



1 December 2023

Tēnā koe

Thank you for your email of 3 November 2023 to the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

1. *Is MSD aware of any superannuants who had their pension payments ceased after 26 weeks while in Australia during the covid-19 pandemic, a debt established, and the debt subsequently reversed due to challenge at the BRC/SSAA (or between the two challenges?)*
  - a. *If so, how many?*
2. *Did MSD reverse any decision not to provide general portability to a superannuant who was trapped in a country with a reciprocal agreement during the covid 19 pandemic?*
  - b. *If so, on what legal basis?*

New Zealand Superannuation (NZS) provides a retirement income for clients who have reached 65 years of age. Under the New Zealand Superannuation and Retirement Income Act 2001, NZS and Veteran Pension (VP) recipients can travel overseas for 26 weeks or less and continue to receive their payments. Clients are not entitled to receive NZS after 26 weeks, and if they do not return to New Zealand within 30 weeks, they may need to repay any NZS payments they received after they left New Zealand.

NZS and VP clients who are going overseas for longer than 26 weeks can apply for General Portability while they are still in New Zealand, which allows these clients to continue receiving their payments while they are out of the country.

If a client is already overseas and is unable to return to New Zealand within 30 weeks for reasons outside of their control and could not have reasonably been foreseen before leaving New Zealand, they can apply for General Portability under Section 27 of the New Zealand Superannuation and Retirement Income Act 2001. You can find more information about overseas applications for General Portability at the following link: [www.workandincome.govt.nz/map/to-or-from-overseas/portability/general-portability/applying-for-payment-from-overseas-01.html](http://www.workandincome.govt.nz/map/to-or-from-overseas/portability/general-portability/applying-for-payment-from-overseas-01.html).

Following the COVID-19 pandemic, the Ministry developed the COVID-19 New Zealanders Stranded Overseas Support Programme. The purpose of this programme was to provide special financial support to New Zealand beneficiaries and superannuitants who were stranded overseas because of the effects of COVID-19, until it could be reasonably expected that they can return to New Zealand. You can find more information about this programme at the following link: [www.msd.govt.nz/about-msd-and-our-work/about-msd/legislation/notice-of-change/2020/covid-19-new-zealanders-stranded-overseas-support-programme.html](http://www.msd.govt.nz/about-msd-and-our-work/about-msd/legislation/notice-of-change/2020/covid-19-new-zealanders-stranded-overseas-support-programme.html).

### **Responding to your request**

The Ministry does not store the requested information in a way that distinguishes whether a client has had their pension payments ceased after 26 weeks while in Australia, or whether a decision to refuse general portability to a superannuitant unable to return to New Zealand has been reversed.

I am unable to provide you with this information as it is held in notes on individual case files. In order to provide you with this information, Ministry staff would have to manually review a substantial number of files. As such, I refuse your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with my decision on your request, 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.

Ngā mihi nui



pp.  
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