0210 refers].
- 3 The Regulations in Appendix 1 give effect to the Cabinet decision.
- 4 The Regulations will enable the Community Service Card and the combination SuperGold and Community Services Card to be used to implement the Community Connect transport initiative agreed in Budget 2022. Community Connect will be implemented by the Ministry of Transport and Waka Kotahi and will give card holders a 50 percent discount on public transport fares. There are 1,060,812 people with a CSC as of 31 March 2022.
- 5 The Regulations permit workers who are directly engaged by public transport authorities (such as Metlink workers and drivers), ticketing agents (such as newsagents) to request or demand to see a person's card for identification purposes and to determine eligibility for the fare discount. People will also be able to load the concession online onto a travel card.

- 6 Cabinet has agreed to begin the nationwide roll-out of Community Connect on 1 February 2023. This aligns with the decision to fund an extension of the current half-price public transport fares until 31 January 2023. [CAB-22-MIN-0263 refers]
- 7 The Regulations will come into effect on 10 October 2022, and this enables public transport authorities to prepare for the implementation of Community Connect from 1 February 2023. Bringing the regulations into effect in October is crucial to enable public transport authorities to begin preparations, such as pre-registering cardholders, prior to the Christmas period to support effective implementation from 1 February 2023.
- 8 Waka Kotahi is working with public transport authorities to ensure that access to Community Connect through multiple channels, including digital, is promoted and communicated effectively as we prepare for implementation. Public transport authorities are progressing with developing digital ticketing platforms so that cardholders can load the fare reduction onto a travel card online. This implementation process will be staggered, based on when public transport authorities can implement the technical requirements e.g., it is possible to do this in Auckland now and in Wellington it is likely to be available later in 2022. In other regions with electronic ticketing systems, the technology is likely to be available from early 2023.

#### **Timing and 28-day rule**

- 9 We propose that the amendments come into effect on 10 October 2022. This requires the amendments to be notified in the Gazette on or before Friday 9 September 2022 with Executive Council approval sought on 5 September 2022. This complies with the 28-day rule.

#### **Compliance**

- 10 The Health Entitlement Cards Amendment Regulations (No 2) 2022 and the Social Security Amendment Regulations (No 2) 2022 comply with:
  - 10.1 the principles of the Treaty of Waitangi;
  - 10.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993;
  - 10.3 the principles and guidelines set out in the Privacy Act 2020;
  - 10.4 relevant international standards and obligations;
  - 10.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.

#### **Regulations Review Committee**

- 11 There are no anticipated grounds for the Regulations Review Committee to draw the regulations to the attention of the House of Representatives under Standing Order 327.

### **Certification by Parliamentary Counsel**

- 12 The amendments to the regulations have been certified by the Parliamentary Counsel Office as being in order to submit to the Executive Council.

### **Impact Analysis**

- 13 A Regulatory Impact Statement was completed, agreed by the Ministry of Health Quality Assurance Panel, and attached to the 7 June Cabinet paper [CAB-22-MIN-0210 refers].

### **Climate Implications of Policy Assessment**

- 14 The Climate Implications of Policy Assessment team has been consulted on the proposals to amend the regulations and confirms that the Climate Implications of Policy Assessment requirements do not apply as the regulations themselves do not have a climate impact.

### **Communications**

- 15 Waka Kotahi and the Ministry of Transport will communicate the intention of the regulatory changes to public transport authorities as part of the implementation of Community Connect.

### **Consultation**

- 16 This paper was prepared by the Ministries of Health and Social Development. The Ministry of Transport, The Treasury, and The Department of the Prime Minister and Cabinet have been consulted.

### **Proactive Release**

- 17 We intend to proactively release this paper and its associated minute within the standard 30 business days from the decision being made by Cabinet, with any appropriate redaction where information would have been withheld under the Official Information Act 1982.

### **Recommendations**

The Minister of Health and the Minister for Social Development recommend that the Cabinet Legislation Committee:

- 1 note that on the 7 June 2022 Cabinet agreed [CAB-22-MIN-0210 refers] to amend the Health Entitlement Cards Regulations 1993 and the Social Security Regulations 2018 to add public transport authorities to those able to request or demand to see a Community Services Card and the combination SuperGold and Community Services Card as evidence that the cardholder is eligible for public transport concessions.

**I N C O N F I D E N C E**

- 2 note that the Health Entitlement Cards Amendment Regulations (No 2) 2022 and the Social Security Amendment Regulations (No 2) 2022 attached in Appendix 1 will give effect to the decision referred to in paragraph 1 above.
- 3 authorise the submission of the Health Entitlement Cards Amendment Regulations (No 2) 2022 and the Social Security Amendment Regulations (No 2) 2022 to the Executive Council.
- 4 note that the amendments will be notified in the Gazette on or before the 9 September 2022.
- 5 note that the Health Entitlement Cards Amendment Regulations (No 2) 2022 and the Social Security Amendment Regulations (No 2) 2022 will come into effect on 10 October 2022.

Authorised for lodgement

Hon Carmel Sepuloni  
**Minister for Social Development**

Hon Andrew Little  
**Minister of Health**

**Appendices**

1. Health Entitlement Cards Amendment Regulations (No 2) 2022 and the Social Security Amendment Regulations (No 2) 2022