

Hon. Mr. Parry

SOCIAL SECURITY AMENDMENT

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A BILL INTITULED

Title.	AN ACT to amend the Social Security Act, 1938.	
	BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—	5
Short Title and commencement. 1938, No. 7	1. (1) This Act may be cited as the Social Security Amendment Act, 1945, and shall be read together with and deemed part of the Social Security Act, 1938 (hereinafter referred to as the principal Act). (2) This Act shall be deemed to have come into force on the first day of October, nineteen hundred and forty-five.	10
Minister of Social Security.	2. (1) The Governor-General may appoint a member of the Executive Council to hold office during his pleasure as the Minister of Social Security.	15
See Reprint of Statutes, Vol. I, p. 1028	(2) The Third Schedule to the Civil List Act, 1920, is hereby consequentially amended by adding to the list of Ministerial offices specified in Part I thereof a reference to the Minister of Social Security.	20
	(3) Section nine of the principal Act is hereby amended by omitting from subsection one the words "such Minister of the Crown as the Governor-General appoints in that behalf", and substituting the words "the Minister of Social Security (in this Part referred to as the Minister)".	25
Section 10 of principal Act amended.	3. Section ten of the principal Act is hereby amended as follows:— (a) By inserting in the definition of the term "beneficiary", after the word "benefit", the words "or in respect of whom a benefit has been granted"; (b) By omitting from paragraph (h) of the definition of the term "income" the words "awarded for gallantry".	30

Superannuation Benefits

4. (1) Section thirteen of the principal Act, as amended by section four of the Social Security Amendment Act, 1943, is hereby further amended by omitting 5 from subsection two the words "eighty-four pounds ten shillings", and substituting the words "one hundred and four pounds".

Increasing rate of superannuation benefits.
1943, No. 19

(2) Section four of the Social Security Amendment Act, 1943, is hereby repealed.

Repeal.

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Age-benefits

5. (1) Section sixteen of the principal Act, as amended by section five of the Social Security Amendment Act, 1943, is hereby further amended by omitting 15 from subsection one the words "eighty-four pounds ten shillings", and substituting the words "one hundred and four pounds".

Increasing rate of age-benefits.
1943, No. 19

(2) Section five of the Social Security Amendment Act, 1943, is hereby repealed.

Repeal.

6. (1) Section seventeen of the principal Act, as amended by section six of the Social Security Amendment Act, 1943, is hereby further amended as follows:—

Section 17 of principal Act amended.
1943, No. 19

(a) By omitting from paragraph (b) of subsection two the words "one hundred and thirty-six pounds ten shillings", and substituting the words "one hundred and fifty-six pounds":

(b) By omitting from the proviso to the same paragraph the words "twenty-seven pounds six shillings", and substituting the words "one hundred and four pounds":

(c) By omitting from the same proviso the words "two hundred and twenty-one pounds", and substituting the words "two hundred and sixty pounds":

(d) By inserting in paragraph (c) of subsection two, after the words "one pound", the words "from the amount payable in respect of the applicant, and also (where the applicant is a married man) by one pound from the amount payable in respect of his wife,".

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- Repeal. (2) Section six of the Social Security Amendment Act, 1943, is hereby repealed.
- Section 18 of principal Act repealed. 7. (1) Section eighteen of the principal Act is hereby repealed.
- (2) The following enactments are hereby con- 5
sequentially repealed, namely:—
- 1939, No. 31 (a) Section two of the Social Security Amendment Act, 1939:
- 1941, No. 4 (b) Section twenty of the Finance Act, 1941:
- 1943, No. 19 (c) Section seven of the Social Security Amendment Act, 1943. 10
- Section 19 of principal Act amended. 8. (1) Section nineteen of the principal Act, as amended by section eight of the Social Security Amendment Act, 1943, and by section five of the Finance Act (No. 3), 1944, is hereby further amended as follows:— 15
- 1943, No. 19 (a) By inserting, after the words “ being domiciled in New Zealand at the commencement of that war ”, the words “ or having been born in New Zealand ”:
- 1944, No. 31 (b) By omitting from the proviso the words “ one 20
hundred and thirty-six pounds ten shillings ”,
and substituting the words “ one hundred and fifty-six pounds ”.
- Repeal. (2) Paragraph (b) of section eight of the Social Security Amendment Act, 1943, is hereby repealed. 25

Widows' Benefits

- Section 22 of principal Act amended. 9. Section twenty-two of the principal Act is hereby amended as follows:—
- 1943, No. 19 (a) By omitting from paragraph (a) of subsection two (as substituted by section thirteen 30
of the Social Security Amendment Act, 1943)
the words “ (being the mother of one or more children under sixteen years of age) ”:
- (b) By omitting from paragraph (b) of subsection two the words “ (being the mother of 35
one or more children under sixteen years of age) ”:
- (c) By omitting from subsection seven the words
“ and that so much of the benefit as is payable
in respect of children will be properly used 40
for the benefit of those children ”.

10. (1) Section twenty-three of the principal Act, as amended by section twelve of the Social Security Amendment Act, 1943, is hereby further amended by repealing paragraphs (a) and (b), and substituting the following paragraphs:—

Increasing rates of widows' benefits. 1943, No. 19

5 “(a) Where the applicant has never had a child within the meaning of section twenty-two hereof, the rate of the benefit shall be seventy-eight pounds a year:

10 “(b) Where the applicant has or has had a child or children but has no child under sixteen years of age, the rate of the benefit shall be one hundred and four pounds a year:

15 “(c) Where the applicant has a child or children under sixteen years of age, the rate of the benefit shall be one hundred and four pounds a year, and a supplementary benefit at a rate not exceeding fifty-two pounds a year may be granted at the discretion of the Commission.”

20 (2) Section twelve of the Social Security Amendment Act, 1943, is hereby repealed. Repeal.

11. (1) The principal Act is hereby amended by repealing section twenty-four (as amended by section three of the Social Security Amendment Act, 1939), and substituting the following section:—

Repeal. 1939, No. 31

30 “24. (1) The rate of the benefit payable to any applicant to whom paragraph (a) or paragraph (c) of section twenty-three hereof applies shall be at the rate prescribed by that paragraph reduced by one pound for every complete pound of the income of the applicant in excess of seventy-eight pounds a year.

Deductions from rates of widows' benefits.

35 “(2) The rate of the benefit payable to any applicant to whom paragraph (b) of section twenty-three hereof applies shall be at the rate prescribed by that paragraph reduced by one pound for every complete pound of the income of the applicant in excess of fifty-two pounds a year.

40 “(3) The rate of the benefit payable to any applicant who has attained the age of sixty years and who has no child or children under sixteen years of age shall be also reduced by one pound for every complete ten pounds of the net capital value of the accumulated property of the applicant, computed as in the case of an application for an age-benefit.

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“(4) For the purposes of this section any income derived by the husband of an applicant to whom paragraph (b) of subsection two of section twenty-two hereof applies shall be taken into account as if it were income received by the applicant.”

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Repeal.
1939, No. 31

(2) Section three of the Social Security Amendment Act, 1939, is hereby repealed.

Family Benefits

Family benefit may be paid in addition to any other benefit.

12. Section sixty of the principal Act is hereby amended by adding the following proviso:—

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“ Provided that any person may be in receipt of not more than one other benefit at the same time as a family benefit.”

Repeal.
1941, No. 4
1944, No. 31

13. The principal Act is hereby amended by repealing section thirty (as amended by section twenty-one of the Finance Act, 1941, and by section six of the Finance Act (No. 3), 1944), and substituting the following section:—

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Rate of family benefit.

“ 30. The family benefit payable pursuant to this Part of this Act shall be computed at the rate of ten shillings a week in respect of each child of the applicant:—

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“ Provided that the following provisions shall apply until the thirty-first day of March, nineteen hundred and forty-six, on which date they shall expire, namely:—

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“(a) In no case shall the amount payable by way of a family benefit, together with the average weekly amount received by the applicant and his family from all sources (including the value of any benefits in kind and any other benefits under this Part of this Act received by them), exceed the sum of six pounds ten shillings a week increased by ten shillings a week for each child of the applicant:—

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5 “(b) For the purposes of this proviso the family of an applicant shall be deemed to include only the husband or wife of the applicant, as the case may be, and the children in respect of whom the benefit is payable:

10 “(c) In computing for the purposes of this proviso the income of any blind person who is in receipt of an invalid’s benefit no account shall be taken of his personal earnings (if any) up to one hundred and fifty-six pounds a year.”

14. Subsection two of section twenty-one of the Finance Act, 1941, and section six of the Finance Act (No. 3), 1944, are hereby repealed. Repeals.

15 15. Subject to the provisions of Part II of the principal Act (with the exception of paragraph (a) of the proviso to section thirty), where a sickness benefit or an unemployment benefit is payable for any period not later than the thirty-first day of March, nineteen Family benefits to be paid in addition to sickness and unemployment benefits.
20 hundred and forty-six, to a beneficiary who is the father or the mother of any child or children within the meaning of section twenty-eight of the principal Act, a family benefit in respect of the child or children shall be paid for the same period:

25 Provided that in no case shall the amount payable by way of family benefit for any week, together with the amount received by the applicant and his family in that week from all sources (including the value of any benefits in kind and any other benefits under
30 Part II of the principal Act received by them), exceed the sum of six pounds ten shillings increased by ten shillings for each child of the applicant.

Invalids’ Benefits

35 16. Section thirty-three of the principal Act is hereby amended by inserting in paragraph (a) of subsection three, after the words “special treatment”, the words “or, in the case of any applicant, by any period of absence for the purpose of serving in any capacity as a member of any of His Majesty’s Naval,
40 Military, or Air Forces or of serving in connection with any war as a member of any organization attached to any of those Forces”. Service overseas with His Majesty’s Forces not deemed to interrupt continuous residence in New Zealand.

Repeal.
1939, No. 31

1943, No. 19

Rates of
invalids'
benefits.

17. (1) The principal Act is hereby amended by repealing section thirty-four (as amended by section four of the Social Security Amendment Act, 1939, and by section seventeen of the Social Security Amendment Act, 1943), and substituting the following section:— 5

“34. (1) Subject to the provisions of this section, invalids' benefits granted under this Part of this Act shall be computed as follows:—

“(a) In the case of a married man the benefit shall be at the rate of one hundred and four pounds a year, increased by one hundred and four pounds a year in respect of his wife: 10

“(b) In the case of an unmarried applicant under twenty years of age, the benefit shall be at the rate of seventy-eight pounds a year: 15

“(c) In every other case the benefit shall be at the rate of one hundred and four pounds a year.

“(2) The rate of any benefit computed in accordance with the last preceding subsection shall be reduced in accordance with the following provisions, namely:— 20

“(a) In any case where the applicant is a married man, the rate so computed shall be reduced as follows:— 25

“(i) By one pound for every complete pound of the total income of the applicant and of his wife in excess of fifty-two pounds a year; and also

“(ii) By one pound from the amount payable in respect of the applicant, and also by one pound from the amount payable in respect of his wife, for every complete ten pounds of the net capital value of the accumulated property of the applicant and of his wife, computed as in the case of an application for an age-benefit: 30 35

“(b) In any case where the applicant is an unmarried man who has been married and has a child or children dependent on him, the rate so computed shall be reduced as follows:— 40

“(i) By one pound for every complete pound of the income of the applicant in excess of seventy-eight pounds a year; and also

5 “(ii) By one pound for every complete ten pounds of the net capital value of the accumulated property of the applicant, computed as in the case of an application for an age-benefit:

10 “(c) In any case where the applicant is a married woman, the rate so computed shall be reduced as follows:—

15 “(i) By one pound for every complete pound of the total income of the applicant and of her husband in excess of one hundred and fifty-six pounds a year; and also

20 “(ii) By one pound for every complete ten pounds of the net capital value of the accumulated property of the applicant and her husband, computed as in the case of an application for an age-benefit:

25 “Provided that where, by reason of the incapacity of the applicant, necessary domestic or nursing assistance is paid for, the Commission may in its discretion increase the rate of the benefit computed in accordance with this paragraph, but in any such case the rate of the benefit shall not exceed one hundred and four pounds a year and the total income of the applicant and her husband (including the benefit)

30 shall not exceed seven pounds a week:

35 “(d) In every other case the rate so computed shall be reduced as follows:—

“ (i) By one pound for every complete pound of the income of the applicant in excess of fifty-two pounds a year; and also

40 “ (ii) By one pound for every complete ten pounds of the net capital value of the accumulated property of the applicant, computed as in the case of an application for an age-benefit.

“(3) In computing for the purposes of this section the income of any blind person no account shall be taken of his personal earnings (if any) up to one hundred and fifty-six pounds a year.”

Repeals. (2) Section four of the Social Security Amendment Act, 1939, and section seventeen of the Social Security Amendment Act, 1943, are hereby repealed. 5

Section 35 of principal Act amended. 1943, No. 19 18. (1) Section thirty-five of the principal Act, as amended by section eighteen of the Social Security Amendment Act, 1943, is hereby further amended by omitting from the proviso the words “two hundred and forty pounds ten shillings”, and substituting the words “two hundred and sixty pounds”. 10

(2) Section eighteen of the Social Security Amendment Act, 1943, is hereby repealed. 15

Repeal. 19. Section thirty-six of the principal Act is hereby repealed.

Miners' Benefits

Repeal. 20. (1) The principal Act is hereby amended by repealing section forty-one (as amended by section six of the Social Security Amendment Act, 1939, and by section nineteen of the Social Security Amendment Act, 1943), and substituting the following section:— 20

Rates of miners' benefits. “41. Every miner's benefit payable pursuant to this Part of this Act shall be computed at the rate of one hundred and four pounds a year, increased in the case of an applicant who is married by one hundred and four pounds a year in respect of his wife.” 25

Repeals. (2) Section six of the Social Security Amendment Act, 1939, and section nineteen of the Social Security Amendment Act, 1943, are hereby repealed. 30

Section 44 of principal Act amended. 1943, No. 19 21. (1) Section forty-four of the principal Act, as amended by section twenty of the Social Security Amendment Act, 1943, is hereby further amended by omitting from subsection one the words “fifty-two pounds”, and substituting the words “seventy-eight pounds”. 35

Repeal. (2) Section twenty of the Social Security Amendment Act, 1943, is hereby repealed.

Sickness Benefits

22. (1) Section forty-six of the principal Act is hereby amended by repealing subsection two (as amended by section twenty-one of the Social Security Amendment Act, 1943), and substituting the following subsection:—

Increasing rates of sickness benefits. 1943, No. 19

“(2) Subject to the provisions of the last preceding subsection, the rates of sickness benefits shall be computed as follows:—

10 “(a) In the case of an applicant under twenty years of age without dependants, the benefit shall be at the rate of twenty shillings a week:

15 “(b) In every other case, the benefit shall be at the rate of forty shillings a week, increased (in the case of an applicant with a wife dependent on him) by forty shillings a week in respect of his wife:

20 “Provided that the rate of the benefit computed as aforesaid shall be reduced by one shilling for every complete shilling of the total income of the applicant and of his wife or her husband, as the case may be, in excess of twenty shillings a week or, in any case where the applicant or his wife or her husband, as the case may be, is in receipt of a sick-benefit from a friendly society or a like benefit from any other source, in excess of forty shillings a week.”

25 (2) Section forty-seven and subsection three of section forty-six of the principal Act, subsection one of section seven of the Social Security Amendment Act, 1939, and section twenty-one of the Social Security Amendment Act, 1943, are hereby repealed.

Repeals. 1939, No. 31 1943, No. 19

30 23. Section forty-nine of the principal Act is hereby amended by repealing subsection two, and substituting the following subsections:—

Period for which sickness benefit payable.

35 “(2) Subject to subsection one of this section, but notwithstanding the provisions of section sixty-seven hereof, a sickness benefit shall commence on such day as the Commission in its discretion determines, whether before or after the date on which application for the benefit is received by the Commission.

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“(3) Except as provided in the foregoing provisions of this section, a sickness benefit shall be payable so long as the incapacity lasts, unless the beneficiary becomes entitled to receive any other benefit (not being a family benefit) under this Part of this Act.” 5

Unemployment Benefits

Section 52 of principal Act amended. 1943, No. 19

24. (1) Section fifty-two of the principal Act, as amended by section twenty-two of the Social Security Amendment Act, 1943, is hereby further amended by 10 repealing paragraphs (a) and (b) of subsection one, and substituting the following paragraphs:—

“(a) In the case of an applicant under twenty years of age without dependants, the benefit shall be at the rate of twenty 15 shillings a week:

“(b) In every other case, the benefit shall be at the rate of forty shillings a week, increased (in the case of an applicant with a wife dependent on him) by forty shillings a 20 week in respect of his wife.”

Repeals.

(2) Subsection two of section fifty-two of the principal Act and section twenty-two of the Social Security Amendment Act, 1943, are hereby repealed.

Section 53 of principal Act amended.

25. Section fifty-three of the principal Act is hereby 25 amended as follows:—

(a) By omitting from subsection one the words “or any dependent child”:

(b) By repealing subsection two.

Period for which unemployment benefit payable.

26. (1) Section fifty-four of the principal Act is 30 hereby amended by inserting, after subsection one, the following subsection:—

“(1A) Subject to subsection one of this section, but notwithstanding the provisions of section sixty-seven hereof, an unemployment benefit shall commence on 35 such day as the Commission in its discretion determines, whether before or after the date on which application for the benefit is received by the Commission.”

(2) Section fifty-four of the principal Act is hereby 40 further amended by inserting in subsection three, after the words “some other benefit”, the words “(not being a family benefit)”.

Maori War Benefits

27. (1) Section fifty-seven of the principal Act, as amended by section twenty-three of the Social Security Amendment Act, 1943, is hereby further amended by
 5 omitting the words " eighty-four pounds ten shillings ", and substituting the words " one hundred and four pounds ".

Section 57 of principal Act amended. 1943, No. 19

(2) Section twenty-three of the Social Security Amendment Act, 1943, is hereby repealed.

Repeal.

10 *General*

28. Section sixty-two of the principal Act is hereby amended as follows:—

Section 62 of principal Act amended.

(a) By omitting from paragraph (a) the words " any part of a benefit ", and substituting
 15 the words " a family benefit ":

(b) By omitting from the same paragraph the words " such part ", and substituting the words " the benefit ":

(c) By omitting from paragraph (b) the words
 20 " or in respect of any child of the marriage ":

(d) By omitting from the same paragraph the words " or of any such child ".

29. Section sixty-nine of the principal Act is hereby amended by inserting in the proviso to subsection one,
 25 after the words " nothing herein shall be construed ", the words " to prevent the Commission, with the consent of the beneficiary, from paying the whole or any part of the benefit to the Commissioner of Taxes, or ".

Section 69 of principal Act amended.

30. Section seventy-three of the principal Act is hereby amended by repealing subsection two, and substituting the following subsection:—

Section 73 of principal Act amended.

35 " (2) Where any benefit under this Part of this Act is payable to a beneficiary to whom the last preceding subsection relates, the Commission, having regard to the circumstances of the case, may pay the whole or such part of the benefit as it thinks fit to the wife of the beneficiary or to any other proper person for the benefit of the wife or of any dependent child or children of the beneficiary."

Separated
husbands and
wives may be
regarded as
unmarried
persons.

Repeals.

31. (1) For the purpose of computing any benefit under Part II of the principal Act, an applicant who is living apart from his wife or her husband, as the case may be, may in the discretion of the Commission, be regarded as an unmarried person.

(2) Subsection three of section seventeen and subsection three of section twenty-one of the principal Act are hereby repealed.

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