



Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2023

Cindy Kiro, Governor-General

Order in Council

At Wellington this 18th day of September 2023

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 428 of the Social Security Act 2018 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2023.

2 Commencement

These regulations come into force on 25 September 2023.

3 Principal regulations

These regulations amend the Social Security Regulations 2018.

4 Regulation 57 amended (Interpretation)

- (1) In regulation 57, revoke the definitions of **North Island weather events**, **North Island weather events-related temporary accommodation costs**, and **North Island Weather Events TAA Programme**.
- (2) In regulation 57, insert in their appropriate alphabetical order:

qualifying tenancy, in relation to a person, means a tenancy granted by a tenancy agreement—

- (a) that the person has entered into—
 - (i) as a tenant; and
 - (ii) with or without any other tenant or tenants under the tenancy agreement; and
- (b) to which the Residential Tenancies Act 1986 applies

severe weather events means all or any of the following weather events:

- (a) heavy rainfall commencing on 17 August 2022 and ending on 20 August 2022 in the Nelson, Tasman, and Marlborough districts;
- (b) heavy rainfall commencing on 26 January 2023 and ending on 3 February 2023 in the Northland, Auckland, Waikato, and Bay of Plenty regions;
- (c) Cyclone Gabrielle, which crossed the North Island during the period commencing on 12 February 2023 and ending on 16 February 2023

severe weather events-related temporary accommodation costs, of a person, means any temporary accommodation costs of the person if—

- (a) the person is eligible for assistance under the Severe Weather Events TAA Programme; and
- (b) the person is granted (or the person has applied for, and MSD has not yet declined to grant them) assistance under that programme

Severe Weather Events TAA Programme means the Temporary Accommodation Assistance (Severe Weather Events) Programme approved and established by the Minister under section 101(1) of the Act

- (3) In regulation 57, replace the definition of **temporary accommodation costs** with:

temporary accommodation costs, of a person, means rent payable by the person in respect of a qualifying tenancy in respect of premises—

- (a) occupied by the person and by any members of the person’s family who usually reside with the person; and
- (b) occupied by the person because premises owned by the person, and that the person usually occupied as their home at the time of the severe weather events, were made uninhabitable by those events

5 Regulation 69 amended (Chargeable income)

In regulation 69(5)(k), replace “North Island” with “Severe”.

6 Regulation 71 amended (Allowable costs)

In regulation 71(5)(a)(ii),—

- (a) replace “any North Island” with “any severe”; and
- (b) replace “the North Island” with “the Severe”.

7 Schedule 1 amended

In Schedule 1,—

- (a) insert the Part set out in the Schedule of these regulations as the last Part; and
- (b) make all necessary consequential amendments.

Schedule
New Part 11 inserted into Schedule 1

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Part 11
**Provisions relating to Social Security (Temporary Additional
Support—Severe Weather Events TAA Programme)
Amendment Regulations 2023**

17 Application of amendments

(1) In this clause,—

amendment regulations means the Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2023

amendments means the amendments made to these regulations by the amendment regulations.

(2) The amendments apply only to—

- (a) temporary additional support granted before, and payable on or after, the commencement of the amendment regulations (for example, after a recalculation under regulation 65 of the amount of support); and
- (b) temporary additional support granted after the commencement of the amendment regulations.

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 25 September 2023, amend the Social Security Regulations 2018. The amendments—

- ensure that a person’s chargeable income, for temporary additional support, excludes any payments under the Temporary Accommodation Assistance (Severe Weather Events) Programme approved and established by the Minister for Social Development and Employment under section 101(1) of the Social Security Act 2018; and

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Explanatory note

- ensure that a person’s allowable costs, for temporary additional support, exclude any severe weather events-related temporary accommodation costs if—
 - the person is eligible for assistance under that programme; and
 - the person is granted (or the person has applied for, and the Ministry of Social Development has not yet declined to grant them) assistance under that programme; and
- insert new definitions of qualifying tenancy and temporary accommodation costs to ensure that those 2 defined terms have the same meanings as in that programme.

The amendments are required because the Temporary Accommodation Assistance (North Island Weather Events) Programme has been amended to—

- rename it as the Temporary Accommodation Assistance (Severe Weather Events) Programme; and
- ensure that it covers not only 2 North Island severe weather events, but also heavy rainfall commencing on 17 August 2022 and ending on 20 August 2022 in the Nelson, Tasman, and Marlborough districts; and
- clarify the definition of temporary accommodation costs, including by mentioning a qualifying tenancy (as that term is defined in that programme).

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 21 September 2023.

These regulations are administered by the Ministry of Social Development.