



Residential Care and Disability Support Services Amendment Regulations (No 2) 2023

Cindy Kiro, Governor-General

Order in Council

At Wellington this 22nd day of May 2023

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 74(1)(e) of the Residential Care and Disability Support Services Act 2018 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Residential Care and Disability Support Services Amendment Regulations (No 2) 2023.

2 Commencement

These regulations come into force on 1 July 2023.

3 Principal regulations

These regulations amend the Residential Care and Disability Support Services Regulations 2018.

4 Regulation 10 amended (Allowable gifts)

In regulation 10(1)(b)(i), replace “\$7,000” with “\$7,500”.

5 Regulation 11 amended (Gift in recognition of care)

- (1) In regulation 11(1), replace “\$35,000” with “\$37,500”.
- (2) In regulation 11(2)(d), replace “\$7,000” with “\$7,500”.
- (3) In regulation 11(2)(e), replace “\$35,000” with “\$37,500”.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 2023, are made under the Residential Care and Disability Support Services Act 2018 and amend the Residential Care and Disability Support Services Regulations 2018 (the **principal regulations**).

Regulations 4 and 5 amend the principal regulations to increase the amounts that are allowed to be gifted under regulations 10 and 11 of the principal regulations during a gifting period without affecting an assets assessment conducted under section 34 of the Residential Care and Disability Support Services Act 2018.

Increases are being made this year because of a 2004 Cabinet decision that the allowable gifting levels be reviewed annually for adjustment in line with the New Zealand Consumers Price Index (all groups) (the **CPI**), and that adjustments be rounded down to occur in \$500 increments when the growth in the CPI is \$500 or more (the **rounding rule**). Subsequent adjustments are based on the figure prior to the application of the rounding rule.

This year the change in the CPI since the last \$500 increment is enough to trigger adjustments to—

- the gifting amount, from \$7,000 to \$7,500; and
- the threshold for allowable gifts during the gifting period (which is based on 5 years of the gifting amount) from \$35,000 to \$37,500.

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**Residential Care and Disability Support Services
Amendment Regulations (No 2) 2023**

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 25 May 2023.

These regulations are administered by the Ministry of Social Development.

Wellington, New Zealand:

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