



Cabinet Legislation Committee

Minute of Decision

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Social Security (Additional General Provisions Child Support Payments) Amendment Regulations 2023

Portfolio **Social Development and Employment**

On 3 August 2023, the Cabinet Legislation Committee:

- 1 **noted** that an issue has been identified with the child support payment definitions in the Child Support (Pass On) Acts Amendment Act 2023 which will mean that some child support payments will be subject to incorrect income charging rules;
- 2 **noted** that the Social Security (Additional General Provisions Child Support Payments) Amendment Regulations 2023 (the Amendment Regulations) are required to address the issue described in recommendation one and ensure that all child support payments can be correctly classified and charged as income where appropriate, in accordance with the policy intent;
- 3 **noted** the Social Security (Additional General Provisions Child Support Payments) Amendment Regulations 2023 address the issue described above by:
 - 3.1 listing the income-tested benefits or other assistance MSD will be matching to ('matched assistance'); and
 - 3.2 specifying that a child support payment made to a relevant non-matched beneficiary is a general provisions child support payment;
- 4 **noted** that a waiver of the 28-day rule is sought:
 - 4.1 so that the Amendment Regulations can come into force on 22 August 2023;
 - 4.2 to ensure that the first child support payments passed on under the new regime on 22 August 2023 can be correctly charged as income in line with the policy intent and in compliance with the law;
 - 4.3 on the grounds that irregularities need to be validated;
- 5 **agreed** to waive the 28-day rule;
- 6 **authorised** the submission to the Executive Council of the Social Security (Additional General Provisions Child Support Payments) Amendment Regulations 2023 [PCO 25700/2.0].

Rebecca Davies
Committee Secretary

Present:

Hon Carmel Sepuloni
Hon Grant Robertson (Chair)
Hon Willie Jackson
Hon Andrew Little
Hon Dr Duncan Webb
Tangi Utikere, MP (Chief Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG