



ANALYSIS

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1992, No. 15

An Act to amend the Social Security Act 1964

[1 April 1992]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Social Security Amendment Act 1992, and shall be read together with and deemed part of the Social Security Act 1964 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of April 1992.

2. Effect of redundancy payments on entitlement to benefits—Section 60i of the principal Act (as inserted by section 16 of the Social Security Amendment Act 1991) is hereby amended by inserting, after subsection (2), the following subsections:

“(2A) This section shall not apply in respect of an applicant for a benefit who—

“(a) Is aged 60 years or more on the date of the application for a benefit; and

“(b) Applies for a benefit on or after the 1st day of April 1992.

“(2B) If any person who is for the time being not entitled to a benefit owing to the application of subsection (2) of this section attains the age of 60 years on or after the 1st day of April 1992, the said subsection (2) shall cease to apply in respect of that person on the date on which he or she attains that age or

2 weeks after the commencement of the period of non-entitlement, whichever is the later date.”

3. Effect of participation in community task force project or other approved scheme—The principal Act is hereby amended by inserting, after section 60K (as so inserted), the following section:

“60KA. (1) This section applies to any person not entitled to receive a benefit owing to the application of section 60H or section 60J or section 60N of this Act; and references in this section to the period of a person’s non-entitlement to a benefit shall be read as references to a period of non-entitlement to a benefit imposed under one of those sections.

“(2) If any person to whom this section applies commences participation in a community task force project within the meaning of section 60M of this Act—

“(a) That person shall be entitled to receive a benefit during his or her satisfactory participation in that project; and

“(b) The period of that person’s non-entitlement to a benefit shall, subject to subsection (3) of this section, recommence on the day after the date on which that person’s satisfactory participation in the project ceases; and

“(c) The period of that person’s satisfactory participation in the project shall be deducted from the period of that person’s non-entitlement to a benefit.

“(3) If any person to whom this section applies undertakes, for a period of not less than 6 weeks, satisfactory participation in either—

“(a) An Access Training Scheme established under the Access Training Scheme Act 1988; or

“(b) A training programme for the time being approved by the Director-General; or

“(c) A community task force project within the meaning of section 60M of this Act—

the remainder of the period of that person’s non-entitlement to a benefit shall lapse; and any subsequent application for a benefit by that person shall be treated as a new application for a benefit.

“(4) Nothing in this section shall prevent the Director-General applying anew the provisions of section 60H or section 60J or section 60N of this Act to any person receiving a benefit under this section.

“(5) In this section, ‘satisfactory participation’ means participation which the Director-General considers satisfactory.”

4. Changes consequent on restructuring of Department of Social Welfare—On and after the commencement of this section, every reference, in relation to the Department of Social Welfare, to a—

- (a) District or a district office; or
 - (b) Director of Social Welfare or a District Director or a Director; or
 - (c) District review committee; or
 - (d) District claims panel—
- in any Act, Order in Council, Proclamation, regulations, notice, rules, agreement, deed, instrument, or document whatsoever shall be read as—
- (e) In the case of any reference to which paragraph (a) of this section applies—
 - (i) To an office of the Department where decisions or recommendations in relation to the matter or matters to which the Act, Order in Council, Proclamation, regulations, notice, rules, agreement, deed, instrument, or document apply are for the time being made or, as the case may require, to the office of the Department where any such decision or recommendation was taken or made; or
 - (ii) In relation to a notice, agreement, deed, instrument, or document which has no application to an office specified in subparagraph (i) of this paragraph, to the office of the Department to which it refers:
 - (f) In the case of any reference to which paragraph (b) of this section applies, to the principal manager for the time being of any such office of the Department:
 - (g) In the case of any reference to which paragraph (c) of this section applies, to a benefits review committee:
 - (h) In the case of any reference to which paragraph (d) of this section applies, to a war pensions claims panel.

This Act is administered in the Department of Social Welfare.
