



## ANALYSIS

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1947, No. 28

Title.

AN ACT to amend the Social Security Act, 1938.

[11th November, 1947

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

Short Title  
and  
commencement.  
1938, No. 7

1. (1) This Act may be cited as the Social Security Amendment Act, 1947, and shall be read together with and deemed part of the Social Security Act, 1938 (hereinafter referred to as the principal Act).

(2) Except as otherwise hereinafter provided, this Act shall be deemed to have come into force on the first day of October, nineteen hundred and forty-seven.

## ADMINISTRATION

Delegation of  
powers of  
Commission.

2. (1) With the written consent of the Minister of Social Security, the Commission may from time to time, either generally or particularly, delegate to any Registrar or other officer of the Department such of its powers under Part II of the principal Act as it thinks fit.

(2) Subject to the provisions of this section and to any general or special directions given or conditions attached by the Commission, the officer to whom any powers are delegated under this section may exercise those powers in the same manner and with the same effect as if they had been conferred on him directly by this section and not by delegation.

(3) Every person purporting to act pursuant to any delegation under this section shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

(4) Any delegation under this section may be made to a specified officer or to officers of a specified class, or may be made to the holder or holders for the time being of a specified office or class of offices.

(5) Any delegation under this section may be at any time revoked by the Commission, in whole or in part, and no such delegation shall prevent the exercise of any power by the Commission.

(6) Any applicant or beneficiary affected by any decision made by any officer in the exercise of any powers conferred on him by delegation under this

section may, within three months after the communication of the decision to him, appeal therefrom to the Commission.

(7) The Commission shall review every decision appealed from as aforesaid, and may at any time, of its own motion, review any other decision made by any officer in the exercise of any powers conferred on him by delegation under this section, and in any such case the Commission may, in accordance with the provisions of the principal Act, confirm, vary, or revoke the decision.

### MONETARY BENEFITS

#### *Superannuation Benefits*

**3.** (1) Section thirteen of the principal Act, as amended by section four of the Social Security Amendment Act, 1945, is hereby further amended by omitting from subsection two the words "one hundred and four pounds", and substituting the words "one hundred and seventeen pounds".

Increasing rate of superannuation benefits.  
1945, No. 11

(2) Section four of the Social Security Amendment Act, 1945, is hereby repealed.

Repeal.

#### *Age-benefits*

**4.** (1) Section sixteen of the principal Act, as amended by section five of the Social Security Amendment Act, 1945, is hereby further amended by omitting from subsection one the words "one hundred and four pounds", and substituting the words "one hundred and seventeen pounds".

Increasing rate of age-benefits.  
1945, No. 11

(2) Section five of the Social Security Amendment Act, 1945, is hereby repealed.

Repeal.

**5.** (1) Section seventeen of the principal Act, as amended by section six of the Social Security Amendment Act, 1945, is hereby further amended as follows:—

Section 17 of principal Act amended.

(a) By omitting from paragraph (b) of subsection two the words "one hundred and fifty-six pounds", and substituting the words "one hundred and sixty-nine pounds":

(b) By omitting from the proviso to the same paragraph the words "one hundred and four pounds", and substituting the words "one hundred and seventeen pounds":

- (c) By omitting from the same proviso the words "two hundred and sixty pounds", and substituting the words "two hundred and eighty-six pounds".
- Repeals. (2) Paragraphs (a), (b), and (c) of subsection one of section six of the Social Security Amendment Act, 1945, are hereby repealed.
- Section 19 of principal Act amended. 1945, No. 11
6. (1) Section nineteen of the principal Act, as amended by section eight of the Social Security Amendment Act, 1945, is hereby further amended by omitting from the proviso the words "one hundred and fifty-six pounds", and substituting the words "one hundred and sixty-nine pounds".
- Repeals. (2) Section eight of the Social Security Amendment Act, 1945, is hereby amended by repealing paragraph (b) of subsection one and subsection two.

#### *Widows' Benefits*

- Section 22 of principal Act amended.
7. Section twenty-two of the principal Act is hereby amended by omitting from paragraph (b) of subsection two the words "or whose husband is for the time being detained as a voluntary boarder under Part V of that Act", and substituting the words "or whose husband is for the time being detained in an institution under that Act, whether as a voluntary boarder or otherwise".
- Increasing rate of widows' benefits. 1946, No. 22
8. Section twenty-three of the principal Act (as set out in section two of the Social Security Amendment Act, 1946) is hereby amended by omitting from paragraph (a) the words "one hundred and four pounds", and substituting the words "one hundred and seventeen pounds".

#### *Orphans' Benefits*

- Increasing rate of orphans' benefits. 1943, No. 19
9. (1) Section twenty-seven of the principal Act, as amended by section fifteen of the Social Security Amendment Act, 1943, is hereby further amended by omitting the words "forty pounds nineteen shillings", and substituting the words "fifty-two pounds".
- Repeal. (2) Section fifteen of the Social Security Amendment Act, 1943, is hereby repealed.

*Invalids' Benefits*

10. Section thirty-four of the principal Act (as set out in section eighteen of the Social Security Amendment Act, 1945) is hereby amended as follows:—

Increasing rates of invalids' benefits.

1945, No. 11

(a) By omitting from paragraph (a) of subsection one the words "one hundred and four pounds" wherever they occur, and substituting in each case the words "one hundred and seventeen pounds":

(b) By omitting from paragraph (b) of the same subsection the words "seventy-eight pounds", and substituting the words "ninety-one pounds":

(c) By omitting from paragraph (c) of the same subsection the words "one hundred and four pounds", and substituting the words "one hundred and seventeen pounds":

(d) By omitting from sub-paragraph (i) of paragraph (c) of subsection two the words "one hundred and fifty-six pounds", and substituting the words "one hundred and sixty-nine pounds":

(e) By omitting from the proviso to paragraph (c) of the same subsection the words "one hundred and four pounds", and substituting the words "one hundred and seventeen pounds":

(f) By omitting from the same proviso the words "seven pounds", and substituting the words "seven pounds five shillings".

11. (1) Section thirty-five of the principal Act, as amended by section nineteen of the Social Security Amendment Act, 1945, is hereby further amended by omitting from the proviso the words "two hundred and sixty pounds", and substituting the words "two hundred and seventy-three pounds".

Section 35 of principal Act amended.

1945, No. 11

(2) Section nineteen of the Social Security Amendment Act, 1945, is hereby repealed.

Repeal.

*Miners' Benefits*

12. Section forty-one of the principal Act (as set out in section twenty-one of the Social Security Amendment Act, 1945) is hereby amended by omitting the

Increasing rates of miners' benefits.

1945, No. 11

words "one hundred and four pounds" wherever they occur, and substituting in each case the words "one hundred and seventeen pounds".

Section 44 of principal Act amended.  
1945, No. 11

**13.** (1) Section forty-four of the principal Act, as amended by section twenty-two of the Social Security Amendment Act, 1945, is hereby further amended by omitting the words "seventy-eight pounds", and substituting the words "ninety-one pounds".

Repeal.

(2) Section twenty-two of the Social Security Amendment Act, 1945, is hereby repealed.

#### *Sickness Benefits*

Increasing rates of sickness benefits.  
1945, No. 11

**14.** Subsection two of section forty-six of the principal Act (as set out in section twenty-three of the Social Security Amendment Act, 1945) is hereby amended as follows:—

(a) By omitting from paragraph (a) the words "twenty shillings", and substituting the words "twenty-five shillings":

(b) By omitting from paragraph (b) (but not the proviso thereto) the words "forty shillings", wherever they occur, and substituting in each case the words "forty-five shillings".

#### *Unemployment Benefits*

Increasing rates of unemployment benefits.  
1945, No. 11

**15.** Section fifty-two of the principal Act, as amended by section twenty-five of the Social Security Amendment Act, 1945, is hereby further amended as follows:—

(a) By omitting from paragraph (a) of subsection one the words "twenty shillings", and substituting the words "twenty-five shillings":

(b) By omitting from paragraph (b) of the same subsection the words "forty shillings" wherever they occur, and substituting in each case the words "forty-five shillings".

#### *Maori War Benefits*

Increasing rate of Maori War benefits.  
1945, No. 11

**16.** (1) Section fifty-seven of the principal Act, as amended by section twenty-eight of the Social Security Amendment Act, 1945, is hereby further amended by omitting the words "one hundred and four pounds", and substituting the words "one hundred and seventeen pounds".

(2) Section twenty-eight of the Social Security Amendment Act, 1945, is hereby repealed. Repeal.

### *General*

17. (1) Nothing in paragraph (a) of section sixty-two of the principal Act shall prevent the Commission from paying, in its discretion, a family benefit in respect of any child of a member of any of His Majesty's Naval, Military, or Air Forces. Family benefits for children of servicemen.

(2) This section shall be deemed to have come into force on the first day of April, nineteen hundred and forty-six.

18. Section sixty-seven of the principal Act is hereby amended by repealing subsection two, and substituting the following subsection:— Period for which benefits payable.

“(2) Subject to any limitations imposed by this Part of this Act, every superannuation benefit, family benefit, and miner's benefit shall continue to be payable for such period as the Commission may determine, and may from time to time be renewed for any further period. Every other benefit shall continue to be payable for such period (not exceeding twelve months in any case) as the Commission may determine, but may from time to time be renewed for a further period not exceeding twelve months. Every application for renewal shall be investigated as if it were an application for the grant of a benefit in the first instance.”

19. (1) Where any person, while in the service in any capacity of the Government of New Zealand, is liable for the payment of social security charge in respect of any period during which he is not in New Zealand (whether by reason of his being deemed to be ordinarily resident in New Zealand or otherwise), then, for the purposes of Part II of the principal Act,— Persons absent on Government service deemed resident in New Zealand.

(a) That person shall be deemed to be resident in New Zealand during that period:

(b) If the wife or any child of that person is with him during that period or any part thereof, the wife or child shall be deemed to be resident in New Zealand during that period or that part thereof, as the case may be:

(c) Any child of that person born out of New Zealand during that period shall be deemed to have been born in New Zealand.

(2) Nothing in subsection one of this section shall be construed to modify in any way the provisions of subsections one, two, and three of section seventy of the principal Act (which relate to the effect of absence on the right to receive benefits).

(3) This section shall be deemed to have come into force on the first day of April, nineteen hundred and forty-seven.

#### MEDICAL AND HOSPITAL BENEFITS, AND OTHER RELATED BENEFITS

As to special arrangements for medical and hospital benefits.

**20.** Section eighty-two of the principal Act is hereby amended as follows:—

(a) By inserting in subsection one, after the words “in lieu of”, the words “or in addition to”:

(b) By repealing subsection two.

Scope of pharmaceutical benefits.

**21.** Section eighty-nine of the principal Act is hereby amended by inserting in subsection one, before the word “medicines”, and also before the word “drugs”, the word “prescribed”.