

Injury Prevention, Rehabilitation, and Compensation Amendment Bill (No 4)

Government Bill

As reported from the committee of the whole House

This bill was formerly part of the Relationships (Statutory References) Bill, as reported from the Justice and Electoral Committee. The committee of the whole House has further amended the bill and has divided it into the following bills:

- The Relationships (Statutory References) Bill, comprising subpart 20 of Part 1, Part 2, and Schedules 13, 13A, 14, and 15
- The Administration Amendment Bill (No 2), comprising subpart 1 of Part 1
- The Care of Children Amendment Bill, comprising subpart 1A of Part 1 and Schedule 1AA
- The Child Support Amendment Bill (No 3), comprising subpart 2 of Part 1 and Schedule 1
- The Deaths by Accidents Compensation Amendment Bill, comprising subpart 3 of Part 1
- The Estate and Gift Duties Amendment Bill, comprising subpart 4 of Part 1 and Schedule 2
- The Goods and Services Tax Amendment Bill, comprising subpart 5 of Part 1 and Schedule 3
- The Government Superannuation Fund Amendment Bill (No 4), comprising subpart 6 of Part 1 and Schedule 3A
- The Income Tax Amendment Bill, comprising subpart 7 of Part 1 and Schedule 4

- The Injury Prevention, Rehabilitation, and Compensation Amendment Bill (No 4), comprising subpart 7A of Part 1 and Schedule 4A
 - The Interpretation Amendment Bill, comprising subpart 8 of Part 1
 - The Life Insurance Amendment Bill (No 2), comprising subpart 9 of Part 1
 - The Marriage Amendment Bill, comprising subpart 10 of Part 1
 - The Minors' Contracts Amendment Bill, comprising subpart 11 of Part 1
 - The New Zealand Superannuation Amendment Bill (No 2), comprising subpart 12 of Part 1 and Schedules 5 and 6
 - The Parental Leave and Employment Protection Amendment Bill (No 2), comprising subpart 12A of Part 1 and Schedule 6A
 - The Property (Relationships) Amendment Bill, comprising subpart 13 of Part 1 and Schedule 7
 - The Real Estate Agents Amendment Bill, comprising subpart 14 of Part 1
 - The Social Security Amendment Bill, comprising subpart 15 of Part 1 and Schedules 8, 9, and 9A
 - The Tax Administration Amendment Bill, comprising subpart 16 of Part 1 and Schedule 10
 - The Trustee Amendment Bill, comprising subpart 17 of Part 1
 - The War Pensions Amendment Bill (No 3), comprising subpart 8 of Part 1 and Schedules 11 and 12
 - The Wills Amendment Bill, comprising subpart 19 of Part 1.
-

Key to symbols used in reprinted bill

As reported from a select committee

New (majority)

Subject to this Act,

Text inserted by a majority

Hon David Benson-Pope

Injury Prevention, Rehabilitation, and Compensation Amendment Bill (No 4)

Government Bill

Contents

1	Title	37F	Schedule 1 amended
2	Commencement	37G	Amendments to principal Act in Schedule 4A
37B	Interpretation		
37C	Spouse (and spouse in relation to deceased claimant)		
37D	New section 18A inserted 18A Partner (and partner in relation to deceased claimant)		
37E	Compensation payable to surviving spouses under 1972 and 1982 Acts		

Schedule 4A
Amendments to Injury Prevention, Rehabilitation, and Compensation Act 2001

The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Injury Prevention, Rehabilitation, and Compensation Amendment Act (No 4) **2005**.
- (2) In this Act, the Injury Prevention, Rehabilitation, and Compensation Act 2001 is called “the principal Act”.

5

2 Commencement

This Act comes into force on **26 April 2005**.

New (majority)

37B Interpretation

Section 6(1) of the principal Act is amended by inserting, after the definition of **parental leave**, the following definition:

10

“**partner**, in the phrase ‘spouse or partner’ and in related contexts, has the meaning set out in **section 18A(1) to (3)**; and, in relation to a deceased claimant, has the meaning set out in **section 18A(4) to (6)**”.

15

New (majority)**37C Spouse (and spouse in relation to deceased claimant)**

(1) Section 18 of the principal Act is amended by repealing subsection (1), and substituting the following subsection:

“(1) **Spouse** means a person (**person A**) to whom the claimant is legally married.”

5

(2) Section 18 of the principal Act is amended by repealing subsection (4), and substituting the following subsection:

“(4) **Spouse**, in relation to a deceased claimant, means a person (**person B**) to whom the deceased claimant was legally married immediately before his or her death.”

10

37D New section 18A inserted

The principal Act is amended by inserting, after section 18, the following section:

“18A Partner (and partner in relation to deceased claimant)

“(1) **Partner** means a person (**person A**) with whom the claimant is in a civil union or a de facto relationship.

15

“(2) However, person A is not the partner of a claimant if—

“(a) person A and the claimant are living apart; and

“(b) the claimant is not contributing financially to person A’s welfare.

20

“(3) **Subsection (2)** does not apply if the circumstances set out in the subsection occurred principally because of the health, imprisonment, or employment obligations of either person A or the claimant.

“(4) **Partner**, in relation to a deceased claimant, means a person (**person B**)—

25

“(a) with whom the deceased claimant was in a civil union immediately before his or her death; or

“(b) with whom the deceased claimant was in a de facto relationship immediately before his or her death.

30

“(5) However, person B is not the partner of a deceased claimant if, at the time of the deceased claimant’s death,—

“(a) person B and the deceased claimant were living apart; and

**Injury Prevention, Rehabilitation, and
Compensation Amendment (No 4)**

New (majority)

- | | |
|--|----|
| “(b) the deceased claimant was not contributing financially to person B’s welfare. | |
| “(6) Subsection (5) does not apply if the circumstances set out in the subsection occurred principally because of the health, imprisonment, or employment obligations of either person B or the deceased claimant.” | 5 |
|
 | |
| 37E Compensation payable to surviving spouses under 1972 and 1982 Acts | |
| (1) The heading to section 384 of the principal Act is amended by inserting, after the word “ spouses ”, the words “ or de facto partners ”. | 10 |
| (2) Section 384(1) of the principal Act is amended by inserting, after the word “spouse”, the words “or de facto partner”. | |
|
 | |
| 37F Schedule 1 amended | |
| Clause 66(4) of Schedule 1 is amended by repealing paragraphs (a) and (b), and substituting the following: | 15 |
| “(a) because the spouse or partner marries, enters into a civil union, or enters into a de facto relationship; or”. | |
|
 | |
| 37G Amendments to principal Act in Schedule 4A | |
| (1) The provisions of the principal Act specified in Part 1 of Schedule 4A are amended by inserting, after the word “spouse” wherever it appears, the words “or partner”. | 20 |
| (2) The provisions of the principal Act specified in Part 2 of Schedule 4A are amended by inserting, after the word “spouses”, wherever it appears, the words “or partners”. | 25 |
| (3) The provisions of the principal Act specified in Part 3 of Schedule 4A are amended by inserting, after the word “spouse’s”, wherever it appears, the words “or partner’s”. | |

New (majority)

s 37G

Schedule 4A
Amendments to Injury Prevention, Rehabilitation,
and Compensation Act 2001

Part 1

Insertion of “or partner” after “spouse” 5

The definitions of **child**, **claimant**, **other dependant**, and **weekly compensation** in section 6(1).

Section 10(1) and the heading to section 10, and section 17(1)(b).

Sections 32(6), 69(1)(e), 208(2)(b), 252(5), 363(2).

Sections 382(2) and 383(1) and (3), and the heading to section 382. 10
Paragraphs (a) and (b) of the definition of **home** in clause 12 of Schedule 1.

Clause 65(1)(a) of Schedule 1.

Clauses 66 and 67 of Schedule 1, and the headings to those clauses.

Clauses 68, 69, 75(1) and (3), and the heading to clause 75, of 15
Schedule 1.

Part 2

Insertion of “or partners” after “spouses”

The headings to sections 382 and 383.

Part 3

Insertion of “or partner’s” after “spouse’s” 20

Section 66(4) and (5) and section 69(1) and (2).

The heading to clause 68 in Schedule 1.

Legislative history

10 March 2005

Divided from Relationships (Statutory References)
Bill (Bill 151–2) as Bill 151–31

