



ANALYSIS

<p style="text-align: center;">Title.</p> <p>1. Short Title.</p> <p>2. Commencement of Parts I and II.</p> <p style="text-align: center;">PART I</p> <p style="text-align: center;">RATES OF MONETARY BENEFITS</p> <p style="text-align: center;"><i>Superannuation Benefits</i></p> <p>3. Increasing rate of superannuation benefits. Repeal.</p> <p style="text-align: center;"><i>Age Benefits</i></p> <p>4. Increasing rate of age benefits. Repeal.</p> <p>5. Section 17 of principal Act amended. Repeal.</p> <p>6. Section 19 of principal Act amended. Repeal.</p> <p style="text-align: center;"><i>Widows' Benefits</i></p> <p>7. Increasing rate of widows' benefits. Repeal.</p> <p style="text-align: center;"><i>Orphans' Benefits</i></p> <p>8. Increasing rate of orphans' benefits. Repeal.</p> <p style="text-align: center;"><i>Invalids' Benefits</i></p> <p>9. Increasing rates of invalids' benefits. Repeals.</p> <p>10. Section 35 of principal Act amended. Repeal.</p> <p style="text-align: center;"><i>Miners' Benefits</i></p> <p>11. Increasing rate of miners' benefits. Repeal.</p> <p>12. Section 44 of principal Act amended. Repeal.</p>	<p style="text-align: center;"><i>Sickness Benefits</i></p> <p>13. Increasing rates of sickness benefits. Repeals.</p> <p style="text-align: center;"><i>Unemployment Benefits</i></p> <p>14. Increasing rates of unemployment benefits. Repeal.</p> <p style="text-align: center;">PART II</p> <p style="text-align: center;">MISCELLANEOUS PROVISIONS AS TO MONETARY BENEFITS</p> <p>15. Certain war pensions not deemed to be income.</p> <p>16. Amending provisions as to qualifications for family benefit. Repeal.</p> <p>17. Payment of benefit where applicant or wife in receipt of war pension. Repeal.</p> <p style="text-align: center;">PART III</p> <p style="text-align: center;">MEDICAL AND HOSPITAL BENEFITS</p> <p>18. Amending definition of "borough" for payment of mileage fees.</p> <p>19. Payment of fees in respect of specialist services.</p> <p>20. Minister of Health may approve payments for benefits under Part III of principal Act.</p> <p>21. Commencement of section 30 of Social Security Amendment Act 1949.</p> <p style="text-align: center;">PART IV</p> <p style="text-align: center;">FINANCIAL PROVISIONS</p> <p>22. Universal superannuation not to be regarded as income for social security charge purposes.</p>
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1951, No. 54

AN ACT to amend the Social Security Act 1938. Title.

[1 December 1951

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Social Security Amendment Act 1951, and shall be read together with and deemed part of the Social Security Act 1938 (hereinafter referred to as the principal Act). Short Title.
1938, No. 7;
reprinted 1948,
Vol. II, p. 1251
2. Except as otherwise hereinafter provided, Parts I and II of this Act shall be deemed to have come into force on the fifteenth day of February, nineteen hundred and fifty-one. Commencement
of Parts
I and II.

PART I

RATES OF MONETARY BENEFITS

Superannuation Benefits

3. (1) The principal Act is hereby amended by repealing section thirteen, and substituting the following section:— Increasing
rate of
superannuation
benefits.

“ 13. (1) Superannuation benefits payable in respect of the period commencing on the first day of October, nineteen hundred and fifty-one, and ending on the thirty-first day of March, nineteen hundred and fifty-two, or in respect of any part of that period, shall be computed at the rate of seventy-five pounds a year.

“ (2) Superannuation benefits payable in respect of the financial year commencing on the first day of April, nineteen hundred and fifty-two, or in respect of any part of that year, shall be computed at the rate of eighty pounds a year.

“ (3) Superannuation benefits payable in respect of the whole or any part of any subsequent year shall be computed at the rate of eighty pounds a year, increased by five pounds a year for each year subsequent to the year commencing on the first day of April, nineteen hundred and fifty-two, but so that the rate of benefit shall not at any time exceed one hundred and forty-nine pounds ten shillings a year.”

Repeal.
1950, No. 49

(2) Section three of the Social Security Amendment Act 1950 is hereby repealed.

(3) This section shall be deemed to have come into force on the first day of October, nineteen hundred and fifty-one.

Age Benefits

Increasing
rate of age
benefits.

4. (1) Section sixteen of the principal Act is hereby amended by omitting from subsection one the words “ one hundred and thirty-six pounds ten shillings ”, and substituting the words “ one hundred and forty-nine pounds ten shillings ”.

Repeal.

(2) Section four of the Social Security Amendment Act 1950 is hereby repealed.

Section 17 of
principal Act
amended.

5. (1) Section seventeen of the principal Act is hereby amended as follows:—

(a) By omitting from paragraph (b) of subsection two the words “ two hundred and fourteen pounds ten shillings ”, and substituting the words “ two hundred and twenty-seven pounds ten shillings ”:

(b) By omitting from the proviso to the same paragraph the words “ one hundred and thirty-six pounds ten shillings ”, and substituting the words “ one hundred and forty-nine pounds ten shillings ”:

(c) By omitting from the same proviso the words “ three hundred and fifty-one pounds ”, and substituting the words “ three hundred and seventy-seven pounds ”.

Repeal.

(2) Section five of the Social Security Amendment Act 1950 is hereby amended by repealing paragraphs (b), (c), and (d) of subsection one.

Section 19 of
principal Act
amended.

6. (1) Section nineteen of the principal Act is hereby amended by omitting from the proviso the words “ two hundred and fourteen pounds ten shillings ”, and substituting the words “ two hundred and twenty-seven pounds ten shillings ”.

Repeal.

(2) Section seven of the Social Security Amendment Act 1950 is hereby repealed.

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Widows' Benefits

7. (1) Section twenty-three of the principal Act is hereby amended as follows:—

Increasing rate of widows' benefits.

(a) By omitting from paragraph (a) the words "one hundred and thirty-six pounds ten shillings", and substituting the words "one hundred and forty-nine pounds ten shillings":

(b) By omitting from paragraph (b) the words "eighty-four pounds ten shillings", and substituting the words "ninety-one pounds".

(2) Section eight of the Social Security Amendment Act 1950 is hereby repealed.

Repeal.
1950, No. 49

Orphans' Benefits

8. (1) Section twenty-seven of the principal Act is hereby amended by omitting from subsection one the words "seventy-one pounds ten shillings", and substituting the words "seventy-eight pounds".

Increasing rate of orphans' benefits.

(2) Section nine of the Social Security Amendment Act 1950 is hereby repealed.

Repeal.

Invalids' Benefits

9. (1) Section thirty-four of the principal Act is hereby amended as follows:—

Increasing rates of invalids' benefits.

(a) By omitting from paragraph (a) of subsection one the words "one hundred and thirty-six pounds ten shillings" wherever they occur, and substituting in each case the words "one hundred and forty-nine pounds ten shillings":

(b) By omitting from paragraph (b) of the same subsection the words "one hundred and ten pounds ten shillings", and substituting the words "one hundred and seventeen pounds":

(c) By omitting from paragraph (c) of the same subsection the words "one hundred and thirty-six pounds ten shillings", and substituting the words "one hundred and forty-nine pounds ten shillings":

(d) By omitting from subparagraph (i) of paragraph (c) of subsection two the words “ two hundred and fourteen pounds ten shillings ”, and substituting the words “ two hundred and twenty-seven pounds ten shillings ”:

(e) By omitting from the proviso to paragraph (c) of the same subsection the words “ one hundred and thirty-six pounds ten shillings ”, and substituting the words “ one hundred and forty-nine pounds ten shillings ”:

(f) By omitting from the same proviso the words “ eight pounds fifteen shillings ”, and substituting the words “ nine pounds five shillings ”.

Repeals.
1950, No. 49

(2) Section ten of the Social Security Amendment Act 1950 and paragraphs (b), (c), and (d) of subsection one of section eleven of that Act are hereby repealed.

Section 35 of
principal Act
amended.

10. (1) Section thirty-five of the principal Act is hereby amended by omitting from the proviso the words “ three hundred and eighteen pounds ten shillings ”, and substituting the words “ three hundred and thirty-one pounds ten shillings ”.

Repeal.

(2) Section thirteen of the Social Security Amendment Act 1950 is hereby repealed.

Miners' Benefits

Increasing
rate of
miners'
benefits.

11. (1) Section forty-one of the principal Act is hereby amended by omitting the words “ one hundred and thirty-six pounds ten shillings ” wherever they occur, and substituting in each case the words “ one hundred and forty-nine pounds ten shillings ”.

Repeal.

(2) Section fourteen of the Social Security Amendment Act 1950 is hereby repealed.

Section 44 of
principal Act
amended.

12. (1) Section forty-four of the principal Act is hereby amended by omitting from subsection one the words “ one hundred and ten pounds ten shillings ”, and substituting the words “ one hundred and seventeen pounds ”.

Repeal.

(2) Section fifteen of the Social Security Amendment Act 1950 is hereby repealed.

Sickness Benefits

13. (1) Subsection two of section forty-six of the principal Act (as substituted by section twenty-three of the Social Security Amendment Act 1945 and amended by section sixteen of the Social Security Amendment Act 1950) is hereby further amended as follows:—

Increasing rates of sickness benefits.
1945, No. 11
1950, No. 49

(a) By omitting from paragraph (a) the words “ thirty-two shillings and sixpence ”, and substituting the words “ thirty-five shillings ”:

(b) By omitting from paragraph (b) the words “ fifty-two shillings and sixpence ” wherever they occur, and substituting in each case the words “ fifty-seven shillings and sixpence ”.

(2) Section sixteen of the Social Security Amendment Act 1950 is hereby amended by repealing paragraphs (a) and (b) of subsection one.

Repeals.

Unemployment Benefits

14. (1) Section fifty-two of the principal Act is hereby amended as follows:—

Increasing rates of unemployment benefits.

(a) By omitting from paragraph (a) of subsection one the words “ thirty-two shillings and sixpence ”, and substituting the words “ thirty-five shillings ”:

(b) By omitting from paragraph (b) of the same subsection the words “ fifty-two shillings and sixpence ” wherever they occur, and substituting in each case the words “ fifty-seven shillings and sixpence ”.

(2) Section seventeen of the Social Security Amendment Act 1950 is hereby repealed.

Repeal.

PART II

MISCELLANEOUS PROVISIONS AS TO MONETARY BENEFITS

15. Section ten of the principal Act is hereby amended by adding to the definition of the term “ income ” the following paragraphs:—

Certain war pensions not deemed to be income.

“ (i) Any pension received under Part II or Part IV of the War Pensions Act 1943, or under the War Pensions and Allowances (Mercantile Marine) Act 1940, by any person in respect of his own disablement:

1943, No. 22
1940, No. 24

1943, No. 22
1940, No. 24

“ (j) Any pension (other than a mother’s allowance) received under Part II or Part IV of the War Pensions Act 1943, or under the War Pensions and Allowances (Mercantile Marine) Act 1940, by the widow of a deceased member of the New Zealand or any other Commonwealth Forces or of the Emergency Reserve Corps or of the New Zealand mercantile marine in respect of the death of that member:

“ (k) Any allowance received under section forty of the War Pensions Act 1943 by an applicant in respect of the services of any person who is attending on him:

“ (l) Any pension or other periodical allowance or any part thereof received by an applicant or the husband or wife of an applicant from the Government of any part of the Commonwealth (other than New Zealand) which in the opinion of the Commission is analogous to a pension specified in paragraph (i) or paragraph (j) of this definition.”

Amending provisions as to qualifications for family benefit.
1948, No. 78

16. (1) Section twenty-nine of the principal Act is hereby amended by repealing subsection one (as substituted by section twenty of the Finance Act (No. 2) 1948), and substituting the following subsection:—

“ (1) A family benefit shall not be payable in respect of any child unless at least one of the following conditions is satisfied, namely—

“ (a) The child was born in New Zealand:

“ (b) The mother of the child was only temporarily absent from New Zealand at the time of its birth:

“ (c) The Commission is satisfied that the child is likely to remain permanently in New Zealand:

“ (d) The child has resided continuously in New Zealand for not less than twelve months.”

Repeal.

(2) Section twenty of the Finance Act (No. 2) 1948 is hereby consequentially repealed.

17. (1) Section sixty-two of the principal Act (as amended by subsection one of section seventeen of the Social Security Amendment Act 1949) is hereby further amended as follows:—

Payment of benefit where applicant or wife in receipt of war pension. 1949, No. 38

(a) By omitting from paragraph (c) the words “ under the War Pensions Act 1915 ”, and substituting the words “ under the War Pensions Act 1943 or the War Pensions and Allowances (Mercantile Marine) Act 1940 (other than a pension in respect of her own disablement) ”:

1943, No. 22
1940, No. 24

(b) By repealing the proviso to paragraph (c).

(2) Section sixty-three of the principal Act is hereby amended by repealing subsection three, and substituting the following subsection:—

“ (3) Notwithstanding anything in subsection one of this section, any person who for the time being is in receipt of a pension (not being a mother’s allowance) under Part II or Part IV of the War Pensions Act 1943 or under the War Pensions and Allowances (Mercantile Marine) Act 1940 as the widow of a deceased member of the New Zealand or any other Commonwealth Forces or of the Emergency Reserve Corps or of the New Zealand mercantile marine, or a pension under either of those Acts in respect of his own disablement, shall not by reason only of the receipt of that pension be disqualified from receiving a benefit under this Part of this Act.”

(3) Section eight of the Social Security Amendment Act 1939 and section seventeen of the Social Security Amendment Act 1949 are hereby consequentially repealed.

Repeal. 1939, No. 31

PART III

MEDICAL AND HOSPITAL BENEFITS

18. Section two of the Social Security Amendment Act 1941 is hereby amended by adding to the definition of the term “ borough ” in subsection one the following proviso:—

Amending definition of “ borough ” for payment of mileage fees. 1941, No. 14

“ Provided that, where the Minister is satisfied that no medical practitioner resides or has a surgery in any borough that is contiguous to another borough, he may

by notice in the *Gazette* declare the first-mentioned borough to be a separate borough for the purposes of this Act, and the borough shall be deemed to be a separate borough accordingly.”

Payment of fees in respect of specialist services.

1942, No. 14

19. Section twelve of the Finance Act (No. 2) 1942 is hereby amended by adding the following subsection:—

“(5) Notwithstanding anything in the foregoing provisions of this section, payments in respect of specialist medical services to which this section applies may be made to medical practitioners out of the Social Security Fund as if those services were general medical services, and the provisions of the Social Security Amendment Act 1941 as to payments in respect of general medical services shall, with the necessary modifications, apply accordingly.”

1941, No. 14

Minister of Health may approve payments for benefits under Part III of principal Act.

1943, No. 19

20. Section twenty-six of the Social Security Amendment Act 1943 is hereby amended by omitting the words “Minister of Finance”, and substituting the words “Minister of Health”.

Commencement of section 30 of Social Security Amendment Act 1949.

1949, No. 38

1947, No. 3

21. Section thirty of the Social Security Amendment Act 1949 shall be deemed to have come into force on the fourteenth day of August, nineteen hundred and forty-seven (being the date of the commencement of the Contributory Negligence Act 1947).

PART IV

FINANCIAL PROVISIONS

Universal superannuation not to be regarded as income for social security charge purposes.

22. Section one hundred and twenty-seven of the principal Act is hereby amended by inserting, after subsection three, the following subsection:—

“(3A) Any amounts received by any person by way of superannuation benefit under Part II of this Act shall not for the purposes of this Part of this Act be regarded as income, notwithstanding that those amounts may be income assessable under the Land and Income Tax Act 1923.”

See Reprint of Statutes, Vol. VII, p. 271