



Social Security (COVID-19—Exemption from Stand Down) Amendment Regulations 2020

Patsy Reddy, Governor-General

Order in Council

At Wellington this 8th day of June 2020

Present:

The Right Hon Jacinda Ardern presiding in Council

These regulations are made under section 440 of the Social Security Act 2018—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the Minister's recommendation made under section 440(4) and (5) of that Act.

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Regulations

1 Title

These regulations are the Social Security (COVID-19—Exemption from Stand Down) Amendment Regulations 2020.

2 Commencement

These regulations come into force on 9 June 2020.

3 Principal regulations

These regulations amend the Social Security Regulations 2018 (the **principal regulations**).

4 Regulation 179A amended (Exemptions from stand down: coronavirus COVID-19)

- (1) In the heading to regulation 179A, delete “**coronavirus**”.
- (2) Replace regulation 179A(2) and (3) with:
 - (1A) The benefit commences under subclause (2) only if the application for the benefit was received within 28 days after the date on which the applicant became entitled to receive it and the benefit is—
 - (a) sole parent support; or
 - (b) a supported living payment; or
 - (c) jobseeker support granted on the ground of health condition, injury, or disability; or
 - (d) jobseeker support granted to a sole parent, or to a person to whom section 30(1)(e) of the Act (which relates to having lost the regular support of a spouse or partner who is subject to a sentence of imprisonment, etc) applies; or
 - (e) jobseeker support granted to a person who has recently lost the financial support of the person’s spouse or partner because of death, the spouses or partners commencing to live apart, or the ending of a de facto relationship; or
 - (f) a youth payment; or
 - (g) a young parent payment.
 - (2) The benefit commences on whichever of the following occurs later:
 - (a) the date on which the applicant became entitled to receive it:
 - (b) the day after the date on which the applicant’s employment ceased.
 - (3) If the benefit does not commence under subclause (2), the benefit commences on whichever of the following occurs last:
 - (a) the date on which the applicant became entitled to receive it:
 - (b) the day after the date on which the applicant’s employment ceased:
 - (c) the date on which the application for it was received.

Michael Webster,
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 9 June 2020, are made under the Social Security Act 2018 (the **Act**). They amend regulation 179A of the Social Security Regulations 2018 (the **principal regulations**).

To address effects of COVID-19, regulation 179A(1) of the principal regulations exempts a benefit from a stand down if—

- the applicant became entitled to receive it on or after 23 March 2020 and before 23 November 2020; and
- the application for it was received on or after 23 March 2020 and before 23 November 2020.

A benefit exempted from a stand down by regulation 179A(1) commences under regulation 179A(2) or (3). The benefit commences under regulation 179A(2) only if the following 2 conditions are met:

- the application for the benefit was received within 28 days after the date on which the applicant became entitled to receive it; and
- the benefit is one listed in regulation 179A(2)(a) to (g).

If the benefit does not commence under regulation 179A(2), the benefit commences under regulation 179A(3).

These regulations replace regulation 179A(2) and (3) with *new regulation 179A(1A), (2), and (3)*.

New regulation 179(1A) restates, in a separate subclause, the current 2 conditions for when the benefit commences under regulation 179A(2).

New regulation 179A(2) ensures that the benefit commences not, as under regulation 179A(2), on the date on which the applicant became entitled to receive it, but instead on whichever of the following occurs later:

- the date on which the applicant became entitled to receive it;
- the day after the date on which the applicant's employment ceased (as that term is defined, in relation to a person's employment, by Schedule 2 of the Act and regulation 3(2) of the principal regulations).

New regulation 179A(3) ensures that the benefit commences not, as under regulation 179A(3), on the date on which the applicant became entitled to receive it or the date on which the application for it was received (whichever occurs later), but instead on whichever of the following occurs last:

- the date on which the applicant became entitled to receive it;

