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1969, No. 46

**An Act to amend the Social Security Act 1964**

[29 September 1969]

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

**1. Short Title**—This Act may be cited as the Social Security Amendment Act 1969, and shall be read together with and deemed part of the Social Security Act 1964 (hereinafter referred to as the principal Act).

## PART I

## MONETARY BENEFITS

**2. Powers of Commission extended**—(1) Section 11 of the principal Act is hereby amended by inserting in subsection (1), after the words “benefit under this Act”, the words “, or of inquiring as to the means, earning capacity, and economic circumstances of any person for the purposes of section 8 of the Domestic Proceedings Act 1968,”.

(2) This section shall come into force on the 1st day of January 1970.

**3. Investigation of claims and grant of benefits**—(1) Section 12 of the principal Act is hereby amended by adding to subsection (2) the words “, or concerning the means, earning capacity, and economic circumstances of any person, for the purposes of section 8 of the Domestic Proceedings Act 1968”.

(2) This section shall come into force on the 1st day of January 1970.

**4. Residential qualifications**—Section 14 of the principal Act is hereby amended by inserting in subsection (2), after paragraph (d), the following new paragraph:

“(e) In the case of any applicant, any period of absence while serving in any capacity as an accredited volunteer appointed by Volunteer Service Abroad Incorporated—”.

**5. Repealing provisions relating to earnings of women from domestic or nursing service**—(1) Section 67 of the principal Act and the Eleventh Schedule thereto (as substituted by section 6 (1) of the Social Security Amendment Act 1968) are hereby repealed.

(2) This section shall be deemed to have come into force on the 14th day of May 1969.

**6. Periods for which benefits payable**—Section 80 of the principal Act is hereby amended by adding the following subsection:

“(3) Notwithstanding anything to the contrary in this Part of this Act, if, under subsection (2) of this section, the period for payment of a benefit has expired and the benefit is not

renewed within 3 months after the date of expiry, the Commission may determine that the beneficiary has ceased to be entitled to the benefit and may suspend or cancel it:

“Provided that the Commission may, on application in that behalf by the beneficiary, reinstate and renew the benefit from such date as it thinks fit.”

**7. Increasing income exemptions and rates of benefits—**

(1) The principal Act is hereby further amended by repealing the First to Tenth and Twelfth Schedules (as substituted by section 6 (1) of the Social Security Amendment Act 1968) and the Fourteenth Schedule (as added by section 4 (2) of the Social Security Amendment Act 1968), and substituting the First to Tenth, Twelfth, and Fourteenth Schedules set out in the First Schedule to this Act.

(2) Section 6 and subsection (2) of section 4 of the Social Security Amendment Act 1968 and the First and Second Schedules to that Act are hereby repealed.

(3) This section and the First Schedule to this Act shall be deemed to have come into force on the 14th day of May 1969.

## PART II

### MEDICAL AND HOSPITAL BENEFITS AND OTHER RELATED BENEFITS

**8. Commencement of this Part—**This Part of this Act shall come into force on the 1st day of October 1969.

**9. Interpretation—**(1) Subsection (1) of section 88 of the principal Act is hereby amended by repealing the definition of the term “obstetric specialist”.

(2) The said section 88 is hereby further amended by inserting in subsection (1), after the definition of the term “pharmaceutical requirements”, the following definition:

“‘Specialist’, for the purposes of section 97 or section 113 of this Act, means a medical practitioner who is recognised by the Minister as a specialist in accordance with the provisions of the said section 97 or the said section 113, as the case may require; and, for the purposes of the said section 113, includes every medical practitioner who, on the 30th day of September 1969, was recognised as an obstetric specialist in accordance with that section before its amendment by section 17 of the Social Security Amendment Act 1969:”.

**10. Fees for general medical services in respect of social security beneficiaries, etc.**—Section 93 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) If a medical practitioner provides any general medical services for a patient who is—

“(a) A beneficiary within the meaning of Part I of this Act, other than a child in respect of whom a family benefit is being paid; or

“(b) A person in receipt of an economic pension, a pension as the wife of a member of the forces, an allowance as a veteran or the wife, widow, or child of a veteran, or a war orphan’s pension, under the War Pensions Act 1954; or

“(c) The wife of any such beneficiary or person, or a child who is for the time being under the care and control of any such beneficiary or person and in respect of whom a family benefit is being paid under Part I of this Act; or

“(d) A member of a class of persons to which the provisions of this subsection have been declared to apply by the Minister by notice in the *Gazette*—

the references in subsection (1) of this section (as amended by section 7 (1) of the Decimal Currency Act 1964) to 75 cents shall be read as references to \$1.50.”

**11. Additional fees for general medical services on public holidays and at night**—(1) The principal Act is hereby further amended by inserting, after section 93, the following section:

“93A. (1) Notwithstanding anything in section 93 of this Act, but subject to the other provisions of this Part of this Act, in respect of every occasion on which a medical practitioner provides any general medical services for any patient—

“(a) On a Sunday or public holiday, in response to an urgent request received by him on the same day; or

“(b) Between the hours of 8 p.m. and 8 a.m., in response to an urgent request received by him between those hours—

there shall be payable by the Department to the medical practitioner, in addition to any fee payable under the said section 93, a reasonable fee not exceeding 50 cents.

“(2) In this section, the term ‘public holiday’ means Christmas Day, Boxing Day, New Year’s Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s Birthday, Labour Day, and the holiday observed in the locality concerned as Anniversary Day; and includes, when any of those holidays (other than Anzac Day) that can fall on a Saturday or Sunday so falls, the day that is observed in the locality concerned as a substituted public holiday; and also includes, when Boxing Day falls on a Monday, the day following Boxing Day.”

(2) Regulation 5 of the Social Security (General Medical Services) Regulations 1950 is hereby revoked.

(3) Regulation 2 of the Social Security (General Medical Services) Regulations 1950, Amendment No. 1, is hereby consequentially revoked.

**12. Rural practice bonuses**—The principal Act is hereby further amended by inserting, after section 94, the following section:

“94A. (1) In this section, ‘rural area’ means an area that the Minister has by notice in the *Gazette* declared to be a rural area for the purposes of this section.

“(2) Subject to the provisions of this Part of this Act, in addition to any fee payable by the Department under section 93, section 93A, or section 94 of this Act, there shall be payable by the Department to every medical practitioner residing and practising in a rural area an additional amount equal to—

“(a) Ten percent of the fee, if it is payable under the said section 93 or the said section 93A; or

“(b) Twenty-five percent of the fee, if it is payable under the said section 94.

“(3) The Minister may in his discretion apply the provisions of subsection (2) of this section to any medical practitioner practising but not residing in a rural area, if the Minister considers that the medical practitioner’s practice is wholly or mainly carried out in the rural area.”

**13. Refund system**—Subsection (1) of section 96 of the principal Act is hereby amended—

(a) By omitting the words “or section 95”, and substituting the words “, section 93A, or section 95”:

(b) By inserting, before the words “No medical practitioner”, the words “Except as provided in section 94A of this Act,”.

**14. Specialist medical services**—The principal Act is hereby further amended by repealing section 97, and substituting the following section:

“97. (1) A medical practitioner shall not be recognised as a specialist for the purposes of this section unless the Minister is satisfied that he possesses recognised qualifications in a medical or surgical speciality.

“(2) Before recognising any medical practitioner as a specialist for the purposes of this section, the Minister shall refer the application for such recognition to the Director-General of Health and to the Council of the Medical Association of New Zealand for reports and recommendations; and the Minister shall take those reports and recommendations into account before granting or refusing the application.

“(3) Where any specialist provides any specialist medical services for a person who is entitled to any of the benefits provided for in this Part of this Act and who has been referred to the specialist by another medical practitioner for that purpose, the person by whom the fee in respect of those services is paid to the specialist shall, subject to the provisions of this section, be entitled to receive from the Department a refund not exceeding—

“(a) In respect of the first occasion on which the services were provided—

“(i) Five dollars, if the services were provided by a specialist physician, psychiatrist, neurologist, neurosurgeon, or paediatrician; or

“(ii) Three dollars and fifty cents, if the services were provided by any other type of specialist; and

“(b) Seventy-five cents in respect of each subsequent occasion (related to the first occasion) on which the services were provided:

“Provided that a refund shall not be payable under this subsection in respect of services provided by a specialist for a person referred to him by another specialist, unless in a letter to the first-mentioned specialist the referring specialist states that the medical practitioner who first referred the person to him concurs in the person being referred to the first-mentioned specialist.

“(4) Where any medical practitioner, other than a specialist, provides any specialist medical services for a person who is entitled to any of the benefits provided for in this Part of this

Act, the person by whom the fee in respect of those services is paid to the medical practitioner shall, subject to the provisions of this section, be entitled to receive from the Department a refund not exceeding 75 cents in respect of every occasion on which the services were provided.

“(5) If any person for whom any specialist medical services have been provided is a person to whom subsection (1A) of section 93 of this Act applies, the reference in subsection (3) or subsection (4) of this section, as the case may require, to 75 cents shall be read as a reference to \$1.50.

“(6) No person shall be entitled to receive a refund under this section if some other benefit or supplementary benefit is available under this Part of this Act in respect of any specialist medical services so provided.

“(7) Notwithstanding anything in subsection (3) or subsection (4) of this section, payment of any sum payable under either of those subsections may be made, at the option of the specialist or other medical practitioner, direct to him instead of by way of refund to the person by whom the fee was paid.”

**15. Payments in respect of hospital treatment in institutions**—Section 103 of the principal Act is hereby amended by inserting in subsection (2), after the figures “1911”, the words “or that is an institution within the meaning of the Alcoholism and Drug Addiction Act 1966 not conducted by the Crown or a Hospital Board”.

**16. Payment of fees in respect of maternity benefits**—Section 112 of the principal Act is hereby amended by omitting from subsection (3) the word “obstetric”.

**17. Specialists in relation to maternity benefits**—(1) Section 113 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) A medical practitioner shall not be recognised as a specialist for the purposes of this section unless the Minister is satisfied that he possesses recognised academic qualifications in a medical or surgical specialty that is material to the provision of maternity benefits and that he has held or holds hospital or other public appointments affording special opportunities for acquiring special skill and experience in that specialty.”

(2) The said section 113 is hereby further amended—

- (a) By omitting from subsection (2) the words “an obstetric specialist”, and substituting the words “a specialist for the purposes of this section”:
- (b) By omitting from subsection (3) the word “obstetric”:
- (c) By omitting from subsection (4) the words “obstetric specialists”, and substituting the words “specialists for the purposes of this section”.

**18. This Part of Act to apply only to services provided after commencement**—The amendments made by this Part of this Act shall apply only in respect of services provided by medical practitioners on or after the date of commencement of this Part; and in respect of services so provided before that date Part II of the principal Act shall continue to apply as if this Part had not been enacted.

### PART III

#### GENERAL PROVISIONS

**19. Money payable out of Consolidated Revenue Account—**

(1) Subsection (1) of section 124 of the principal Act is hereby amended by inserting, after paragraph (d), the following paragraph:

“(dd) Any money that may be appropriated by Parliament for the purpose of—

“(i) Granting a rehabilitation allowance to any disabled person who has attained the age of 15 years to assist in the rehabilitation of that person; and

“(ii) Making such special arrangements as the Minister of Social Security considers advisable for providing adequate services for the rehabilitation of disabled persons under any programme for the rehabilitation of disabled persons that has been approved by the Minister.”.

(2) The said section 124 (as amended by section 8 of the Social Security Amendment Act 1968) is hereby further amended by adding the following subsection:

“(4) Any payment made out of the Consolidated Revenue Account pursuant to paragraph (dd) of subsection (1) of this section to any disabled person by way of a rehabilitation allowance shall be at a rate determined to be appropriate in the circumstances by the Social Security Commission, but shall not in any case exceed the appropriate rate specified in clause 1 of the Fifteenth Schedule to this Act:



“Provided that an allowance shall not be granted to any disabled person who is in receipt of a benefit or whose spouse is in receipt of a benefit under Part I of this Act of such an amount that the total amount from all sources (including any such benefit) received by the disabled person and his or her spouse (if any) exceeds the appropriate amount specified in clause 2 of the said Fifteenth Schedule.”

(3) The principal Act is hereby further amended by adding the Fifteenth Schedule set out in the Second Schedule to this Act.

(4) This section and the Second Schedule to this Act shall be deemed to have come into force on the 1st day of April 1969.

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## SCHEDULES

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### FIRST SCHEDULE

Section 7 (1)

#### NEW FIRST TO TENTH, TWELFTH, AND FOURTEENTH SCHEDULES TO PRINCIPAL ACT

*(Effective on and from 14 May 1969)*

#### “FIRST SCHEDULE

Section 15

#### RATES OF SUPERANNUATION BENEFITS

1. In every case ..... \$624 a year.
2. The rate specified in clause 1 of this Schedule may, in the discretion of the Commission, be increased by \$65 a year in any case where the beneficiary is an unmarried person:

Provided that the Commission may refuse to increase any benefit under this clause in any case where, in the opinion of the Commission, the beneficiary is sharing household expenses with any other person.

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#### “SECOND SCHEDULE

Sections 18, 19, 20

#### RATES OF AGE BENEFITS

1. (a) To any unmarried beneficiary \$689 a year diminished by \$2 for every complete \$2 of the annual income of the beneficiary in excess of \$572 a year.
- (b) To a married beneficiary whose wife or husband is granted an age benefit or invalid's benefit in her or his own right \$624 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and his or her spouse in excess of \$572 a year.
- (c) To a married male beneficiary whose wife is not granted a benefit in her own right \$624 a year, increased by \$624 a year in respect of his wife, the total rate to be diminished by \$2 for every complete \$2 of the total annual income of the beneficiary and his wife in excess of \$572 a year.
- (d) To any other married beneficiary \$624 a year, diminished by \$2 for every complete \$2 of the total annual income of the beneficiary and the spouse of the beneficiary, including the amount of any benefit under Part I of this Act (other than an increase of benefit under section 69) granted to the spouse of the beneficiary in excess of \$1,196 a year:

Provided that the rate specified in paragraph (a) of this clause may, in the discretion of the Commission, be reduced by an amount not exceeding \$65 a year in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person:

Provided also that in computing for the purposes of this clause the income of any totally blind person the Commission shall take no account of the personal earnings of that person:

FIRST SCHEDULE—*continued*“SECOND SCHEDULE—*continued*”

Provided further that in any case where a beneficiary is totally blind, the rate of the age benefit, together with any benefits and allowances payable to or in respect of the wife or husband of the beneficiary, shall not be less than the aggregate rate of the benefits and allowances that would have been payable to or in respect of the beneficiary and his or her spouse if the beneficiary had been eligible for an invalid's benefit.

2. Special income exemption \$13 a year in respect of each year of where application for age deferment.  
benefit deferred
  3. Additional age benefit for \$52 a year.  
South African war veterans, in every case
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Sections 21, 24

## “THIRD SCHEDULE

## RATES OF WIDOWS' BENEFITS

1. To a beneficiary without \$689 a year, diminished by \$2 for  
dependent children every complete \$2 of the annual  
income of the beneficiary in excess of  
\$572 a year.
  2. To a beneficiary with one or \$689 a year, increased, in the dis-  
more dependent children cretion of the Commission, by a  
mother's allowance not exceeding the  
appropriate rate specified in clause 3  
of this Schedule, and diminished by  
\$2 for every complete \$2 of the  
annual income of the beneficiary in  
excess of \$780 a year.
  3. Additional mother's allow-  
ance to a beneficiary—  
(a) On account of first \$494 a year.  
or only dependent child  
(b) On account of each \$52 a year.  
additional dependent  
child after the first
  4. The rates specified in clauses 1 and 2 of this Schedule may, in the  
discretion of the Commission, be reduced by an amount not  
exceeding \$65 a year in any case where the Commission is satisfied  
that the beneficiary is sharing household expenses with any other  
person.
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Section 29

## “FOURTH SCHEDULE

## MAXIMUM RATES OF ORPHANS' BENEFITS

- In every case ..... \$351 a year, diminished by \$2 for  
every complete \$2 of the annual  
income of the orphan in excess of  
\$104 a year.
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FIRST SCHEDULE—*continued*

## “FIFTH SCHEDULE

Section 34

## RATES OF FAMILY BENEFITS

In respect of each child ..... \$1.50 a week.

## “SIXTH SCHEDULE

Sections 42, 43

## RATES OF INVALIDS' BENEFITS

1. (a) To an unmarried beneficiary under the age of 20 years \$585 a year, diminished by \$2 for every complete \$2 of the annual income of the beneficiary in excess of \$572 a year.
- (b) To any other unmarried beneficiary \$689 a year, diminished by \$2 for every complete \$2 of the annual income of the beneficiary in excess of \$572 a year.
- (c) To a married beneficiary whose wife or husband is granted an age benefit or invalid's benefit in her or his own right \$624 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and his or her spouse in excess of \$572 a year.
- (d) To a married male beneficiary whose wife is not granted a benefit in her own right \$624 a year, increased by \$624 a year in respect of his wife, the total rate to be diminished by \$2 for every complete \$2 of the total annual income of the beneficiary and his wife in excess of \$572 a year.
- (e) To any other married beneficiary \$624 a year, diminished by \$2 for every complete \$2 of the total annual income of the beneficiary and the spouse of the beneficiary, including the amount of any benefit under Part I of this Act (other than an increase under section 69 of this Act) granted to the spouse of the beneficiary, in excess of \$1,196 a year:

Provided that the rates specified in paragraphs (a) and (b) of this clause may, in the discretion of the Commission, be reduced by an amount not exceeding \$65 a year in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person:

Provided also that in computing for the purposes of this clause the income of any totally blind person, the Commission shall take no account of the personal earnings of that person.

2. Maximum amount from all sources where subsidy paid on earnings of blind invalid, in every case \$1,508 a year, increased, in the discretion of the Commission, by \$65 a year where the beneficiary is an unmarried person.

FIRST SCHEDULE—*continued*

Sections 49, 53

## "SEVENTH SCHEDULE

## RATES OF MINERS' BENEFITS AND MINERS' WIDOWS' BENEFITS

1. (a) To a married miner ..... \$624 a year, increased by \$624 a year in respect of his wife.
- (b) In any other case ..... \$689 a year.
2. To a miner's widow ..... \$624 a year.
3. The rates specified in paragraph (b) of clause 1 and clause 2 of this Schedule may, in the discretion of the Commission, be reduced by an amount not exceeding \$65 a year in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person.

Section 55

## "EIGHTH SCHEDULE

## RATES OF SICKNESS BENEFITS

1. (a) To an unmarried beneficiary under the age of 20 years without dependants \$10.25 a week, diminished by 10c for every complete 10c of the weekly income of the beneficiary in excess of \$11 a week.
- (b) To any other unmarried beneficiary \$13.25 a week, diminished by 10c for every complete 10c of the weekly income of the beneficiary in excess of \$11 a week.
- (c) To a married male beneficiary \$12 a week, increased by \$12 a week in respect of his wife, the total rate to be diminished by 10c for every complete 10c of the total weekly income of the beneficiary and his wife in excess of \$11 a week.
- (d) To a married female beneficiary \$12 a week, diminished by 10c for every complete 10c of the total weekly income of the beneficiary and her husband (including the amount of any benefit under Part I of this Act received by the husband) in excess of \$23 a week:

Provided that the rates specified in paragraphs (a) and (b) of this clause may, in the discretion of the Commission, be reduced by an amount not exceeding \$1.25 a week in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person.

2. Maximum increase in respect of a housekeeper \$10.75 a week.

FIRST SCHEDULE—*continued*

## "NINTH SCHEDULE

Section 59

## MAXIMUM RATES OF UNEMPLOYMENT BENEFITS

1. (a) To an unmarried beneficiary under the age of 20 years without dependants \$10.25 a week.
- (b) To any other unmarried beneficiary \$13.25 a week.
- (c) To a married male beneficiary \$12 a week, increased by \$12 a week in respect of his wife.
- (d) To a married female beneficiary \$12 a week:

Provided that the rates specified in paragraphs (a) and (b) of this clause may, in the discretion of the Commission, be reduced by an amount not exceeding \$1.25 a week in any case where the Commission is satisfied that the beneficiary is sharing household expenses with any other person.

2. Maximum increase in respect of a housekeeper \$10.75 a week.

## "TENTH SCHEDULE

Section 66

## SPECIAL INCOME EXEMPTION IN RESPECT OF SICK BENEFITS FROM FRIENDLY OR LIKE SOCIETY (AGE, INVALIDS', WIDOWS', AND SICKNESS BENEFITS ONLY)

Maximum rate ..... \$2 a week in the case of a sickness benefit, and \$104 a year in any other case.

## "TWELFTH SCHEDULE

Section 69

## MAXIMUM INCREASE IN RATE OF BENEFIT PAYABLE TO PARENT OF DECEASED MEMBER OF FORCES OR MERCHANT MARINE

Maximum rate ..... \$1 a week.

FIRST SCHEDULE—*continued*

## Section 61A

## “FOURTEENTH SCHEDULE

## MAXIMUM RATES OF FAMILY MAINTENANCE ALLOWANCES

1. To any person receiving an emergency benefit payable otherwise than by weekly instalments, or an age or invalid's benefit—
    - (a) At the rate payable to an unmarried beneficiary—
      - (i) On account of first or only dependent child \$494 a year.
      - (ii) On account of each additional dependent child after the first \$52 a year.
    - (b) At the rate payable to a married beneficiary—
      - (i) On account of second dependent child \$39 a year.
      - (ii) On account of each additional dependent child after the second \$52 a year.
  
  2. To any person receiving an emergency benefit payable by weekly instalments, or a sickness or unemployment benefit—
    - (a) At the rate payable to an unmarried beneficiary—
      - (i) On account of first or only dependent child \$9.50 a week.
      - (ii) On account of each additional dependent child after the first \$1 a week.
    - (b) At the rate payable to a married beneficiary—
      - (i) On account of second dependent child 75c a week.
      - (ii) On account of each additional dependent child after the second \$1 a week.”
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## SECOND SCHEDULE

Section 19 (3)

NEW FIFTEENTH SCHEDULE TO PRINCIPAL ACT  
(Effective on and from 1 April 1969)

## "FIFTEENTH SCHEDULE

Section 124 (4)

## MAXIMUM RATES OF REHABILITATION ALLOWANCES

1. (a) To any unmarried disabled person under the age of 20 years, without dependants \$6 a week.
- (b) To any other disabled person \$8 a week.
2. If a disabled person is in receipt of a benefit under Part I of this Act or if his or her spouse (if any) is in receipt of such a benefit, the maximum amount that may be received by the disabled person and his or her spouse (if any) from all sources (including a rehabilitation allowance and any such benefit) shall not exceed—
  - (a) In the case of any unmarried disabled person under the age of 20 years, without dependants \$22.25 a week.
  - (b) In the case of any other unmarried disabled person \$24.25 a week.
  - (c) In the case of a married disabled person \$35.00 a week:

Provided that the amounts specified in this clause may be increased by the amount of any mother's allowance or family maintenance allowance being paid to the disabled person or his or her spouse."

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This Act is administered in the Social Security Department.

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