

#### **ANALYSIS**

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1990, No. 74

# An Act to amend the Social Security Act 1964

[1 August 1990

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 (No. 2) 1990, and shall be read together with and deemed part of the Social Security Act 1964 (hereinafter referred to as the principal Act).
- (2) Except as provided in sections 11 (5), 12 (2), 14 (3), 15 (3), 16 (3), 17 (2), 19 (2), 21 (3), 22 (2), and 23 (3) of this Act, this Act shall be deemed to have come into force on the 25th day of July 1990.
- 2. Interpretation—(1) Section 3 (1) of the principal Act is hereby amended by repealing the definitions of the terms

"benefit" and "dependent child", and inserting in their appropriate alphabetical order the following definitions:

"'Benefit'—

"(a) Means a monetary benefit payable under this Part of this Act; and

"(b) Includes—

- "(i) Guaranteed retirement income and veteran's pension payable under Part I of the Social Welfare (Transitional Provisions) Act 1990:
- "(ii) A living alone payment payable under section 18A of the Social Welfare (Transitional Provisions) Act 1990:

"(iii) An accommodation benefit payable under section 61E of this Act:

- "(iv) A handicapped child's allowance payable under section 39A of this Act:
- "(v) A job search allowance payable under section 600 of this Act:
- "(vi) A disability allowance payable under section 69c of this Act:
- "(vii) A transition to work allowance payable under section 690 of this Act; but
- "(c) Does not include a lump sum payable under section 61DC or section 61DD or section 61DE of this Act:".
- "'Dependent child', in relation to an applicant or a beneficiary, means a child who meets the conditions of entitlement for a family benefit under section 32 of this Act:
- "'Principal caregiver', in relation to a dependent child, means the person who, in the opinion of the Director-General, has the primary responsibility for the day to day care of the child, other than on a temporary basis, but does not include—
  - "(a) Any body of persons (whether incorporated or unincorporated); or

"(b) Any person who is the proprietor of, or employed in,—

- "(i) A residence established under the Children, Young Persons, and Their Families Act 1989; or
- "(ii) A home registered under the Disabled Persons Community Welfare Act 1975; or
- "(iii) Any other institution in which the child is being cared for:

- "'Sole parent' means a person who is the principal caregiver in respect of a dependent child and who is—
  - "(a) Legally married but living apart from his or her spouse; or

"(b) Not legally married—

- and not living in a relationship in the nature of marriage:".
- (2) The following enactments are hereby consequentially repealed:
  - (a) Section 2 (1) and (2) of the Social Security Amendment Act 1986:
  - (b) Section 14 (1) of the Social Welfare (Transitional Provisions) Act 1990.
- 3. Exercise of powers, etc., by Director-General—(1) Section 5 of the principal Act (as substituted by section 2 (2) of the Social Security Amendment Act 1987) is hereby amended by inserting in subsection (1), after the words "this Act", the words "or the Social Welfare (Transitional Provisions) Act 1990".
  - (2) The said section 5 (as so substituted) is hereby amended

by adding the following subsection:

- "(3) In respect of the powers, functions, and discretions conferred on the Director-General by this Act or the Social Welfare (Transitional Provisions) Act 1990 in relation to guaranteed retirement income, the references in subsections (1) and (2) of this section to the Minister of Social Welfare shall be read as references to the Minister for Senior Citizens."
- 4. Rates of domestic purposes benefits—(1) Section 27H (1) of the principal Act (as substituted by section 12 (1) of the Social Security Amendment Act 1987) is hereby amended by omitting the words "subsection (1A) of this section", and substituting the words "section 70A of this Act".
- (2) Section 27H (1A) of the principal Act (as so enacted) is hereby repealed.
- (3) The Sixteenth Schedule to the principal Act (as substituted by section 36 (1) of the Finance Act 1989) is hereby amended by repealing clause 3.
- (4) Section 38 (2) of the Social Welfare (Transitional Provisions) Act 1990 is hereby consequentially repealed.
- 5. Interpretation—(1) Section 271 (1) of the principal Act (as inserted by section 7 of the Social Security Amendment Act

1980) is hereby amended by repealing the definition of the term "benefit", and substituting the following definition:

"'Benefit' means—

"(a) A domestic purposes benefit granted under section 27B of this Act, otherwise than to an applicant to whom subsection (1) (e) of that section applies:

"(b) An unsupported child's benefit granted under

- section 29 of this Act:
- "(c) Where the applicant is a sole parent and application for the benefit was made after the 24th day of July 1990—

"(i) A widow's benefit granted under section 21

of this Act:

- "(ii) An invalid's benefit granted under section 40 of this Act:
- "(iii) A sickness benefit granted under section 54 of this Act:
- "(iv) An unemployment benefit granted under section 58 of this Act—

and 'beneficiary' has a corresponding meaning:".

- (2) Section 14 (2) of the Social Security Amendment Act 1986 is hereby consequentially repealed.
- 6. Maintenance order or agreement suspended while benefit paid, etc.—Section 27J(1) of the principal Act (as substituted by section 14 (1) of the Social Security Amendment Act 1987) is hereby amended by omitting the words "domestic purposes benefit under section 27B of this Act", and substituting the word "benefit".
- 7. Increasing minimum liable parent contribution—(1) Section 27k (1) of the principal Act (as substituted by section 5 (1) of the Social Security Amendment Act 1982 and amended by section 15 (1) of the Social Security Amendment Act 1987) is hereby amended by omitting the expression "\$5", and substituting the expression "\$10".

(2) Section 15 of the Social Security Amendment Act 1987 is

hereby consequentially repealed.

- (3) Notwithstanding the provisions of subsection (1) of this section or of section 27zG (2) of the principal Act, a liable parent who, immediately before the commencement of this section, was liable—
  - (a) Under section 27k (1) of the principal Act; or
  - (b) Under that section after the Director-General exercised his or her discretion under the said section 272G—

- to contribute \$5 or more a week but less than \$10 a week towards a benefit, shall not be liable to increase his or her contribution towards that benefit until the first date of payment of his or her contribution that becomes due on or after the 1st day of October 1990.
- (4) Notwithstanding anything in subsection (1) of this section or in section 27zG (2) of the principal Act, a liable parent who, immediately before the commencement of this section, was liable under the said section  $27\kappa$  (1), after the Director-General exercised his or her discretion under the said section 27zG, to contribute less than \$5 a week, shall continue to be liable to pay the same amount until the contribution is reviewed.
- 8. Director-General to give liable parent notice of grant of benefit—Section 27L (1) of the principal Act (as substituted by section 16 (1) of the Social Security Amendment Act 1987) is hereby amended by omitting the words "in the prescribed form of the grant of a domestic purposes benefit under section 27B of this Act", and substituting the words "of the grant of a benefit".
- 9. Director-General to assess contribution and notify liable parent—(1) Section 27N (2) of the principal Act (as inserted by section 7 of the Social Security Amendment Act 1980) is hereby amended by omitting the words "in the prescribed form".
- (2) The Social Security (Contribution Towards Cost of Domestic Purposes Benefit) Regulations 1987 (S.R. 1987/238) are hereby revoked.
- 10. Relief in cases of serious hardship—Section 27zG of the principal Act (as so inserted) is hereby amended by adding the following subsection:
- "(2) Nothing in subsection (1) of this section shall empower the Director-General to release a liable parent, or the executor or administrator of a deceased liable parent, from the liability to contribute the minimum amount specified in section  $27\kappa$  (1) of this Act."
- 11. New sections inserted—(1) The principal Act is hereby amended by repealing sections 28 and 29, and substituting the following sections:
- "28. Orphans' benefits—A person who is entitled to apply for a family benefit under sections 32, 33, and 37 of this Act in

respect of any child shall be entitled to receive an orphan's benefit instead of a family benefit in respect of the child if—

- "(a) Each of the child's natural or adoptive parents is dead, or cannot be found, or suffers a serious long-term incapacity that renders him or her unable to care for the child; and
- "(b) The applicant is the principal caregiver and is likely to remain the principal caregiver in respect of the child for at least 1 year from the date of application for the orphan's benefit.
- "29. Unsupported child's benefit—A person who is entitled to apply for a family benefit under sections 32, 33, and 37 of this Act in respect of any child shall be entitled to receive an unsupported child's benefit instead of a family benefit in respect of the child if—
  - "(a) That person is not the natural parent, adoptive parent, or step-parent of the child; and
  - "(b) No natural parent, adoptive parent, or step-parent of the child is able to provide for the full support, care, and control of the child; and
  - "(c) The applicant is the principal caregiver in respect of the child and is likely to remain the principal caregiver for at least 1 year from the date of application for the benefit.
- "29A. Rates of orphan's benefit and unsupported child's benefit—(1) The rate of the orphan's benefit and the rate of the unsupported child's benefit payable in respect of any orphan or unsupported child shall in each case be fixed by the Director-General, but shall not in any case exceed the appropriate rate specified in the Fourth Schedule to this Act."
- (2) The following enactments are hereby consequentially repealed:
  - (a) Section 7 of the Social Security Amendment Act 1986:
  - (b) Section 11 of the Social Security Amendment Act (No. 2) 1988:
  - (c) Section 2 of the Social Security Amendment Act 1989:
  - (d) Section 37 (3) of the Social Welfare (Transitional Provisions) Act 1990.
- (3) Where an orphan's benefit was payable in respect of a child immediately before the commencement of this section, a review under section 81 of the principal Act shall take place, between the 1st day of October 1990 and the 1st day of January 1991, to determine whether the principal caregiver in

respect of the child is eligible to receive an orphan's benefit or an unsupported child's benefit.

- (4) Notwithstanding anything in section 28 of the principal Act (as substituted by subsection (1) of this section), where an orphan's benefit was payable in respect of a child immediately before the commencement of this section, the principal caregiver in respect of the child, at the Director-General's discretion, shall be entitled to continue to receive an orphan's benefit until the review referred to in subsection (3) of this section has taken place.
- (5) This section shall come into force on the 1st day of October 1990.
- 12. Orphan's benefit and unsupported child's benefit to be used for benefit of child—(1) Section 31 of the principal Act is hereby amended by inserting, after the words "orphan's benefit", the words "and every unsupported child's benefit".
- (2) This section shall come into force on the 1st day of October 1990.
- 13. Family benefit—(1) The proviso to section 32 (1) of the principal Act (as substituted by section 3 (1) of the Social Security Amendment Act 1989) is hereby amended by repealing subparagraph (ii) of paragraph (b), and substituting the following subparagraphs:
  - "(ii) A basic grant or an independent circumstances grant under the Student Allowances Regulations 1988 (S.R. 1988/308); or
  - "(iii) Payments under a Government-assisted scheme which the Director-General considers analogous to a benefit—".
- (2) Section 32 (2) (c) of the principal Act is hereby amended by omitting the word "disablement),—", and substituting the words "disablement); or".
- (3) Section 32 (2) of the principal Act is hereby amended by inserting, after paragraph (c), the following paragraph:
  - "(d) Any child in respect of whom payments are being made under section 363 of the Children, Young Persons, and Their Families Act 1989—".
- 14. Unemployment benefits—(1) Section 58 (1) of the principal Act is hereby amended by omitting the words "over the age of 16 years", and substituting the words "of or over the

- age of 18 years or who is of or over the age of 16 years and is married with a dependent child or dependent children".
- (2) Nothing in subsection (1) of this section shall affect the entitlement of a person receiving an unemployment benefit immediately before the commencement of this section to continue to receive that benefit.
- (3) This section shall come into force on the 1st day of December 1990.
- 15. Rates of unemployment benefits—(1) Section 59 (4) and (5) of the principal Act are hereby repealed.
- (2) Section 32 of the Finance Act 1989 is hereby consequentially repealed.
- (3) This section shall come into force on the 1st day of December 1990.
- 16. Commencement of unemployment benefit, etc.—
  (1) The principal Act is hereby amended by repealing section 60, and substituting the following section:
- "60. (1) The payment of an unemployment benefit shall commence on—
  - "(a) The 14th day after the date of receipt of the application for the benefit; or
- "(b) The 14th day after the date on which the applicant's salary or wages (including holiday pay) ceased—whichever is the later date.
- "(2) Where the Director-General considers the applicant would otherwise suffer serious hardship, the Director-General may determine that payment of an unemployment benefit shall commence earlier than the date on which it would otherwise commence under subsection (1) of this section, but payment shall not commence earlier than 1 week after the date on which the applicant's salary or wages (including holiday pay) ceased.
- "(3) If the Director-General is of the opinion that the average weekly earnings of the applicant during the 12 months preceding the receipt of the application are sufficient to enable the applicant to maintain himself or herself and his or her family (if any) notwithstanding a period of temporary unemployment, the Director-General may postpone the date of commencement of the benefit for a period not exceeding 4 weeks after the date on which the benefit would otherwise commence under subsection (1) of this section.
- "(4) The Director-General shall not exercise his or her powers under subsection (3) of this section in respect of any applicant

whose loss of employment was caused by the permanent closure of his or her place of employment or redundancy.

- "(5) The Director-General may, in his or her discretion, postpone or further postpone, for any period not exceeding 6 weeks, the commencement of an unemployment benefit or, as the case may require, terminate any such benefit already granted, if the Director-General is satisfied that—
  - "(a) The applicant has voluntarily become unemployed without a good and sufficient reason; or
  - "(b) The applicant has lost his or her employment by reason of any misconduct as an employee; or
  - "(c) The applicant or beneficiary has refused or failed, without good and sufficient reason, to accept any offer of suitable employment; or
  - "(d) The applicant or beneficiary has refused or failed, without good and sufficient reason, to engage in a course of training for the improvement of his or her capacity or suitability for employment; or
  - "(e) The applicant or beneficiary has failed to take reasonable steps to obtain work.
- "(6) If an unemployment benefit has been postponed or further postponed under this section, the Director-General may require the applicant to lodge a further application on the expiry of the period of postponement.
- "(7) If any person, while in receipt of an unemployment benefit, becomes temporarily incapacitated for work through sickness, he or she may be granted a sickness benefit instead of the unemployment benefit; and in any such case the sickness benefit shall be computed as if the unemployment benefit previously payable were earnings of the beneficiary."
- (2) The following enactments are hereby consequentially repealed:
  - (a) Section 8 of the Social Security Amendment Act 1982:
  - (b) Section 4 of the Social Security Amendment Act 1989.
- (3) This section shall come into force on the 1st day of December 1990.
- 17. New sections inserted—(1) The principal Act is hereby amended by inserting, after section 60c, the following sections:
- "60D. **Job search allowance**—(1) Every unmarried person who—
  - "(a) Is of or over the age of 16 years and under the age of 18 years; and

"(b) Fulfils the conditions of entitlement to an unemployment benefit set out in section 58 (1) (b) to (d) of this Act and the proviso to the said section 58 (1)—

shall be entitled to a job search allowance until he or she is reemployed or until the expiry of a period of 13 weeks after the date of commencement of the benefit, whichever first occurs, if, for a continuous period of 26 weeks after attaining the age of 16 years, he or she has either—

- "(c) Been in full employment and has lost that employment; or
- "(d) Been in receipt of one or more of the following and completed the training or courses to which they relate:
  - "(i) A training benefit under section 60A of this Act:
  - "(ii) A basic grant or an independent circumstances grant under the Student Allowances Regulations 1988 (S.R. 1988/308):
  - "(iii) A MACCESS grant under section 6 of the Maori Affairs Amendment Act 1974.
- "(2) A person who has been in full employment for a substantial proportion of the period specified in subsection (1) of this section and has lost that employment only through sickness, shall be deemed to fulfil the requirements of paragraph (c) of that subsection.
- "(3) A person shall be entitled to only 1 job search allowance in respect of any 1 of the conditions of entitlement specified in subsection (1) of this section.
- "(4) For the purposes of this section, an applicant shall be considered to have lost his or her employment on the day his or her salary or wages (including holiday pay) ceased.
- "(5) The Director-General may, in his or her discretion, postpone or further postpone the commencement date of a job search allowance for a period not exceeding 6 weeks or, as the case may require, terminate any such allowance already granted, if the Director-General is satisfied that any of the criteria specified in section 60 (5) of this Act applies in respect of the applicant or beneficiary.
- "60E. Rates of job search allowance—The rate of the job search allowance payable to any beneficiary shall be the same as the rate of the training benefit for the time being payable to an unmarried beneficiary under the age of 18 years without dependent children.

- "60F. Independent youth benefit—(1) Every person of or over the age of 16 years and under the age of 18 years, without a dependent child or dependent children, shall be entitled to an independent youth benefit if the applicant is married or the Director-General is satisfied that—
  - "(a) The applicant is not living with his or her parents and is not being financially supported by his or her parents or any other person; and

"(b) The applicant cannot reasonably be expected to be financially dependent on his or her parents or any other person—

"(i) Because there has been a breakdown in the applicant's relationship with his or her parents; or

"(ii) Because the applicant's parents are absent or are unable to financially support the applicant; or

"(iii) Because the applicant has moved from his or her parents' home to another area where there are better prospects of employment or training; or

"(iv) Because the applicant has not lived with or been financially supported by his or her parents during the 6 months prior to making an application for an independent youth benefit and has been in employment during all of that period; or

"(v) For any other good and sufficient reason; and

"(c) The applicant—

- "(i) Is unemployed for reasons other than a strike either by himself or herself or by fellow members of his or her union at the same place of employment; and
- "(ii) Has resided continuously in New Zealand for not less than 12 months at any time; and
- "(iii) Does not qualify for a basic grant or an independent circumstances grant under the Student Allowances Regulations 1988 (S.R. 1988/308); and
- "(iv) Is capable of undertaking and is willing to undertake suitable work or is enrolled in a full-time course of secondary instruction.
- "(2) Notwithstanding anything in subsection (1) of this section, a person who is—
  - "(a) Enrolled in a full-time course of secondary instruction during the year in which he or she attains the age of 18 years; and
  - "(b) Entitled to receive an independent youth benefit under subsection (1) of this section—

shall continue to be entitled to receive that benefit until the 31st day of December of the year in which he or she attains the age of 18 years.

- "(3) For the purposes of this section, 'parents' means the parents or guardian or other person who had the care of the applicant most recently before the applicant attained the age of 16 years; but does not include the Director-General acting in his or her official capacity.
- "60c. Rates of independent youth benefit—The rate of independent youth benefit payable to any beneficiary shall be the appropriate rate specified in the Twenty-sixth Schedule to this Act."
- (2) This section shall come into force on the 1st day of December 1990.
- 18. Rates of benefits for sole parents where liable parent not identified—The principal Act is hereby amended by inserting, after section 70, the following section:
  - "70A. Where—
  - "(a) A domestic purposes benefit granted under section 27B of this Act; or
  - "(b) A widow's benefit granted, on an application made after the 24th day of July 1990, under section 21 of this Act; or
  - "(c) An invalid's benefit granted, on an application made after the 24th day of July 1990, under section 40 of this Act; or
  - "(d) A sickness benefit granted, on an application made after the 24th day of July 1990, under section 54 of this Act; or
  - "(e) An unemployment benefit granted, on an application made after the 24th day of July 1990, under section 58 of this Act—

is being paid to a beneficiary who is a sole parent and the beneficiary has failed to identify who is in law the other parent of any dependent child of the beneficiary, the rate of the benefit shall be reduced in respect of each child whose other parent has not been identified by the maximum annual amount of family support for the time being payable in respect of each child after the first under the Income Tax Act 1976, unless the Director-General is satisfied that—

"(f) There is insufficient evidence available to establish who is in law the other parent; or

- "(g) The beneficiary is taking active steps to identify who is in law the other parent; or
- "(h) The process of identifying who is in law the other parent would jeopardise a stable family relationship of which that person is a part; or
- "(i) The child was conceived as a result of incest or sexual violation."
- 19. Commencement and payment of benefits— (1) Section 80 of the principal Act (as substituted by section 37 (7) of the Social Welfare (Transitional Provisions) Act 1990) is hereby amended by repealing subsection (1), and substituting the following subsections:

"(1) Every widow's benefit, domestic purposes benefit, sickness benefit, invalid's benefit, independent youth benefit,

and job search allowance shall commence—

- "(a) Two weeks after the day on which the applicant became entitled to receive it, if the application for it is received by the Department within 6 months after the date of entitlement:
- "(b) Two weeks after the day which is 6 months before the day on which the application for it is received by the Department, if it is so received 6 months or more after the date of entitlement.
- "(1A) Where the Director-General considers that applicant would otherwise suffer serious hardship, the Director-General may determine that the benefit shall commence 1 week earlier than the date on which it would otherwise commence under subsection (1) of this section.
- "(1B) Except as otherwise provided in subsection (1) of this section or elsewhere in this Act or in the Social Welfare (Transitional Provisions) Act 1990, every benefit commence-
  - "(a) On the day on which the applicant became entitled to receive it, if the application for it is received by the Department within 6 months after the date of entitlement:
  - "(b) On the day which is 6 months before the day on which the application for it is received by the Department, if it is so received 6 months or more after the date of entitlement.
- "(1c) Where any person, while in receipt of a benefit, becomes eligible for and is granted another benefit instead, the other benefit shall commence on the day on which it was granted."

- (2) This section shall come into force on the 1st day of December 1990.
- 20. Fees and allowances for medical services may be prescribed by regulation—Section 95 (1) of the principal Act (as substituted by section 21 (1) of the Social Security Amendment Act 1986) is hereby amended by repealing paragraph (c), and substituting the following paragraph:

"(c) Empowering the Director-General of Health to-

- "(i) Require the supply by any medical practitioner of such particulars and information as the Director-General may require for the purposes of classifying any patient for the purposes of the regulations, or otherwise for health evaluation and benefit management; and
- "(ii) Specify the form in which, and to whom, the particulars and information are to be given."
- 21. New Fourth Schedule substituted—(1) The principal Act is hereby amended by repealing the Fourth Schedule (as substituted by section 12 (1) of the Social Security Amendment Act 1983), and substituting the Fourth Schedule set out in the First Schedule to this Act.
- (2) The Social Security (Rates of Benefit) Order 1990 (S.R. 1990/64) is hereby amended by revoking so much of the Schedule as relates to the Fourth Schedule to the principal Act.
- (3) This section and the First Schedule to this Act shall come into force on the 1st day of October 1990.
- 22. New heading to Ninth Schedule—(1) The Ninth Schedule to the principal Act (as substituted by section 36 (1) of the Finance Act 1989) is hereby amended by omitting the heading, and substituting the heading "Maximum Rates of Unemployment Benefits, Rates of Training Benefits, and Rates of Job Search Allowances".
- (2) This section shall come into force on the 1st day of December 1990.
- 23. New Schedule added—(1) The principal Act is hereby amended by adding the Twenty-sixth Schedule set out in the Second Schedule to this Act.
- (2) Section 61H (1) (b) of the principal Act (as substituted by section 3 (1) of the Social Security Amendment Act 1990) is hereby amended by omitting the words "and Twenty-fifth", and substituting the words "Twenty-fifth, and Twenty-sixth".

(3) This section and the Second Schedule to this Act shall come into force on the 1st day of December 1990.

## **SCHEDULES**

## FIRST SCHEDULE

Section 21

New Fourth Schedule to Principal Act (Effective on and after 1 October 1990) "FOURTH SCHEDULE

MAXIMUM RATES OF ORPHANS' BENEFITS AND UNSUPPORTED CHILDS'
BENEFITS

1. (a) In respect of a child aged 14 years or over \$81.13 a week.

(b) In respect of a child aged over 10 years and under 14 years \$74.37 a week.

(c) In respect of a child aged over 5 years and under \$67.61 a week. 10 years

(d) In respect of a child aged under 5 years \$54.09 a week.

2. The amount specified in clause 1 of this Schedule shall be diminished by \$1 for every complete \$1 of the annual income of the child (other than personal earnings of the child) in excess of 50 percent of the appropriate amount specified under that clause."

#### SECOND SCHEDULE

Section 23

NEW TWENTY-SIXTH SCHEDULE TO PRINCIPAL ACT
(Effective on and after 1 December 1990)
"TWENTY-SIXTH SCHEDULE

RATES OF INDEPENDENT YOUTH BENEFITS

1. To an unmarried beneficiary

\$114.86 a week, diminished by 30¢ for each complete \$1 of the total weekly income of the beneficiary in excess of \$50 a week but not in excess of \$80 a week, and by 70¢ for each complete \$1 of such income in excess of \$80 a week.

- 2. To a married beneficiary whose spouse is granted, in his or her own right, an independent youth benefit
- \$114.86 a week, diminished by 15¢ for every complete \$1 of the total weekly income of the beneficiary and his or her spouse in excess of \$50 but not in excess of \$80 a week, and by 35¢ for every complete \$1 of such income in excess of \$80 a week.
- 3. To any other married beneficiary

\$114.86 a week, diminished by 30¢ for every complete \$1 of the total weekly income of the beneficiary and his or her spouse in excess of \$50 a week but not in excess of \$80 a week, and by 70¢ for every complete \$1 of such income in excess of \$80 a week."

This Act is administered in the Department of Social Welfare.