



**MINISTRY OF SOCIAL  
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

12 APR 2017

9(2)(a)

On 7 March 2017, you emailed the Ministry refining your request, under the Official Information Act 1982, to the following information:

- *Statistics regarding the outcome of Benefit Review Committee and Social Security Appeal Authority review requests that involve section 70 deductions due to receipt of an overseas pension, including the number of appeals made, withdrawn and successful at each level and details of the outcomes from the Social Security Appeal Authority hearings.*

The following three tables show the outcomes of Review of Decisions, made involving the deduction of overseas pensions from New Zealand Superannuation, under section 70 of the Social Security Act 1964. Please note that this includes the applications for Review of Decisions that have been recorded as regarding, the application of section 70, the deduction of an overseas pension, or an overseas pension which exceeds the benefit or pension rate. As you will see, of the 635 internal reviews undertaken in the previous 8 years, 441 of the reviews resulted in the decision being upheld.

Each table represents a different stage of the review process and the outcomes are broken down by financial year between 2008/09 and 2015/16. Reviews that did not go to the Benefit Review Committee were either overturned at the Internal Review, withdrawn or pending review. A Review of Decision application can be withdrawn at any time during the process. If a person changes their mind or no longer wants to go ahead with the review, they can ask for their review application to be withdrawn. For more information about the review process please see the following link: <http://www.msd.govt.nz/about-msd-and-our-work/contact-us/review-of-decision/>

**Table one: Internal Review of Decision outcomes of applications for a Review of Decision that involve section 70 deductions due to receipt of an overseas pension, broken down by financial years between 2008/09 and 2015/16.**

Financial year received	Internal Review outcome				Total
	Withdrawn	Overtured	Partially upheld	Upheld	
2008/09	10	16	1	25	<b>52</b>
2009/10	3	11	2	19	<b>35</b>
2010/11	3	3	0	12	<b>18</b>
2011/12	5	5	6	39	<b>55</b>
2012/13	12	5	5	44	<b>66</b>
2013/14	12	9	7	86	<b>114</b>
2014/15	24	15	6	131	<b>176</b>
2015/16	17	13	4	85	<b>119</b>
<b>Total</b>	<b>86</b>	<b>77</b>	<b>31</b>	<b>441</b>	<b>635</b>

**Table two: Benefits Review Committee outcomes of applications for a Review of Decision that involve Section 70 deductions due to receipt of an overseas pension, broken down by financial years between 2008/09 and 2015/16.**

Financial year received	Benefits Review Committee outcome				Total
	Reviews that did not go to Benefit Review Committee	Overtured	Partially upheld	Upheld	
2008/09	28	1	0	23	<b>52</b>
2009/10	16	0	1	18	<b>35</b>
2010/11	6	1	0	11	<b>18</b>
2011/12	23	2	1	29	<b>55</b>
2012/13	29	2	1	34	<b>66</b>
2013/14	60	1	2	51	<b>114</b>
2014/15	107	4	5	60	<b>176</b>
2015/16	76	2	1	40	<b>119</b>
<b>Total</b>	<b>345</b>	<b>13</b>	<b>11</b>	<b>266</b>	<b>635</b>

**Table three: Social Security Appeal Authority hearing outcomes of applications for a Review of Decision that involve Section 70 deductions due to receipt of an overseas pension, broken down by financial years between 2008/09 and 2015/16.**

Financial year received	Social Security Appeal Authority outcome			Total
	Dismissed	Allowed	Part-allowed	
2008/09	0	0	0	<b>0</b>
2009/10	8	0	4	<b>12</b>
2010/11	4	0	0	<b>4</b>
2011/12	1	0	0	<b>1</b>
2012/13	1	0	0	<b>1</b>
2013/14	1	0	0	<b>1</b>
2014/15	10	0	2	<b>12</b>
2015/16	11	1	2	<b>14</b>
<b>Total</b>	<b>36</b>	<b>1</b>	<b>8</b>	<b>45</b>

Information about Social Security Appeal Authority hearing decisions can be accessed on the Ministry of Justice, and the New Zealand Legal Information Institute websites. Please see the following links for more information:

- [www.justice.govt.nz/tribunals/social-security-appeal-authority/decisions/ssaa-decisions/](http://www.justice.govt.nz/tribunals/social-security-appeal-authority/decisions/ssaa-decisions/)
- [www.nzlii.org/nz/cases/NZSSAA/](http://www.nzlii.org/nz/cases/NZSSAA/)

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter available to the wider public shortly. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response to your request for information about the outcomes of Review of decisions, involving section 70 deductions from New Zealand Superannuation with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or 0800 802 602.

Yours sincerely



Ruth Bound  
**Deputy Chief Executive, Service Delivery**