

New Zealand Superannuation Amendment Bill (No 2)

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
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Key to symbols used in reprinted bill

As reported from a select committee

Struck out (majority)

Subject to this Act,

Text struck out by a majority

New (majority)

Subject to this Act,

Text inserted by a majority

<Subject to this Act,>

Words struck out by a majority

<Subject to this Act,>

Words inserted by a majority

Hon David Benson-Pope

New Zealand Superannuation Amendment Bill (No 2)

Government Bill

Contents

1	Title	
2	Commencement	
56	Amendments to principal Act in Schedule 5	Schedule 5 Amendments to New Zealand Superannuation Act 2001 to come into force on 26 April 2005
57	Amendments to principal Act on 1 April 2007 in Schedule 6	Schedule 6 Amendments to New Zealand Superannuation Act 2001 to come into force on 1 April 2007

The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the New Zealand Superannuation Amendment Act (No 2) **2005**.
- (2) In this Act, the New Zealand Superannuation Act 2001 is called “the principal Act”.

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2 Commencement

- (1) Except as provided in **subsection (2)**, this Act comes into force on **26 April 2005**.
- (2) **Section 57** comes into force on **1 April 2007**.

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56 Amendments to principal Act in Schedule 5

The principal Act is amended in the manner set out in **Schedule 5**.

**57 Amendments to principal Act on 1 April 2007 in
Schedule 6**

The principal Act is amended in the manner set out in **Schedule 6**.

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Schedule 5

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**Amendments to New Zealand Superannuation Act
2001 to come into force on *<date to be appointed by
Governor-General by Order in Council>* **<26 April 2005>****

New (majority)

Section 10

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Insert in subsections (1) and (2), after the word “spouse” wherever it appears, the words “or partner”.

Section 12

Omit from subsection (2) the words “married person” and substitute the words “person who is married or in a civil union and”.

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New (majority)

Insert in subsection (2), after the word “spouse”, the words “or partner”.

Omit from subsection (3)(a) and (b) the word “married”.

New (majority)

Insert in subsection (3)(a) and (b), after the word “spouse”, the words “or partner”.

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Section 13(1)

Omit the word “unmarried”, and substitute the word “single”.

New (majority)

Section 14(2)

Insert, after the word “spouse”, the words “or partner”.

Section 16

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Omit the words “married couple” wherever they appear, and substitute in each case the words “couple who are married or in a civil union”.

Struck out (majority)**Section 17(2)**

Omit the word “unmarried” wherever it appears, and substitute in each case the word “single”.

New (majority)**Section 17**

Insert in the heading, after the word “spouses”, the words “or partners”. 5

Insert in subsections (1)(a) and (c), (2)(b)(ii), and (3), after the word “spouse”, the words “or partner”.

Omit from subsection (1)(b) the words “spouse’s financial means” and substitute the words “financial means of the spouse or partner”. 10

Omit from subsection (2) the word “unmarried” wherever it appears, and substitute in each case the word “single”.

Section 18

Insert in the heading, after the word “spouses”, the words “or partners”. 15

Section 19

Omit from subsection (2) the words “married person with no dependent children and an unmarried” and substitute the words “person who is married or in a civil union and who has no dependent children, and a single”. 20

Repeal subsection (7) and substitute:

“(7) If, after 13 weeks’ hospitalisation, the New Zealand superannuation of a person who is married or in a civil union is reduced under subsection (4) or subsection (5), and that person’s spouse <or partner> is either not in hospital or has been in hospital for less than 13 weeks, any New Zealand superannuation payable to or for the spouse <or partner> must be increased, on the same date as the effective date of that reduction, by an amount equal to the difference between— 25

“(a) the maximum rate of New Zealand superannuation payable to a single person; and 30

“(b) the maximum rate of New Zealand superannuation payable to a person who is married or in a civil union and

Section 19—continued

whose spouse <or partner> is receiving New Zealand superannuation.”

Omit from subsection (9) the words “an unmarried person or a married couple” and substitute the words “a single person or a couple who are married or in a civil union”.

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New (majority)

Section 20

Insert in subsection (1)(b) and (c), after the word “spouse”, the words “or partner”.

Insert in subsection (2), after the word “spouse’s”, the words “or partner’s”.

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Section 23

Insert, after the word “spouse”, the words “or partner”.

Section 26

Omit from subsection (2) the words “married person”, in the first place where they appear, and substitute the words “person who is married or in a civil union and”.

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New (majority)

Insert in subsection (2), after the word “spouse”, the words “or partner”.

Omit from subsection (2) the words “married person”, in the second place where they appear, and substitute the words “person who is married or in a civil union”.

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Section 32(2)(b)

Omit the words “married person” and substitute the words “person who is married or in a civil union”.

Schedule 1

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Omit from clause 1(a) and (b) the words “an unmarried” and substitute in each case the words “a single”.

Omit from clause 1(c) the words “married person” and substitute the words “person who is married or in a civil union”.

Schedule 1—continued

Omit from clause 2 the words “married person” in the first place where they appear and substitute the words “person who is married or in a civil union and”.

New (majority)

Insert in clause 2, after the word “spouse”, the words “or partner”.

Omit from clause 2(a) the words “married person” and substitute the words “person who is married or in a civil union and”. 5

Omit from clause 2(b) the words “married person” and substitute the words “person who is married or in a civil union”.

Omit from clause 3 the words “married person with no dependent children, or an unmarried” and substitute the words “person who is married or in a civil union and who has no dependent children, or a single”. 10

s 57

Schedule 6
Amendments to New Zealand Superannuation Act
2001 to come into force on 1 April 2007

Section 12(2)	
Insert, after the word “union”, the words “or in a de facto relationship”.	5
Section 16(a)	
Insert, after the word “union” wherever it appears, the words “or in a de facto relationship”.	
Section 19	10
Insert in subsection (2), after the word “union”, the words “or in a de facto relationship”.	
Insert in subsection (7), after the word “union” in both places where it appears, the words “or in a de facto relationship”.	
Insert in subsection (9), after the word “union”, the words “or in a de facto relationship”.	15
Section 26(2)	
Insert, after the word “union” in both places where it appears, the words “or in a de facto relationship”.	
Section 32(2)(b)	20
Insert, after the word “union”, the words “or in a de facto relationship”.	
Schedule 1	
Insert in clauses 1(c), 2, and 3, after the word “union” wherever it appears, the words “or in a de facto relationship”.	25

Legislative history

10 March 2005	Divided from Relationships (Statutory References) Bill (Bill 151-2) as Bill 151-3N
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