

SOCIAL SECURITY AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Social Security Act 1964.

Clause 1 relates to the Short Title.

PART I

MONETARY BENEFITS

Clause 2 amends section 3 of the principal Act by substituting new definitions of “benefit” and “child” for existing definitions.

The new definition of “benefit” is consequential to the new provisions set out in *clause 9* and excludes a lump sum payment after death.

The new definition of “child” is also consequential to the new provisions relating to lump sum payments after death set out in *clause 9*.

Clause 3 amends section 15 of the principal Act, which sets out the formula for fixing the rates of national superannuation. There is no change to the formula itself. The after-tax married couple rate remains at 80 percent of the after-tax average ordinary time weekly wage. The changes are consequential ones made necessary by the abolition of the married and single tax codes on and after 1 October 1982.

Clause 4 repeals section 18 of the principal Act, which provides for national superannuation to be paid for 13 weeks after death in certain circumstances. Those payments are replaced by new lump sum payments after death set out in *clause 9*. Under the new provisions, if a married national superannuitant dies, payment will continue for 2 fortnightly instalments after death. In addition, the surviving spouse can apply for a lump sum under the new section 61DC of up to \$1,000 plus \$500 for each dependent child, subject to an income and means test.

Clause 5, subclause (1) repeals section 27K (1) of the principal Act and substitutes a new subsection.

The new subsection provides for a minimum payment of \$10 a week for all liable parents in respect of domestic purposes beneficiaries. Under the existing section 27K (1), and the Twentieth Schedule, a liable parent can be assessed as having no disposable income to contribute to the cost of a domestic purposes benefit.

Subclause (2) provides for existing liable parent assessments of \$10 a week or more, to continue on the present basis notwithstanding *subclause (1)* or *clause 22*. (*Clause 22* alters the formula in the Twentieth Schedule for fixing the amount of contributions).

Subclause (3) provides for existing liable parent contributions continued under *subclause (2)* to be reassessed, in accordance with the revised formula, on and after the date they are first reviewed under section 27ZH of the principal Act.

Subclause (4) provides that the \$10 a week minimum contribution applies on the commencement of the clause to all liable parents, including those previously assessed under the Twentieth Schedule as having no obligation to contribute or whose current obligation under that Schedule is less than \$10 a week.

Clause 6 is an amendment to section 27N (1) of the principal Act which is consequential to the amendments made by *clause 5 (1)*.

Clause 7 repeals section 57 (1) of the principal Act, and substitutes a new subsection.

The present subsection (1) provides that, unless an application for a sickness benefit is supported by a certificate of incapacity stating that the applicant will be incapacitated for a period of 3 weeks or more, a sickness benefit is not payable for the first 7 days of incapacity. In addition, the present subsection provides that the Commission may waive that provision.

The new subsection (1) provides that a sickness benefit shall not be payable for the first 7 days of incapacity unless the Commission, in respect of any class of case or any particular case, determines that the benefit is to be payable for all or any part of that period of 7 days.

Clause 8 repeals section 60 of the principal Act, which relates to the period for which unemployment benefit is payable, and substitutes a new section.

The new subsection (1) of section 60 provides for a 7-days' waiting period for unemployment benefit for married applicants and unmarried applicants caring for dependent children.

The new subsection (2) provides for a 14-days' waiting period for unemployment benefit for unmarried applicants without dependent children.

The new subsection (3) provides that the waiting periods in subsections (1) and (2) may be reduced or waived by the Commission for any class of case or any particular case.

The new subsection (4) provides the Commission with authority to impose an additional waiting period of up to 4 weeks if the Commission determines, in respect of any class of applicant or any particular applicant, that the average weekly earnings for the previous 12 months are sufficient to enable that class of applicant or that applicant to maintain himself and his family (if any) notwithstanding a period of temporary unemployment.

The new subsection (5) exempts from the provisions of subsection (4) those applicants who lost their job because of the permanent closure of their place of employment or because of redundancy.

(NOTE: The new subsections (4) and (5) do not come into force until 1 January 1983. The other provisions of the new section come into force on the passing of the Bill.)

The new *subsection (6)* re-enacts existing provisions relating to the postponement for 6 weeks, and the termination, of unemployment benefit.

The new *subsection (7)* provides that the Commission may require an applicant who has had his entitlement to benefit postponed, to reapply for the benefit at the end of the postponement period.

The new *subsection (8)* provides for an unemployment benefit to be renewable every 26 weeks. At present no period is specified.

The new *subsection (9)* re-enacts existing provisions relating to the payment of a sickness benefit to an unemployment beneficiary who becomes incapacitated for work through sickness.

Clause 9 repeals the existing benefit on death provisions in section 61D of the principal Act, and substitutes new sections 61D to 61DF relating to lump sum payments after death.

The new section 61D defines the terms “child”, “spouse”, and “assets” for the purposes of the new sections. The definitions of child and spouse provide for the new provisions to apply only to children and spouses whose usual place of residence was with the deceased at the time of death. The definition of “assets” provides that in determining a surviving spouse’s or child’s or parent’s entitlement to a lump sum payment under the new section 61DC or section 61DE, the value of the family home, chattels, and motor vehicles is to be disregarded.

The new section 61DA re-enacts existing provisions in sections 18 (1) and 85 (1) of the principal Act relating to the date of cessation of national superannuation and other benefits following the superannuitant’s or beneficiary’s death. In general, entitlement to national superannuation and other benefits ceases from the date of death, but in certain circumstances it may continue for 1 instalment after death.

The new section 61DB is a new provision and replaces existing provisions in sections 18 and 85 of the principal Act under which lump sum payments are made to the surviving spouses and children of deceased national superannuitants and social security beneficiaries.

Under the existing provisions national superannuation is paid for 13 weeks following the death of a married superannuitant, and an invalid’s, widow’s, and domestic purposes benefit can be continued for a similar period after death if there is a surviving spouse or child.

The new provisions in section 61DB provide that if there is a surviving spouse or child, national superannuation or other benefit shall continue to be paid for 2 fortnightly or 4 weekly instalments after death.

The new section 61DC replaces the existing provisions in section 61D of the principal Act under which a surviving widow or widower or child could qualify, irrespective of financial circumstances, for a lump sum benefit of \$1,000 plus \$500 for each child (up to a maximum of \$1,500 for children) provided he or she was financially dependent on the deceased prior to death, death was not due to an accident, and death occurred before the age of 60. Those provisions are now replaced by a new income and means tested lump sum grant of \$1,000 for a surviving spouse (less any payment made under section 61DB) plus \$500 for each child. The grant will be payable in respect of death not due to accident, and irrespective of the age of the deceased at the date of death. Unlike the present benefit there will be no limit on the grants made in respect of dependent children. To qualify on income and assets grounds it will be necessary to establish that—

- (a) The surviving spouse or child could qualify on income grounds for an income-tested social security benefit (by way of example, the current income limit for a widow with 2 children is \$204 a week); and
- (b) The net value of the assets in the deceased’s estate (excluding the family home, chattels, and car) is less than \$6,000.

There is provision in section 61DC (3) to advance the lump sum if there is likely to be a delay in determining the applicant’s eligibility on income and assets grounds, on the condition that it will be repaid if it is subsequently established that there was no entitlement to it.

The new section 61DD is new and covers the situation of a single person without dependants dying without sufficient funds in his estate to meet his funeral expenses. The section provides for up to \$500 to be paid in those circumstances.

The new section 61DE is new and provides for \$500 to be paid on the death of a child if the child's parents or guardians can meet a similar income and means test to that provided for in section 61DC.

The new section 61DF stipulates the method of making payment of the lump sum provided for in sections 61DC and 61DD. In general, payments under section 61DC will be paid to the surviving spouse or child or other responsible person and payments under section 61DD will be paid to the funeral director.

The new section 61DG provides that applications for lump sum payments under sections 61DC, 61DD, and 61DE must be lodged with the Department within 6 months after the deceased's death.

Clause 10 repeals, with effect on 1 October 1982, section 69B of the principal Act under which long-term social security beneficiaries were eligible for a 50 percent reduction in their television licence fees.

Clause 11, subclause (1) amends 69C of the principal Act to provide that a disability allowance is payable in respect of a disabled husband as well as a disabled wife.

Subclauses (2) and (3) provide for the payment of a special disability allowance of \$10 a week to a married beneficiary whose spouse's benefit has been reduced, under the new section 75 set out in *clause 12*, after 13 weeks' hospitalisation.

Clause 12, subclause (1) repeals section 75 of the principal Act relating to the benefit entitlement of long-term hospital patients, and substitutes a new section.

Under the existing provisions, long-term married patients without dependent children continue to have entitlement to the full benefit throughout the period of hospitalisation.

The new section places such patients on the same basis as long-term unmarried patients who are entitled to the full benefit for the first 13 weeks of hospitalisation only. At the same time the new section 75 provides for the benefit payable to the spouse not in hospital to be increased to the single rate from the same date as the patient's benefit is reduced. The spouse not in hospital also receives a special disability allowance under a new provision set out in *clause 11 (2)*.

The new subsection (1) of section 75 re-enacts the existing subsection (1) which defines "hospital" for the purposes of the section.

The new subsection (2) provides for benefits (including national superannuation) payable to unmarried hospital patients and to married patients without dependent children, to continue at their usual rate for the first 13 weeks of hospitalisation.

The new subsection (3) provides for the benefits payable to unmarried patients and married patients without dependent children to be reduced to \$10 a week from the beginning of the 14th week of hospitalisation.

The new subsection (4) allows a higher rate than \$10 a week to be paid in any particular case after having regard to the patient's personal financial circumstances.

It is also provided that a lower rate than \$10 a week may be paid after having regard to the patient's capacity to appreciate the payments.

The new subsection (5) provides that, if a married patient's benefit is reduced under subsection (3), the benefit payable to the patient's spouse not in hospital shall be increased to the single rate on the same date as the patient's benefit is reduced.

The new subsection (6) provides for absences from hospital of less than 28 days to be disregarded in determining the rate of benefit payable on return to hospital.

The new subsection (7) provides that no unmarried person or married couple is to receive an increased benefit as a result of hospitalisation. This provision is necessary because, for example, some patients have a basic benefit entitlement of less than \$10 a week owing to the level of their income.

Subclause (2) of clause 12 provides for consequential repeals.

Subclause (3) provides that the benefit payable to a married person without dependent children who is in hospital when *clause 12* is enacted, will not be reviewed in accordance with the new provisions unless he or she is still in hospital at the end of 13 weeks after the clause is enacted.

Clause 13 repeals section 76 of the principal Act, which relates to the entitlement to benefits of persons in prison, and substitutes a new section.

The new section re-enacts the existing provisions but also includes new provisions in subsection (4). The new subsection provides that, if a beneficiary is remanded in custody by a Court pending a further appearance before a Court, the benefit will not be payable for the period of remand. However, the Commission may pay all or part of the benefit having regard to the beneficiary's financial circumstances and commitments.

Clause 14 amends section 82 of the principal Act, and requires all applicants and beneficiaries to have a Post Office, private savings bank, trading bank, or trustee savings bank account into which their benefit instalments can be paid.

Clause 15 repeals section 85 of the principal Act, which relates to the termination of benefits on death.

Those provisions are replaced by the new provisions set out in *clause 9*.

Clause 16 amends section 86 of the principal Act to empower the Commission to recover any lump sum payments on death paid in error.

Clause 17 provides for the general increases in the rates of benefits on and after 20 January 1982. The benefit rate for a married couple is increased by \$9.36 to \$127.28 a week. The rate for an adult unmarried person is increased by \$5.62 to \$76.37 a week. The benefit for a widow or solo parent with a dependent child or children is increased by \$9.36 a week.

Clause 18 provides for the general increases in the rates of benefits on and after 21 July 1982. The benefit rate for a married couple is further increased by \$10.68 to \$137.96 a week. The rate for an adult unmarried person is increased by \$6.41 to \$82.78 a week. The benefit for a widow or solo parent with a dependent child or children is increased by \$10.68 a week.

Clause 19 increases the rates of child supplements on and after 13 October 1982. The rate of supplement for each child of a married couple increases by \$1 to \$6 a week. The rate of supplement for the second and subsequent children of widows and solo parents also increases by \$1 to \$6 a week.

Clause 20 increases the maximum rate of accommodation benefit by \$4 to \$22 a week. The lowest accommodation cost for which accommodation benefit can be paid also increases by \$4 to \$22 a week.

Accommodation benefit, subject to an income and means test, will now be payable at two-thirds of the beneficiary's rent or outgoings in excess of \$22 a week, up to a maximum grant of \$22 a week. The benefit is also payable at two-thirds of a beneficiary's board payments in excess of \$35 a week if single, and \$58 a week if married.

Existing accommodation benefits affected by the changed rates will be reviewed at renewal, or earlier if there is a change in the beneficiary's circumstances.

Clause 21 increases the rates of handicapped children's allowances and disability allowances on and after 10 November 1982.

The rate of a handicapped child's allowance increases from \$8 to \$12.50 a week.

The maximum rate of disability allowance increases from \$11 to \$12.50 a week. (If the new section 69c (5) as added by *clause 11 (2)* applies, and a special disability allowance is also payable, the maximum allowance is \$22.50 a week.)

The actual rate of a disability allowance depends on the recipient's particular expenses arising from his or her disability. Existing disability allowances affected by the increased rates will therefore be reviewed at renewal, or earlier if there is a change in the beneficiary's circumstances.

A handicapped child's allowance is paid at a standard rate for all severely disabled children, and the increase to \$12.50 a week will be paid on and after 10 November 1982 in every case.

Clause 22 repeals the Twentieth Schedule to the principal Act, which sets out the formula for assessing liable parent contributions towards the cost of domestic purposes benefits, and substitutes a new Schedule. The changes are as follows:

- (a) The amount payable for each child in the beneficiary's care is increased from \$20 to \$25 a week;
- (b) The allowance for personal expenses of an adult is increased by \$10 to \$70 a week (\$40 a week for those boarding);
- (c) The allowance for personal expenses of a child is increased from \$20 to \$25 a week;
- (d) The maximum amount of accommodation expenses which can be claimed is increased by \$20 to \$70 a week; and
- (e) The maximum amount of travel expenses to and from work which can be claimed is fixed at \$20 a week (no maximum was fixed previously).

PART II MEDICAL AND HOSPITAL BENEFITS AND OTHER RELATED BENEFITS

Clause 23 provides that regulations may be made to provide for chiropractic services.

PART III GENERAL PROVISIONS

Clause 24 increases the maximum loan available to long-term beneficiaries and national superannuitants for repairs or alterations to their homes, or for installing essential services. The maximum loan is increased from \$1,000 to \$2,000 on and after 1 October 1982.

Hon. V. S. Young

SOCIAL SECURITY AMENDMENT

ANALYSIS

Title
1. Short Title

PART I MONETARY BENEFITS

2. Interpretation
3. Rates of national superannuation
4. Repealing provisions relating to termination of national superannuation on death
5. Liable parent to contribute towards cost of benefit and child supplement
6. Commission to assess contribution and notify liable parent
7. Period for which sickness benefit payable
8. Period for which unemployment benefit payable
9. Lump sum payments after death

Lump Sum Payments After Death

- 61D. Interpretation
- 61DA. Cessation of benefit on death
- 61DB. Continuation of benefit after death of beneficiary
- 61DC. Payment of lump sum subject to income and means test
- 61DD. Payment of unmarried person's funeral expenses
- 61DE. Payment of lump sum on death of child, subject to income and means test
- 61DF. Method of making payments
- 61DG. Applications for lump sum payments after death

10. Repealing provisions relating to television-licence-fee concessions
11. Disability allowance
12. Beneficiaries in hospital
13. Forfeiture of benefit during detention in a penal institution
14. Payment of benefits into bank account
15. Repealing provisions relating to termination of benefit on death
16. Recovery of payments made in error, etc.
17. Increasing rates of benefits in respect of period 20 January 1982 to 20 July 1982
18. Increasing rates of benefits on and after 21 July 1982
19. Increasing rates of certain child supplements on and after 13 October 1982
20. Increasing maximum rate of accommodation benefit
21. Increasing rates of handicapped child's allowance and disability allowance on and after 10 November 1982
22. New Twentieth Schedule substituted

PART II

MEDICAL AND HOSPITAL BENEFITS AND OTHER RELATED BENEFITS

23. Supplementary benefits

PART III

GENERAL PROVISIONS

24. Advances to beneficiaries and war pensioners for repair or maintenance of home, etc.
Schedules

A BILL INTITULED

An Act to amend the Social Security Act 1964

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

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1. Short Title—This Act may be cited as the Social Security Amendment Act 1982, and shall be read together with and deemed part of the Social Security Act 1964* (hereinafter referred to as the principal Act).

*Reprinted 1975, Vol. 4, p. 2951
Amendments: 1976, No. 40; 1977, No. 120; 1977, No. 133; 1978, No. 58; 1979, No. 14;
1980, No. 157; 1980, No. 158; 1981, No. 46

PART I

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MONETARY BENEFITS

2. Interpretation—(1) Section 3 (1) of the principal Act is hereby amended by repealing the definitions of the terms “benefit” and “child”, and substituting the following definitions:

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“ ‘Benefit’ means a monetary benefit payable under this Part of this Act; and includes—

“(a) National superannuation:

“(b) A child supplement payable under section 61A of this Act: 20

“(c) An accommodation benefit payable under section 61E of this Act:

“(d) A handicapped child’s allowance payable under section 39A of this Act:

“(e) A disability allowance payable under section 25 69C of this Act—

but does not include a lump sum payable under section 61DC, section 61DD, or section 61DE of this Act:

“ ‘Child’ means a child under the age of 16 years; and 30 includes a stepchild; and ‘father’, ‘mother’, and ‘parent’ have corresponding meanings:”.

(2) The following enactments are hereby consequentially repealed:

(a) So much of the Schedule to the Status of Children Act 35 1969 as relates to the principal Act:

(b) Section 2 (1) of the Social Security Amendment Act 1975:

- (c) Section 2 (1) and (3) of the Social Security Amendment Act 1978:
- (d) Section 2 (2) and (3) of the Social Security Amendment Act 1979:
- 5 (e) Section 2 of the Social Security Amendment Act 1981.

3. Rates of national superannuation—(1) Section 15 (1) of the principal Act is hereby amended by repealing paragraph (a), and substituting the following paragraph:

10 “(a) In the case of a married couple both of whom are entitled to receive national superannuation, a sum that will produce for each of them in March and September each year an amount which, after tax is deducted pursuant to the tax code “G” (as specified in section 344 of the Income Tax Act 1976), is equal to half the amount that is 80 percent of the sum that would be paid to a person, after tax is deducted pursuant to the tax code “A” (as so specified), if he were paid at the rate of the average ordinary time weekly wage, as disclosed by the quarterly employment survey of salaries and wages conducted by the Department of Labour in the previous November and May, respectively.”

(2) Section 3 of the Social Security Amendment Act (No. 2) 1980 is hereby consequentially repealed.

25 (3) This section shall come into force on the 1st day of October 1982.

4. Repealing provisions relating to termination of national superannuation on death—(1) Section 18 of the principal Act (as substituted by section 4 (1) of the Social Security Amendment Act 1976) is hereby repealed.

(2) Section 6 of the Social Security Amendment Act 1978 is hereby consequentially repealed.

5. Liable parent to contribute towards cost of benefit and child supplement—(1) Section 27K of the principal Act 35 (as inserted by section 7 of the Social Security Amendment Act 1980) is hereby amended by repealing subsection (1), and substituting the following subsection:

40 “(1) Every liable parent shall contribute towards the cost of the benefit the amount of \$10 a week or an amount calculated in accordance with the provisions of section 27N of this Act and of the Twentieth Schedule to this Act, whichever

is the greater amount, but in no case shall a liable parent be required to contribute more than the weekly amount of benefit payable to the beneficiary.”

(2) Notwithstanding the provisions of subsection (1) of this section and of section 22 of this Act, if any liable parent was, 5 immediately before the commencement of this section, required to make a contribution under section 27K of the principal Act of \$10 or more a week, that weekly contribution shall continue in force, as if section 22 of this Act had not been enacted, until the contribution is reassessed in accordance 10 with subsection (3) of this section.

(3) Any contribution continued in force under subsection (2) of this section shall be reassessed in accordance with section 27K (1) of the principal Act (as substituted by subsection (1) of this section) and the Twentieth Schedule to 15 the principal Act (as substituted by section 22 of this Act) on and after the date such contribution is first reviewed under section 27ZH of the principal Act.

(4) Notwithstanding the provisions of section 27K (2) of the principal Act, if any liable parent was, immediately before the 20 commencement of this section, required to make a contribution under the said section 27K of less than \$10 a week, or to make no contribution after an assessment under section 27N of the principal Act, that parent shall make a contribution of \$10 a week on and after the commencement of 25 this section.

6. Commission to assess contribution and notify liable parent—Section 27N (1) of the principal Act (as so inserted) is hereby amended by inserting, after the words “provisions of”, the words “section 27K of and”. 30

7. Period for which sickness benefit payable—
(1) Section 57 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) A sickness benefit shall not be payable in respect of the 35 first 7 days of any period of incapacity unless the Commission, in respect of any class of case or any particular case, determines that the benefit shall be payable for all or any part of that period of 7 days.”

(2) Section 16 of the Social Security Amendment Act 1972 40 is hereby consequentially repealed.

8. Period for which unemployment benefit payable—

(1) The principal Act is hereby further amended by repealing section 60, and substituting the following section:

5 “60. (1) In the case of a married applicant, or an unmarried applicant who is caring for a child or children in respect of whom a family benefit is payable under section 32 of this Act, unemployment benefit shall commence on—

“(a) The 7th day after the date of receipt of the application for the benefit; or

10 “(b) The 8th day after the date on which the applicant’s salary or wages (including holiday pay) ceased— whichever is the later date.

“(2) In the case of an unmarried applicant without dependants, unemployment benefit shall commence on—

15 “(a) The 14th day after the date of receipt of the application for the benefit; or

“(b) The 15th day after the date on which the applicant’s salary or wages (including holiday pay) ceased— whichever is the later date.

20 “(3) Notwithstanding the provisions of subsection (1) or subsection (2) of this section, the Commission may determine, in respect of any class of case or any particular case, that the benefit shall commence on an earlier date.

“ (4) Notwithstanding anything in subsection (1) or 25 subsection (2) of this section but subject to subsection (5) of this section, if the Commission determines, in respect of any class of applicant or any particular applicant, that the average weekly earnings (including any benefit paid under this Part of this Act) for the period of 12 months preceding the 30 date of receipt of the application are sufficient to enable that class of applicant or that applicant, as the case may be, to maintain himself and his family (if any) notwithstanding a period of temporary unemployment, the Commission may postpone the date of commencement of the benefit for a 35 period not exceeding 4 weeks after the date on which the benefit would otherwise commence under subsection (1) or subsection (2) of this section, as the case may be.

“(5) The Commission shall not exercise its powers under subsection (4) of this section in respect of any applicant whose 40 loss of employment was caused by the permanent closure of his place of employment or by redundancy.

“(6) The Commission may in its discretion postpone or further postpone for such period, not exceeding 6 weeks, as it

determines the commencement of an unemployment benefit or, as the case may require, terminate any such benefit already granted, if it is satisfied that—

“(a) The applicant has voluntarily become unemployed without a good and sufficient reason; or 5

“(b) The applicant has lost his employment by reason of any misconduct as a worker; or

“(c) The applicant or beneficiary has refused or failed, without a good and sufficient reason, to accept any offer of suitable employment; or 10

“(d) The applicant or beneficiary has refused or failed, without a good and sufficient reason, to engage in a course of training for the improvement of his capacity or suitability for employment; or

“(e) The applicant or beneficiary has failed to take 15 reasonable steps to obtain suitable work.

“(7) If the Commission has postponed or further postponed the commencement of an unemployment benefit under this section, it may require the applicant to lodge a further application on the expiry of the period of 20 postponement.

“(8) Except as provided in this section and unless the beneficiary becomes entitled to receive some other benefit, an unemployment benefit shall continue to be payable for such period not exceeding 26 weeks as the Commission determines 25 so long as the beneficiary satisfies the conditions prescribed by section 58 of this Act, and may from time to time be renewed for such further period not exceeding 26 weeks as the Commission determines so long as the beneficiary continues to satisfy those conditions. 30

“(9) If any person, while in receipt of an unemployment benefit, becomes temporarily incapacitated for work through sickness, he may be granted a sickness benefit instead of the unemployment benefit; and in any such case the sickness benefit shall be computed as if the unemployment benefit 35 previously payable were earnings of the beneficiary.”

(2) The following enactments are hereby consequentially repealed:

(a) Section 11 of the Social Security Amendment Act 1976:

(b) Section 13 of the Social Security Amendment Act 1978: 40

(c) Section 5 of the Social Security Amendment Act 1981.

(3) Subsections (4) and (5) of section 60 of the principal Act (as substituted by subsection (1) of this section) shall come into force on the 1st day of January 1983.

9. Lump sum payments after death —(1) The principal Act is hereby further amended by omitting the heading “*Benefits on Death*” and repealing section 61D, and substituting the following heading and sections:

5 *Lump Sum Payments After Death*

“61D. **Interpretation**—(1) In sections 61DB to 61DD and 61DF of this Act, unless the context otherwise requires,—

10 “ ‘Child’ means a deceased parent’s child whose usual place of residence on the date of death was with the deceased parent and in respect of whom a family benefit under section 32 of this Act, or a child’s war pension under the War Pensions Act 1954, was payable on that date:

15 “ ‘Spouse’ means—

 “(a) The spouse of a deceased person; or

 “(b) A person who was, at the date of death, regarded as the husband or wife of the deceased person under section 63 of this Act, or who would have been so regarded at that date if a benefit had

20 been payable to the deceased person— whose usual place of residence on the date of death was with the deceased person.

 “(2) In sections 61DC and 61DE of this Act, the term ‘assets’ does not include—

25 “(a) The usual place of residence of the deceased person or of the deceased child’s parents or guardian, as the case may require, on the date of death; or

 “(b) Household furniture or household appliances, effects, or equipment, usually within that place of

30 residence; or “(c) Articles of household or family use or amenity or of household ornament, including tools, garden effects, and equipment, usually within that place of residence; or

35 “(d) Motor vehicles, caravans, trailers, or boats, used wholly or principally, in each case, for family purposes; or

 “(e) Accessories of a chattel to which paragraph (d) of this subsection applies; or

40 “(f) Household pets.

“(3) In sections 61DC and 61DE of this Act, reference to the annual income of any person shall be deemed to be a reference to the estimated income of the person concerned for the period of 52 weeks commencing on the day following the date of death of the deceased person in respect of whom application is made; and that income shall be computed in accordance with section 64 of this Act. 5

“61DA. **Cessation of benefit on death**—On the death of a beneficiary the following provisions shall apply:

“(a) In the case of a sickness benefit or an unemployment benefit, or a related emergency benefit, the benefit shall cease on the date of death of the beneficiary or, if the Commission so determines, at the end of the week in which the beneficiary died: 10

“(b) In the case of a person in receipt of national superannuation, that person’s entitlement to national superannuation shall cease on the day following the pay day immediately preceding the date of death, but if a person dies on a pay day, the entitlement to national superannuation shall cease on the day following that pay day: 15 20

“(c) In any other case, except as otherwise provided in this Act, the benefit shall cease on the date of death of the beneficiary or such later date as the Commission determines, being not later than the end of the pay period in which the beneficiary died. 25

“61DB. **Continuation of benefit after death of beneficiary**—Notwithstanding anything in section 61DA of this Act, if a beneficiary in receipt of national superannuation, or of a widow’s, domestic purposes, invalid’s, miner’s, sickness, or unemployment benefit, or of a related emergency benefit, dies leaving a spouse or child not entitled to a lump sum payment under section 124 of the Accident Compensation Act 1972, the Commission shall— 30

“(a) In the case of national superannuation, or a widow’s, domestic purposes, invalid’s, miner’s, or a related emergency benefit, continue to pay the benefit for the 2 fortnightly instalments following the date of death: 35

“(b) In the case of a sickness or unemployment benefit, or a related emergency benefit, continue to pay the benefit for the 4 weekly instalments following the date of death. 40

“61DC. **Payment of lump sum subject to income and means test**—(1) Where any person who is ordinarily resident in New Zealand on the date of death dies leaving a surviving spouse or child not entitled to a lump sum payment under section 124 of the Accident Compensation Act 1972, and the net value of the assets in the deceased’s estate is less than \$6,000, the following provisions, subject to subsection (2) of this section, shall apply:

10 “(a) Where there is a surviving spouse, but no surviving children, and the annual income of the surviving spouse is such that it would not prevent the payment of an invalid’s, widow’s, or domestic purposes benefit to that spouse if he or she was otherwise qualified to receive it, the Commission shall pay, in accordance with section 61DF of this Act, the sum of \$1,000 less the amount of any money payable under section 61DB of this Act:

15 “(b) Where there is a surviving spouse and a surviving child or children, and the combined annual income of the surviving spouse and children is such that it would not prevent the payment of an invalid’s, widow’s, or domestic purposes benefit to that spouse if he or she was in receipt of that combined income and otherwise qualified to receive such a benefit, the Commission shall pay, in accordance with section 61DF of this Act,—

25 “(i) The sum of \$1,000 in respect of the surviving spouse, less the amount of any money payable under section 61DB of this Act; and

30 “(ii) A sum of \$500 in respect of each surviving child:

35 “(c) Where there is 1 surviving child, but no surviving spouse, and the annual income of the child is such that it would not prevent the payment of an orphan’s benefit if he or she was otherwise qualified to receive it, the Commission shall pay \$500 in accordance with section 61DF of this Act:

40 “(d) Where there is 1 or more surviving children, but no surviving spouse, paragraph (c) of this subsection shall apply in respect of each child as if that child was the sole surviving child, and in addition the Commission shall pay, in accordance with section 61DF of this Act, the sum of \$1,000 less the amount of any money payable under section 61DB of this Act.

45

“(2) Subsection (1) (a) and subsection (1) (b) (i) of this section shall not apply in respect of a surviving spouse who is entitled to a lump sum payment or continuation of pension or allowance under section 31A, section 61A, section 66J, section 66K, section 74, or section 75 of the War Pensions Act 1954. 5

“(3) If the quantum of the assets in a deceased’s estate, or the income derived or to be derived by an applicant, has not been finally determined, and there is thus a doubt as to whether the applicant is entitled to a lump sum payment under subsection (1) of this section, the Commission may in 10 its discretion advance the amount of the lump sum on the condition that it will be repaid to the Department if it is subsequently established that the applicant was not entitled to it.

“61DD. **Payment of unmarried person’s funeral expenses**—If a person dies without leaving a spouse or child and—

“(a) Family benefit was not payable under section 32 of this Act in respect of that person immediately before his death; 20

“(b) The provisions of section 122 of the Accident Compensation Act 1972 do not apply in respect of the deceased person; and

“(c) A payment under regulation 45 of the War Pensions Regulations 1956, or an analogous payment, is not 25 payable in respect of the deceased person—
the Commission may in its discretion pay a lump sum not exceeding \$500 to meet any funeral expenses that are not able to be paid from the deceased’s estate before the payment of 30 any other debts.

“61DE. **Payment of lump sum on death of child, subject to income and means test**—If a child in respect of whom family benefit is payable under section 32 of this Act, or in respect of whom a child’s war pension is payable under the War Pensions Act 1954, dies and— 35

“(a) The provisions of section 122 of the Accident Compensation Act 1972 do not apply in respect of that child; and

“(b) The annual income of the parents or guardian caring for the child on the date of death is such that it 40 would not prevent the payment of an invalid’s benefit to either parent or guardian if he or she was otherwise qualified to receive it; and

“(c) The assets of those parents or that guardian do not exceed \$6,000—

the Commission may in its discretion pay the sum of \$500 to those parents or that guardian, as the case may be.

5 “61DF. **Method of making payments**—Any payment under section 61DC or section 61DD of this Act shall be made, in the discretion of the Commission,—

“(a) To the spouse or any child of the deceased, or to some other person for the benefit of the spouse or any child of the deceased; or

10 “(b) To the estate of the deceased, or to any person who has paid the deceased’s funeral expenses; or

“(c) In the case of a lump sum payable under section 61DD of this Act, to the appropriate funeral director.

15 “61DG. **Applications for lump sum payments after death**—The Commission shall not make any payment under section 61DC, section 61DD, or section 61DE of this Act unless application for payment is received by the Department within 6 months after the date of death of the person in respect of

20 whom it is payable.”
(2) The following enactments are hereby consequentially repealed:

(a) Section 7 of the Social Security Amendment Act 1974:

(b) Section 13 of the Social Security Amendment Act 1976:

25 (c) Section 15 (1) of the Social Security Amendment Act 1978.

10. Repealing provisions relating to television-licence-fee concessions—(1) Section 69B of the principal Act is hereby repealed.

30 (2) The following enactments are hereby consequentially repealed:

(a) Section 11 of the Social Security Amendment Act 1975:

(b) Section 18 of the Social Security Amendment Act 1976:

(c) Section 20 of the Social Security Amendment Act 1978.

35 (3) This section shall come into force on the 1st day of October 1982.

11. Disability allowance—(1) Section 69C (1) (f) of the principal Act (as inserted by section 12 (1) of the Social Security Amendment Act 1975) is hereby amended by

40 omitting the word “wife”, and substituting the word “spouse”.

(2) Section 69c of the principal Act (as so inserted) is hereby further amended by adding the following subsection:

“(5) Notwithstanding anything in this section, if—

“(a) A married person is in receipt of national superannuation, or of an invalid’s, miner’s, 5 sickness, unemployment, or related emergency benefit, or of a war pension or allowance granted under the War Pensions Act 1954 which in the Commission’s opinion is analogous to any such benefit; and 10

“(b) The spouse of that married person is a patient in a hospital as defined in section 75 (1) of this Act; and

“(c) That spouse is in receipt of a reduced benefit under section 75 (3) or (4) of this Act, or is in receipt of a reduced pension or allowance, as a result of 15 hospitalisation, under the War Pensions Act 1954 or under any regulations in force under that Act—

the Commission shall grant a special disability allowance of \$10 a week to that married person for the purpose of defraying expenses arising from the spouse’s hospitalisation.” 20

(3) In respect of the period commencing on the date on which this Act receives the Governor-General’s assent and ending with the 9th day of November 1982, the Nineteenth Schedule to the principal Act (as substituted by section 10 (2) of the Social Security Amendment Act 1981) shall be read as 25 if there were substituted for clause 2 the following clause:

“(2) Maximum rate of disability allowance—

“(a) If section 69c (5) is applicable	\$21 a week.
“(b) In any other case	\$11 a week.”

12. Beneficiaries in hospital—(1) The principal Act is 30 hereby further amended by repealing section 75, and substituting the following section:

“75. (1) For the purposes of this section, ‘hospital’ means a hospital maintained by a Hospital Board under the Hospitals Act 1957; and includes a psychiatric hospital within the 35 meaning of the Mental Health Act 1969.

“(2) Notwithstanding anything to the contrary in this Part of this Act, if a married person with no dependent children, or an unmarried person, who is in receipt of a benefit under this Part of this Act (other than a family benefit or an orphan’s 40 benefit), or who becomes entitled to receive such a benefit, is a patient in a hospital for a period of 13 weeks or less, the rate of the benefit shall not be affected.

“(3) If a person to whom subsection (2) of this section applies is a patient in a hospital for more than 13 weeks, the rate of benefit payable on and after the commencement of the 14th week of hospitalisation, subject to subsection (4) of this section, shall be \$10 a week or, in the case of national superannuation, such amount as will, after tax is deducted pursuant to the tax code “G” (as specified in section 344 of the Income Tax Act 1976), be equal to \$10 a week.

“(4) Notwithstanding the provisions of subsection (3) of this section, the Commission may in its discretion—

“(a) Pay to any patient to whom that subsection applies a higher rate than \$10 a week after having regard to the patient’s personal financial circumstances; or

“(b) Pay to any such patient a lower rate than \$10 a week after having regard to the patient’s capacity to appreciate the payments.

“(5) If, after 13 weeks hospitalisation, a married person’s benefit is reduced under subsection (3) or subsection (4) of this section, and that person’s spouse is either not in hospital or has been in hospital for less than 13 weeks, any benefit payable to or in respect of the spouse shall be increased, on the same date as the effective date of such reduction, by an amount equal to the difference between the maximum rate of benefit payable to an unmarried person and the maximum rate of benefit payable in respect of a married person whose spouse is receiving a benefit.

“(6) In any case where the rate of a benefit has been reduced in accordance with this section and the beneficiary in hospital is absent from the hospital for not more than 28 days, the rate of benefit payable on return to hospital shall be determined as if that absence had not occurred.

“(7) Nothing in this section shall be construed to entitle an unmarried person or a married couple to receive a greater amount of benefit, as a result of hospitalisation, than would otherwise have been payable.”

(2) The following enactments are hereby consequentially repealed:

(a) Section 24 of the Social Security Amendment Act 1976:

(b) Section 11 of the Social Security Amendment Act 1981.

“(3) If a married person with no dependent children is a patient in hospital on the date of commencement of this section, section 75 of the principal Act shall continue to apply in respect of that person, while he or she remains in hospital, as if this section had not come into force until the expiry of 13 weeks after that date.

13. Forfeiture of benefit during detention in a penal institution—(1) The principal Act is hereby further amended by repealing section 76, and substituting the following section:

“76. (1) Except as provided in subsection (2) or subsection (3) of this section, a benefit shall not be payable in respect of any period during which the beneficiary is imprisoned or detained in a penal institution, as defined in the Penal Institutions Act 1954, pursuant to a sentence of imprisonment, preventive detention, or corrective training. 5 10

“(2) If a person in receipt of national superannuation is so imprisoned or detained, the Commission may, in its discretion, continue payment of national superannuation for 2 pay days after the date of imprisonment or detention.

“(3) The Commission may, in its discretion, pay all or any part of the benefit to the spouse of a beneficiary who has been so imprisoned or detained, or to any responsible person for the benefit of the spouse or of any dependent child or children of such a beneficiary. 15

“(4) If a beneficiary is remanded in custody by a Court pending a further appearance before a Court, his benefit shall not be payable in respect of any period during which he is so in custody, but the Commission may in its discretion pay all or any part of the benefit in respect of that period after having regard to the beneficiary’s financial circumstances and commitments. 20 25

“(5) For the purposes of this section, the Commission may in its discretion regard as a period of imprisonment or detention in a penal institution, or a period of remand in custody, any period during which a person is a patient in a hospital within the meaning of section 75 (1) of this Act while serving a sentence of imprisonment, preventive detention, or corrective training, or while remanded in custody.” 30

(2) The following enactments are hereby consequentially repealed: 35

- (a) Section 25 of the Social Security Amendment Act 1976:
- (b) Section 16 of the Social Security Amendment Act 1977.

14. Payment of benefits into bank account—(1) Section 82 of the principal Act (as substituted by section 23 (1) of the Social Security Amendment Act 1978) is hereby amended by adding the following subsection: 40

“(7) It shall be a condition of every benefit payable under this Part of this Act that the applicant or beneficiary shall—

5 “(a) Supply the Department with particulars of an existing bank account held by the applicant or beneficiary with the Post Office, a private savings bank, a trading bank, or a trustee savings bank; or

“(b) Open such an account, if one is not held, and supply the Department with particulars of the account— and every instalment of the benefit may be paid by the
10 Commission into the account.”

(2) Section 14 of the Social Security Amendment Act 1975 is hereby repealed.

15. Repealing provisions relating to termination of benefit on death—(1) Section 85 of the principal Act is
15 hereby repealed.

(2) The following enactments are hereby consequentially repealed:

- (a) Section 4 of the Social Security Amendment Act 1967:
- (b) Section 27 of the Social Security Amendment Act 1972:
- 20 (c) Section 13 of the Social Security Amendment Act 1973:
- (d) Section 15 of the Social Security Amendment Act 1975:
- (e) Section 29 of the Social Security Amendment Act 1976:
- (f) Section 25 of the Social Security Amendment Act 1978.

16. Recovery of payments made in error, etc.—Section
25 86 of the principal Act is hereby amended by inserting, after subsection (1A), the following subsection:

“(1B) If a person has obtained payment or received an advance of, or has received credit for, any lump sum payable under section 61DC, section 61DD, or section 61DE of this Act
30 to which he is not entitled, the sum of that money shall constitute a debt due to the Crown and may be recovered at the suit of any member of the Commission, or the Commission may recover that debt by deduction from any benefit thereafter payable to that person.”

35 **17. Increasing rates of benefits in respect of period 20 January 1982 to 20 July 1982**—(1) In respect of the period commencing on the 20th day of January 1982 and ending with the 20th day of July 1982, the principal Act shall have effect as if each provision of that Act specified in the first
40 column of the First Schedule to this Act had been amended by

omitting every expression set out opposite to it in the second column of that Schedule, wherever that expression occurs, and substituting in each case the expression set out opposite to it in the third column of that Schedule.

(2) This section and the First Schedule to this Act shall be deemed to have come into force on the 20th day of January 1982. 5

18. Increasing rates of benefits on and after 21 July 1982—(1) The principal Act is hereby further amended by repealing the Third to Tenth, Twelfth, Fourteenth, Sixteenth, 10 and Seventeenth Schedules (as substituted by section 17 (1) of the Social Security Amendment Act 1981), and substituting the Third to Tenth, Twelfth, Fourteenth, Sixteenth, and Seventeenth Schedules set out in the Second Schedule to this Act. 15

(2) Sections 15 to 17 of, and the Third to Fifth Schedules to, the Social Security Amendment Act 1981 are hereby consequentially repealed.

(3) This section and the Second Schedule to this Act shall be deemed to have come into force on the 21st day of July 20 1982.

19. Increasing rates of certain child supplements on and after 13 October 1982—(1) The Fourteenth Schedule to the principal Act (as substituted by section 18 (1) of this Act) is hereby amended— 25

- (a) By omitting from clause 1 (a) (ii) the expression “\$260”, and substituting the expression “\$312”;
- (b) By omitting from clause 1 (b) the expression “\$260”, and substituting the expression “\$312”;
- (c) By omitting from clause 2 (a) (ii) the expression “\$5”, 30 and substituting the expression “\$6”;
- (d) By omitting from clause 2 (b) the expression “\$5”, and substituting the expression “\$6”.

(2) This section shall come into force on the 13th day of October 1982. 35

20. Increasing maximum rate of accommodation benefit—(1) The principal Act is hereby further amended by repealing the Eighteenth Schedule (as substituted by section 8 (3) of the Social Security Amendment Act 1981), and substituting the Eighteenth Schedule set out in the Third 40 Schedule to this Act.

(2) Notwithstanding the provisions of subsection (1) of this section, if any person was, immediately before the commencement of this section, in receipt of an accommodation benefit under section 61E of the principal Act, the
5 Commission shall continue to assess such a benefit as if this section had not been enacted.

(3) Any accommodation benefit continued under subsection (2) of this section shall be reassessed in accordance with the provisions of the Eighteenth Schedule to the principal Act
10 (as substituted by subsection (1) of this section) from the date such benefit is first renewed under section 80 (4) of the principal Act or is first reviewed under section 81 (1) of that Act, whichever is sooner.

(4) Section 8 (3), (4), and (5) of, and the First Schedule to,
15 the Social Security Amendment Act 1981 are hereby consequentially repealed.

21. Increasing rates of handicapped child's allowance and disability allowance on and after 10 November 1982—

(1) The principal Act is hereby further amended by
20 repealing the Nineteenth Schedule (as substituted by section 10 (2) of the Social Security Amendment Act 1981), and substituting the Nineteenth Schedule set out in the Fourth Schedule to this Act.

(2) Notwithstanding the provisions of subsection (1) of this
25 section, if any person was, immediately before the commencement of this section, in receipt of a disability allowance under section 69C of the principal Act, the Commission shall continue to assess such an allowance as if this section had not been enacted.

(3) Any disability allowance continued under subsection (2) of this section shall be reassessed in accordance with the provisions of the Nineteenth Schedule to the principal Act (as substituted by subsection (1) of this section) from the date
30 such allowance is first renewed under section 80 (4) of the principal Act or is first reviewed under section 81 (1) of that Act, whichever is the sooner.

(4) The following enactments are hereby consequentially repealed:

(a) Section 10 (2), (3), and (4) of, and the Second Schedule
40 to, the Social Security Amendment Act 1981:

(b) Section 11 (3) of this Act.

(5) This section and the Fourth Schedule to this Act shall come into force on the 10th day of November 1982.

22. New Twentieth Schedule substituted—(1) The principal Act is hereby further amended by repealing the Twentieth Schedule (as added by section 10 of the Social Security Amendment Act 1980), and substituting the Twentieth Schedule set out in the Fifth Schedule to this Act. 5

(2) Section 10 of, and the Schedule to, the Social Security Amendment Act 1980 are hereby consequentially repealed.

PART II

MEDICAL AND HOSPITAL BENEFITS AND OTHER RELATED BENEFITS 10

23. Supplementary benefits—Section 116 (2) of the principal Act is hereby amended by inserting, after the words “physiotherapy services,”, the words “for chiropractic services,”.

PART III 15

GENERAL PROVISIONS

24. Advances to beneficiaries and war pensioners for repair or maintenance of home, etc.—(1) Section 125 (2) (a) of the principal Act (as substituted by section 26 (1) of the Social Security Amendment Act 1975) is hereby 20 amended by omitting the expression “\$1,000”, and substituting the expression “\$2,000”.

(2) This section shall come into force on the 1st day of October 1982.

SCHEDULES

FIRST SCHEDULE

Section 17 (1)

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF BENEFITS IN
RESPECT OF PERIOD 20 JANUARY 1982 TO 20 JULY 1982

Provisions Amended	Expressions Omitted	Expressions Substituted
Third Schedule—	S	S
Clause 1	3,679	3,971.24
Clause 2	3,679	3,971.24
Fourth Schedule	1,820	1,963
Sixth Schedule—		
Clause 1 (a)	2,799.16	3,021.20
Clause 1 (b)	3,679	3,971.24
Clause 1 (c)	3,065.92	3,309.28
Clause 1 (d)	3,065.92	3,309.28
Clause 1 (e)	3,065.92	3,309.28
Clause 2	4,677.92	4,921.28
	613.08	661.96
Seventh Schedule—		
Clause 1 (a)	3,065.92	3,309.28
Clause 1 (b)	3,679	3,971.24
Clause 2	3,595.80	3,888.04
Eighth Schedule—		
Clause 1 (a)	53.83	58.10
Clause 1 (b)	70.75	76.37
Clause 1 (c)	58.96	63.64
Clause 1 (d)	58.96	63.64
Clause 1 (e)	58.96	63.64
Clause 1 (f)	58.96	63.64
Clause 2	47.17	50.91
Ninth Schedule—		
Clause 1 (a)	53.83	58.10
Clause 1 (b)	70.75	76.37
Clause 1 (c)	58.96	63.64
Clause 2	47.17	50.91
Fourteenth Schedule—		
Clause 1 (a) (i)	2,140.84	2,335.32
Clause 2 (a) (i)	41.17	44.91
Sixteenth Schedule—		
Clause 1	3,679	3,971.24
Clause 2	3,679	3,971.24
Seventeenth Schedule—		
Clause 1	2,799.16	3,021.20
Clause 2	3,679	3,971.24
Clause 3	3,065.92	3,309.28
Clause 4	3,065.92	3,309.28

Section 18 (1)

SECOND SCHEDULE

NEW THIRD TO TENTH, TWELFTH, FOURTEENTH, SIXTEENTH, AND SEVENTEENTH SCHEDULES TO PRINCIPAL ACT

(Effective on and after 21 July 1982)

Sections 21, 24

"THIRD SCHEDULE

RATES OF WIDOW'S BENEFITS

1. To a beneficiary without dependent children \$4,304.56 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of her total annual income in excess of \$2,080 a year.
2. To a beneficiary with 1 or more dependent children \$4,304.56 a year, increased, in the discretion of the Commission, by a child supplement not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act, and diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of her total annual income in excess of \$2,080 a year:

Provided that in computing for the purposes of this clause the income of a widow, the Commission may, in its discretion, disregard as income some or all of that part of her personal earnings (not exceeding \$20 a week) used to meet the cost of placing a dependent child or children of the beneficiary in a day care centre registered under the Child Care Centre Regulations 1960, or in any other day care facility approved by the Commission for the purpose.

Section 29

"FOURTH SCHEDULE

MAXIMUM RATES OF ORPHAN'S BENEFITS

- In every case \$2,126.80 a year, diminished by \$3 for every complete \$4 of the total annual income of the orphan in excess of \$260 a year.

SECOND SCHEDULE—*continued*

“FIFTH SCHEDULE

Section 34

RATES OF FAMILY BENEFITS

In respect of each child ... \$6 a week.

“SIXTH SCHEDULE

Sections 42, 43

RATES OF INVALIDS' BENEFITS

1. (a) To an unmarried beneficiary under the age of 18 years \$3,274.44 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
- (b) To any other unmarried beneficiary \$4,304.56 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
- (c) To a married beneficiary whose spouse is granted, in his or her own right, a benefit (other than national superannuation) under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$3,586.96 a year, diminished by 20c for every complete \$1 of the total annual income of the beneficiary and his or her spouse in excess of \$1,300 a year, but not in excess of \$2,080 a year, and by 40c for every complete \$1 of such income in excess of \$2,080 a year.
- (d) To a married beneficiary whose spouse is not granted, in his or her own right, a benefit under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$3,586.96 a year, increased by \$3,586.96 a year in respect of his or her spouse, the total rate to be diminished by 40c for every complete \$1 of the total annual income of the beneficiary and his or her spouse in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of such income in excess of \$2,080 a year.
- (e) To a married beneficiary whose spouse is granted, in his or her own right, national superannuation under Part I of this Act \$3,586.96 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary and his or her spouse in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of such income in excess of \$2,080 a year:

SECOND SCHEDULE—*continued*“SIXTH SCHEDULE—*continued*”

Provided that if the beneficiary has the care of a dependent child or children, the rate of benefit specified in this Schedule may, in the discretion of the Commission, be increased by a child supplement not exceeding the appropriate rate specified in the Fourteenth Schedule to this Act:

Provided also that, in computing for the purposes of this clause the income of any totally blind person, the Commission shall take no account of the personal earnings of that person:

Provided further that the rates specified in paragraphs (a) and (b) of this clause shall be reduced by the amount of any family benefit payable under Part I of this Act in respect of the beneficiary.

2. Maximum amount from all sources where subsidy paid on earnings of blind invalid, in every case \$5,198.96 a year, increased by \$717.60 a year, if the beneficiary is an unmarried person.

Sections 49, 53

“SEVENTH SCHEDULE

RATES OF MINERS' BENEFITS AND MINERS' WIDOWS' BENEFITS

1. (a) To a married miner ... \$3,586.96 a year increased by \$3,586.96 a year in respect of his wife.
 In any other case ... \$4,304.56 a year.
2. To a miner's widow ... \$4,222.16 a year.

“EIGHTH SCHEDULE

Sections 54A (3), 55

RATES OF SICKNESS BENEFITS

1. (a) To an unmarried beneficiary under the age of 18 years without dependants \$62.97 a week, diminished by 8c for every complete 20c of the total weekly income of the beneficiary in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of the total weekly income of the beneficiary in excess of \$40 a week.
- (b) To any other unmarried beneficiary \$82.78 a week, diminished by 8c for every complete 20c of the total weekly income of the beneficiary in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of the total weekly income of the beneficiary in excess of \$40 a week.

SECOND SCHEDULE—*continued*“EIGHTH SCHEDULE—*continued*”

- (c) To a married beneficiary whose spouse is granted, in his or her own right, a benefit (other than national superannuation) under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$68.98 a week, diminished by 4c for every complete 20c of the total weekly income of the beneficiary and his or her spouse in excess of \$25 a week but not in excess of \$40 a week, and by 8c for every complete 20c of such income in excess of \$40 a week.
- (d) To a married beneficiary whose spouse is not granted, in his or her own right, a benefit under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$68.98 a week, increased by \$68.98 a week in respect of his or her spouse, the total rate to be diminished by 8c for every complete 20c of the total weekly income of the beneficiary and his or her spouse in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of such income in excess of \$40 a week.
- (e) To a married beneficiary whose spouse is granted, in his or her own right, national superannuation under Part I of this Act \$68.98 a week, diminished by 8c for every complete 20c of the total weekly income of the beneficiary and his or her spouse in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of such income in excess of \$40 a week.
- (f) To a married person under section 54A \$68.98 a week, diminished by 8c for every complete 20c of the total weekly income of the beneficiary in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of such income in excess of \$40 a week:

Provided that for the purposes of paragraphs (a) to (e) of this clause, if the beneficiary has the care of a dependent child or children, the rate of benefit specified in this Schedule may, in the discretion of the Commission, be increased by a child supplement not exceeding the appropriate rate specified in the Fourteenth Schedule to this Act:

Provided also that the rates specified in paragraphs (a) and (b) of this clause shall be reduced by the amount of any family benefit payable under Part I of this Act in respect of the beneficiary.

2. Maximum increase in respect of a housekeeper \$55.18 a week.
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SECOND SCHEDULE—*continued*

Section 59

“NINTH SCHEDULE

MAXIMUM RATES OF UNEMPLOYMENT BENEFITS

1. (a) To an unmarried beneficiary under the age of 20 years without dependants \$62.97 a week.
- (b) To any other unmarried beneficiary \$82.78 a week.
- (c) To a married beneficiary \$68.98 a week, increased by \$68.98 a week in respect of his or her spouse.
2. Maximum increase in respect of a housekeeper \$55.18 a week:

Provided that, if the beneficiary has the care of a dependent child or children, the rate of benefit specified in this Schedule may, in the discretion of the Commission, be increased by a child supplement not exceeding the appropriate rate specified in the Fourteenth Schedule to this Act.

Section 66

“TENTH SCHEDULE

SPECIAL INCOME EXEMPTION IN RESPECT OF SICK BENEFITS FROM FRIENDLY OR LIKE SOCIETY (NATIONAL SUPERANNUATION PAYABLE UNDER SECTION 16 OF THIS ACT, INVALIDS', WIDOWS', DOMESTIC PURPOSES, AND SICKNESS BENEFITS ONLY)

Maximum rate \$2 a week in the case of a sickness benefit, and \$104 a year in any other case.

Section 69

“TWELFTH SCHEDULE

MAXIMUM INCREASE IN RATE OF BENEFIT PAYABLE TO PARENT OF DECEASED MEMBER OF FORCES OR MERCANTILE MARINE

Maximum rate \$1 a week.

SECOND SCHEDULE—*continued*

“FOURTEENTH SCHEDULE

Section 61A

CHILD SUPPLEMENTS

1. To any person receiving an emergency benefit payable otherwise than by weekly instalments, or a widow's, domestic purposes, or invalid's benefit—
 - (a) At the rate payable to an unmarried beneficiary—
 - (i) On account of first or only dependent child \$2,557.36 a year.
 - (ii) On account of each additional dependent child after the first \$260 a year.
 - (b) At the rate payable to a married beneficiary—on account of each dependant child \$260 a year.
 2. To any person receiving an emergency benefit payable by weekly instalments, or a sickness or unemployment benefit—
 - (a) At the rate payable to an unmarried beneficiary—
 - (i) On account of first or only dependent child \$49.18 a week.
 - (ii) On account of each additional dependent child after the first \$5 a week.
 - (b) At the rate payable to a married beneficiary—on account of each dependent child \$5 a week.
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SECOND SCHEDULE—*continued*

Sections 27B, 27G, 27H "SIXTEENTH SCHEDULE

RATES OF DOMESTIC PURPOSES BENEFITS

1. To a beneficiary without children \$4,304.56 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
2. To a beneficiary with 1 or more dependent children \$4,304.56 a year, increased, in the discretion of the Commission, by a child supplement not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act, and diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year:

Provided that in computing for the purposes of this clause the income of a solo parent the Commission may, in its discretion, disregard as income some or all of that part of his or her personal earnings (not exceeding \$20 a week) used to meet the cost of placing a dependent child or children of the beneficiary in a day care centre registered under the Child Care Centre Regulations 1960, or in any other day care facility approved by the Commission for the purpose.

SECOND SCHEDULE—*continued*

“SEVENTEENTH SCHEDULE Sections 27G, 27H,

RATES OF DOMESTIC PURPOSES BENEFITS

1. To an unmarried beneficiary under the age of 18 years \$3,274.44 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
2. To any other unmarried beneficiary \$4,304.56 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
3. To a married beneficiary whose wife or husband is granted, in her or his own right, a benefit (other than national superannuation) under Part I of this Act, or an economic pension, war veteran’s allowance, or war service pension under the War Pensions Act 1954 \$3,586.96 a year, diminished by 20c for every complete \$1 of the total annual income of the beneficiary and his or her spouse in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 40c for every complete \$1 of such income in excess of \$2,080 a year.
4. To any other married beneficiary \$3,586.96 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary and the spouse of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of such income in excess of \$2,080 a year:

Provided that, if the spouse of the beneficiary is not in receipt of national superannuation under Part I of this Act, the rate of the domestic purposes benefit payable to the beneficiary shall not be less than the aggregate of the rates of domestic purposes benefits that would be payable if the beneficiary and the spouse of the beneficiary were both entitled to receive a domestic purposes benefit, but the rate of benefit payable hereunder shall not exceed \$3,586.96 a year.”

Section 20 (1)

THIRD SCHEDULE

NEW EIGHTEENTH SCHEDULE TO PRINCIPAL ACT

"EIGHTEENTH SCHEDULE

Sections 61E, 61F

RATES OF ACCOMMODATION BENEFIT

- | | |
|--|---|
| 1. To any unmarried person without a dependent child or children | Two-thirds of the amount (but not exceeding \$22 a week) by which the applicant's weekly rent or weekly outgoings on any property, occupied by him as a home, exceeds \$22 a week, or by which his weekly board payments exceed \$35 a week, diminished by \$1 a week in respect of each complete \$1 of the applicant's weekly income in excess of \$5 a week. |
| 2. To any married couple or solo parent with a dependent child or children | Two-thirds of the amount (but not exceeding \$22 a week) by which the couple's or solo parent's weekly rent or weekly outgoings on any property, occupied by the couple or solo parent as a home, exceeds \$22 a week, or by which the couple's or solo parent's weekly board payments exceed \$58 a week, diminished by \$1 a week in respect of each complete \$1 of the couple's or solo parent's weekly income in excess of \$8 a week. |

3. For the purposes of clauses 1 and 2 of this Schedule, an applicant's or couple's or solo parent's weekly income shall be deemed to be his or their actual income (other than that derived from cash assets) plus \$1 a week for each \$100 of his or their cash assets.

4. In computing for the purposes of this Schedule the income of a solo parent receiving a widow's or domestic purposes benefit, the Commission may, in its discretion, disregard as income some or all of that part of his or her personal earnings (not exceeding \$20 a week) used to meet the cost of placing a dependent child or children of the beneficiary in a day care centre registered under the Child Care Centre Regulations 1960, or in any other day care facility approved by the Commission for the purpose.

5. After computing, in accordance with this Schedule, the amount of additional benefit payable, that amount may be rounded up to the next complete 50 cents."

FOURTH SCHEDULE

Section 21 (1)

NEW NINETEENTH SCHEDULE TO PRINCIPAL ACT

(Effective on and after 10 November 1982)

“NINETEENTH SCHEDULE Sections 39A and 69C

RATES OF HANDICAPPED CHILD'S ALLOWANCE AND DISABILITY ALLOWANCE

1. Rate of handicapped child's allowance \$12.50 a week.
2. Maximum rate of disability allowance—
 - (a) If section 69c (5) is applicable \$22.50 a week.
 - (b) In any other case \$12.50 a week.”

FIFTH SCHEDULE

Section 22 (1)

NEW TWENTIETH SCHEDULE TO PRINCIPAL ACT

“TWENTIETH SCHEDULE

Section 27N (1)

RATES OF CONTRIBUTIONS BY LIABLE PARENTS TO COST OF DOMESTIC PURPOSES BENEFIT

1. In this Schedule, unless the context otherwise requires,—
 - ‘Outgoings’, in relation to a dwellinghouse owned by the liable parent, means the aggregate weekly sum that, at the time of calculating the contribution, the liable parent is obliged to pay in respect of the dwellinghouse by way of—
 - (a) Mortgage payments (whether in respect of principal or interest); and
 - (b) Rates; and
 - (c) Insurance premiums:
 - ‘Rent’, in relation to a dwelling occupied by the liable parent or, as the case may require, the beneficiary, means the amount per week payable at the time of calculating the contribution for the tenancy of the dwelling:
 - ‘Weekly income’, in relation to a liable parent, means the liable parent's gross earnings divided by 52, or, in the case of income derived from employment (including self-employment), by the number of weeks in which the liable parent derived that income during the income year, whichever is the lesser.
2. Subject to section 27K (1) of this Act, the weekly contribution required of a liable parent shall be the least of the following amounts:
 - (a) In respect of each of the beneficiary's dependent children whom the liable parent is liable in law to maintain, the sum of \$25, plus a further sum of \$25 where one or more of those children is or are under the age of 5 years; or
 - (b) The weekly amount of benefit payable to the beneficiary; or

FIFTH SCHEDULE—*continued*“TWENTIETH SCHEDULE—*continued*”

- (c) The amount of the liable parent’s weekly income after deduction of the following:
- (i) Income tax pursuant to the tax code “A” (as specified in section 344 of the Income Tax Act 1976); and
 - (ii) Either—
 - (aa) In the case of a liable parent who is paying outgoings or rent in respect of a dwelling occupied by the liable parent, the amount of the outgoings or rent or \$70 (whichever is the lesser), plus \$70; or
 - (bb) In the case of a liable parent who is paying board, the weekly amount of the board or \$70 (whichever is the lesser), plus \$40; and
 - (iii) Either—
 - (aa) Where public transport is reasonably available to the liable parent between the liable parent’s home and place of employment, an amount equal to the liable parent’s actual weekly cost of travel between home and place of employment, or the amount that that travel would cost the liable parent if the liable parent used public transport, or \$20 a week, whichever is the least; or
 - (bb) Where public transport is not reasonably available to the liable parent between the liable parent’s home and place of employment, an amount equal to the liable parent’s actual weekly cost of travel between home and place of employment, or the amount calculated on the current vehicle mileage allowance prescribed for members of the Public Service, or \$20 a week, whichever is the least; and
 - (iv) The sum of \$25 for each child (other than a dependent child of the beneficiary) who is dependent on the liable parent; and
 - (v) The sum of \$70 for each adult who is dependent on the liable parent; and
 - (vi) Either—
 - (aa) Where the liable parent is paying rent in respect of a dwelling occupied by the beneficiary, the weekly amount of that rent; or
 - (bb) Where the liable parent is paying outgoings in respect of a dwelling occupied by the beneficiary, the outgoings or an amount calculated by dividing 8 percent of the capital value of the dwelling (as that value is disclosed in the current rolls of the Valuer-General) by 52, whichever is the lesser; or
- (d) An amount equal to one-third of the liable parent’s weekly income after income tax is deducted pursuant to the tax code “A” (as specified in section 344 of the Income Tax Act 1976).

3. Notwithstanding any of the foregoing provisions of this Schedule, where 2 liable parents are liable to contribute in respect of the same dependent child, the amount of each person’s contribution attributable to the child shall be reduced by one half.

FIFTH SCHEDULE—*continued*

“TWENTIETH SCHEDULE—*continued*

4. Notwithstanding any of the foregoing provisions of this Schedule, where 2 or more persons are liable to contribute towards the cost of the same benefit, the total amount payable by those persons shall not exceed the amount of the benefit; and, where necessary, the respective amounts payable by those persons shall abate proportionately.

5. After being calculated in accordance with this Schedule, the amount so calculated shall be rounded down to the next complete dollar.”