



12 August 2024

Tēnā koe

Official Information Act request

Thank you for your phone call of 17 July 2024, requesting information about New Zealand Superannuation.

I have considered your request under the Official Information Act 1982 (the Act).

You have asked for internal guidance and criteria standards for the following:

- *Approving New Zealand Superannuation.*
- *Approving Portability Applications for a non-reciprocal country.*

I am providing you with publicly available links to internal guidance and criteria standards which are found on Map, which is on the Ministry's Work and Income website: [What's new - Map \(workandincome.govt.nz\)](#)

Map provides operational policy guidelines to Ministry staff based on the legislation administered by the Ministry of Social Development. The policy guidelines help our staff make accurate and sound decisions, so clients get their full and correct entitlement. Each section of information is provided as an online manual, which can be read as a manual, or as individual pages for specific information.

I am also providing you with publicly available links to the relevant legislation that also guides the Ministry in these areas.

For guidance on granting New Zealand Superannuation (domestic) please see the following links:

- [Age - Map \(workandincome.govt.nz\)](#)
- [Residency - Map \(workandincome.govt.nz\)](#)
- [Reciprocal Agreements - Map \(workandincome.govt.nz\)](#)
- [Treatment of periods of absence for residential qualification - Map \(workandincome.govt.nz\)](#)
- [Residence and presence requirement for people turning 65 from 1 July 2024 - Map \(workandincome.govt.nz\)](#)
- [Refugees and protected persons - Map \(workandincome.govt.nz\)](#)
- [Deciding ordinarily resident in New Zealand - Map \(workandincome.govt.nz\)](#)
- [Intention to remain permanently - Map \(workandincome.govt.nz\)](#)
- [Commencement date - Map \(workandincome.govt.nz\)](#)

- [Payment - Map \(workandincome.govt.nz\)](https://workandincome.govt.nz)

The following links are to the relevant legislation by which the Ministry is guided on New Zealand Superannuation:

- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act Part 1 Entitlements to New Zealand superannuation – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 8 Residential qualification for New Zealand superannuation – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 8A Special total time requirement for refugees or protected persons 45 years of age or older on relevant date – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 9 Treatment of various periods of absence – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 10 Treatment of periods of absence as missionary – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 10A Treatment of periods of absence if New Zealand income tax withheld on overseas earnings – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 11 Commencement of New Zealand superannuation – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 12 Rates of New Zealand superannuation – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act Schedule 1 New Zealand superannuation entitlements – New Zealand Legislation](#)

For guidance on granting Portability Applications for a non-reciprocal country please see the following links:

- [Qualifications - Map \(workandincome.govt.nz\)](#)
- [Entitlement to New Zealand Superannuation - Map \(workandincome.govt.nz\)](#)
- [Entitlement to Veterans Pension - Map \(workandincome.govt.nz\)](#)
- [Ordinarily resident and present in New Zealand on date of application for payment overseas - Map \(workandincome.govt.nz\)](#)
- [Periods of residence - Map \(workandincome.govt.nz\)](#)
- [Applying for payment - Map \(workandincome.govt.nz\)](#)
- [Applying for payment from overseas - Map \(workandincome.govt.nz\)](#)
- [Rate of payment - Map \(workandincome.govt.nz\)](#)

The following links are to the relevant legislation by which the Ministry is guided for approving Portability Applications:

- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 26 Payment overseas of New Zealand superannuation – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 26A Calculation of amount of New Zealand superannuation payable overseas – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 26B Entitlement – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 27 Applications after leaving New Zealand – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 28 Date of commencement of payment overseas – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 29 Relationship with other benefit provisions – New Zealand Legislation](#)

In order to be helpful, I am also providing you with the guidance on granting Special Portability into Pacific Countries:

- [Qualifications - Map \(workandincome.govt.nz\)](#)
- [Entitlement to New Zealand Superannuation - Map \(workandincome.govt.nz\)](#)
- [Entitlement to Veteran's Pension - Map \(workandincome.govt.nz\)](#)
- [Applying in New Zealand - Map \(workandincome.govt.nz\)](#)
- [Applying from overseas - Map \(workandincome.govt.nz\)](#)
- [Payment - Map \(workandincome.govt.nz\)](#)

The following links are to the relevant legislation by which the Ministry is guided for approving Special Portability applications into Pacific Countries:

- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 30 Specified Pacific country – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 31 Entitlement to be paid New Zealand superannuation in specified Pacific country – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 32 Rates of payment of New Zealand superannuation payable to people resident in specified Pacific countries – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 33 Commencement and termination of payments – New Zealand Legislation](#)

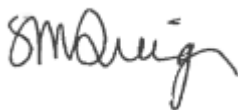
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 34 Effect on other benefits – New Zealand Legislation](#)
- [New Zealand Superannuation and Retirement Income Act 2001 No 84 \(as at 05 June 2024\), Public Act 35 Application of this Act and Social Security Act 2018 – New Zealand Legislation](#)
- [Social Assistance \(Portability to Cook Islands, Niue, and Tokelau\) Act 2015 No 61, Public Act 3 Purpose – New Zealand Legislation](#)

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.

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 or 0800 802 602.

Ngā mihi nui

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Magnus O'Neill
General Manager
Ministerial and Executive Services