



# **Social Security (Temporary Additional Support— Severe Weather Events TAA Programme) Amendment Regulations 2024**

Cindy Kiro, Governor-General

## **Order in Council**

At Wellington this 25th day of March 2024

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 2024.

### 2 Commencement

These regulations come into force on 1 April 2024.

### 3 Principal regulations

These regulations amend the Social Security Regulations 2018.

### 4 Regulation 57 amended (Interpretation)

(1) In regulation 57, revoke the definition of **qualifying tenancy**.

(2) In regulation 57, insert in its appropriate alphabetical order:

**qualifying temporary accommodation**, in relation to a person who requires temporary accommodation until such time as they have an inhabitable home, means premises—

- (a) that are occupied by the person and by any members of their family who usually reside with the person; and
- (b) that are 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 are uninhabitable because of those events; and
- (c) for which MSD is satisfied that temporary accommodation costs are payable by the person under an agreement for temporary accommodation, for example,—
  - (i) a tenancy to which the Residential Tenancies Act 1986 applies; or
  - (ii) a flat- or house-sharing agreement; or
  - (iii) a hire or rental agreement for a cabin, mobile home, or caravan; or
  - (iv) a lodging or boarding arrangement; or
  - (v) a commercial accommodation arrangement such as a hotel, motel, or homestay

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

**temporary accommodation costs**, in relation to a person,—

- (a) means the following repeated and regular, or lump sum, costs of the person payable for the provision of qualifying temporary accommodation:
  - (i) for premises subject to a tenancy, flat-sharing, or house-sharing agreement, the amount payable by the person for rent of the premises:

- (ii) for a cabin, mobile home, or caravan subject to a hire or rental agreement, the amount payable by the person to hire or rent the cabin, mobile home, or caravan:
  - (iii) for premises subject to a private lodging or boarding arrangement, the amount payable by the person for board and lodging:
  - (iv) for premises subject to a commercial accommodation arrangement, the amount payable by the person for that accommodation:
  - (v) for premises subject to any other arrangement, an amount payable by the person in exchange for the right to occupy the premises; but
- (b) excludes the following costs, unless MSD is satisfied that they cannot be separated from the amount that is payable for the provision of the qualifying temporary accommodation:
- (i) any arrears:
  - (ii) any general living expenses, for example, food, electricity, gas, laundry, cleaning, parking, phone, Internet, and insurance:
  - (iii) costs related to the securing of the temporary accommodation, for example, any deposit, booking fees, bond, insurance, or delivery fees

**5 Regulation 71 amended (Allowable costs)**

After regulation 71(5)(b)(iii), insert:

- (iv) assistance under the Severe Weather Events TAA Programme; and

**6 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 12 inserted into Schedule 1

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#### Part 12

### Provisions relating to Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2024

#### 18 Application of amendments

(1) In this clause,—

**amendment regulations** means the Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2024

**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 1 April 2024, amend the Social Security Regulations 2018. The amendments—

- revoke the definition of qualifying tenancy; and
- insert a definition of qualifying temporary accommodation; and
- replace the definition of temporary accommodation costs.

The Temporary Accommodation Assistance (Severe Weather Events) Programme is a welfare programme established and approved by the Minister for Social Development and Employment. The programme provides support to certain persons displaced from their usual residence by severe weather events. The amendments are required because

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Explanatory note

the programme has been amended to expand the types of temporary accommodation to which it applies. The programme now includes flat- or house-sharing agreements, hire or rental agreements for cabins, mobile homes, or caravans, lodging or boarding arrangements, and commercial accommodation arrangements.

These amendments ensure payments received under the programme for such accommodation costs are not chargeable income nor allowable costs for the purposes of temporary additional support. The amendments also ensure no person receiving payments under the programme will be able to claim arrears incurred during that period as an allowable cost for the purposes of temporary additional support.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 28 March 2024.

These regulations are administered by the Ministry of Social Development.