

SOCIAL SECURITY AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Social Security Act 1964.

Clause 1 relates to the Short Title and date of commencement.

Except as otherwise provided the Bill will come into force on 9 February 1977.

Clause 2: Subclause (1) (a) amends the definition of the term "benefit" to include national superannuation.

Subclause (1) (b) amends the definition of the term "income" to make it clear that it means gross income and not income after tax.

Subclause (1) (c) also amends the definition of the term "income" to make it clear that it does not include any allowance or concession received under Part I of the principal Act.

Subclause (2) inserts a new definition of the term "married rate" in relation to national superannuation.

Subclause (3) inserts a new definition of the term "pay day" in relation to national superannuation.

Subclause (4) provides that *subclause (1) (b) and (c)* will come into force on the passing of the Bill.

Clause 3 amends section 12j of the principal Act, which relates to the right of appeal to the Social Security Appeal Authority.

The amendment is consequential to the repeal of section 124A of the principal Act by the Social Security Amendment Act 1975.

Clause 4: Subclause (1) repeals sections 13 to 18 and 20 of the principal Act and the First and Second Schedules to the principal Act, and substitutes new sections 13 to 19 which provide for national superannuation. (Section 19 of the principal Act has already been repealed.)

New section 13 provides for every person who has attained the age of 60 years to be entitled to receive national superannuation.

New section 14 sets out the residential qualification for national superannuation.

Subsection (1) requires applicants to have completed 7 years' residence in New Zealand in the 10 years immediately before application and to have completed a total of at least 10 years' residence in New Zealand since attaining the age of 16. There is provision in certain circumstances to reduce the requirement of 7 years residence in the 10 years before application.

Subsection (2) provides for absences from New Zealand, for specified reasons, to be regarded as residence in New Zealand in determining whether an applicant is residentially qualified for national superannuation.

The specified reasons are the same as those applying at present in respect of the age benefit and universal superannuation, except that absence of a blind person for the purpose of guide-dog training has been added.

Subsection (3) provides for the provision in subsection (2), to regard as residence in New Zealand absences spent in missionary work, to prevail notwithstanding any reciprocal agreement on benefits between the Government of New Zealand and the Government of any other country.

This repeats the existing provision.

Subsection (4) repeats the definition of the term "missionary work" for the purposes of the section.

New section 15: Subsection (1) provides for the rates of national superannuation to be fixed from time to time by Order in Council, being not less than—

- (a) In the case of a married couple both of whom are entitled to receive national superannuation, 70 percent of the average ordinary time weekly wage as disclosed by the latest half-yearly survey of salaries and wages conducted by the Department of Labour before the issue of the Order in Council:
- (b) In the case of an unmarried person, 60 percent of the married rate:
- (c) In the case of a married person whose spouse is not entitled to receive national superannuation—
 - (i) Fifty percent of the married rate, if the spouse of the applicant is, in his or her own right, in receipt of a benefit under this Part of this Act or of an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954:
 - (ii) Sixty percent of the married rate in any other case.

Subsection (2) provides for each spouse to receive 50 percent of the married rate where both of them are entitled to receive national superannuation.

Subsection (3) allows the operation of any Order in Council made under subsection (1) to be retrospective.

New section 16 makes special provision for married couples where one spouse is not entitled to national superannuation.

Subsection (1) provides that a married man whose wife is not entitled to national superannuation may, if he chooses, be paid the married rate subject to the same income test as is applied to income-tested social security benefits.

Subsection (2) provides that a married woman whose husband is not entitled to national superannuation may, if she chooses, be paid the married rate subject to the income test if the Commission is satisfied that—

- (a) The husband has been dependent on her income for not less than 12 months prior to the date of application for national superannuation; or
- (b) There is an adequate reason for her husband being dependent upon her income.

New section 17 sets out the periods for which national superannuation is payable.

Subsection (1) provides for national superannuation to be granted with effect from the pay day following the date the application is received or from the pay day following the date the applicant became entitled to national superannuation, whichever is the later.

Subsection (2) provides that notwithstanding the provisions of subsection (1), the right of a person to receive national superannuation from the pay day following the date he became entitled to it shall not be affected if he applies within 6 months of becoming so entitled.

Subsection (3) provides that if a person delays his application for national superannuation longer than 6 months after the date he became entitled to it, national superannuation shall commence on the pay day following the date 6 months prior to the date of application.

Subsection (4) provides for any grant of national superannuation to continue until such pay day as the Social Security Commission determines.

New section 18 provides for the termination of national superannuation on the death of the superannuitant and for lump sum payments to be made to dependants or to the superannuitant's estate.

Subsection (1) provides for national superannuation to cease from the pay day following the death of the superannuitant.

Subsection (2) provides that on the death of a national superannuitant who leaves a widow, widower, or dependent children, a lump sum may be paid equal to 13 weeks' payment of national superannuation at the rate payable in respect of the deceased at the date of death. On the death of a married person, the amount of the lump sum shall not exceed 13 weeks' national superannuation at half the married rate.

Subsection (3) provides that in any case where there is no surviving widow, widower, or dependent children a lump sum sufficient to meet the funeral expenses of the deceased and any outstanding debts may be granted.

Subsection (4) provides for any lump sum granted under the section to be paid to or for the benefit of the deceased's widow, widower, or dependent child or children, or to his or her estate.

New section 19 provides for national superannuitants who served in the New Zealand or Commonwealth Forces in the South African War, to receive an allowance of \$1 a week. This allowance is currently payable to eligible age beneficiaries, and the new section preserves their right to the allowance.

Subclause (2) provides for the married rate of national superannuation to be not less than 80 percent of the average ordinary time weekly wage on and after 31 August 1978.

Subclause (3) provides for consequential repeals.

Subclause (4) provides that any person who was in receipt of an age or superannuation benefit before the introduction of national superannuation shall be deemed to be residentially qualified to receive national superannuation.

Subclause (5) provides for the payment of age benefit and universal superannuation to those persons who qualified during the 6 months preceding the date of commencement of national superannuation, if they apply after that date. After that date they will receive national superannuation.

Subclause (6) provides for unmarried women between the ages of 55 and 60, who are receiving a special age benefit, to receive a domestic purposes benefit on the commencement of national superannuation.

Clause 5: Subclauses (1) to (3) amend section 27B of the principal Act to repeal the provisions under which a domestic purposes benefit may be paid to the wife or husband of a long term psychiatric patient. Under *clause 24* of the Bill the patient will be entitled to a benefit for the duration of the period of hospitalisation thereby removing the need for a domestic purposes benefit to be paid to the spouse.

Subclause (4) is a savings clause which provides the Commission with authority to continue to pay a domestic purposes benefit to the spouse of a psychiatric patient if the benefit is in force immediately before the commencement of the section.

Clause 6: Subclause (1) amends section 27H (2) of the principal Act to give the Commission authority to take into account any income of the husband in cases where a domestic purposes benefit is being paid to a woman alone under section 27c. This will have application where the benefit is being paid to the wife of a prisoner or long-term psychiatric patient.

Subclause (2) provides that if a domestic purposes benefit is continued under *subclause (4)* of *clause 5*, the Commission may continue to have regard to any income received by the husband while he is in a psychiatric hospital.

Clause 7 amends section 40 of the principal Act, which relates to the qualifications for an invalids benefit, by omitting a reference to the age benefit.

Clause 8 amends section 41 of the principal Act, which relates to the residential qualifications for invalids' benefits.

The amendment adds guide-dog training to the purposes in respect of which absence overseas of a blind person is to be disregarded.

Clause 9 amends section 58 of the principal Act, which relates to unemployment benefits, by omitting a reference to age benefit and substituting national superannuation.

Clause 10 amends section 59 of the principal Act to provide that an unemployed person may not receive any more by way of unemployment benefit than he was receiving by way of salary or wages before becoming eligible for the benefit.

Clause 11: Subclause (1) amends section 60 of the principal Act to provide for the withholding of unemployment benefit from a person out of work as the result of a strike either by himself or by fellow members of his union at the same place of employment.

Subclause (2) adds a new subsection (6) to section 60 to define the terms "strike" and "union".

Subclause (3) provides for a consequential repeal.

Clause 12 amends section 61A of the principal Act to provide for the additional benefit for dependent children to be paid to a married person in receipt of national superannuation whose income is less than \$4,580 a year.

Clause 13 amends section 61B of the principal Act to limit the benefit on death to the dependent widow, widower, or child of a person who dies before reaching the age of 60, instead of the age of 65 as at present.

Clause 14 amends section 61E of the principal Act, which relates to additional benefits, by omitting the references to age benefits and universal superannuation, and substituting national superannuation.

Clause 15 amends section 61G of the principal Act to make it clear that the power of the Social Security Commission to vary the rate of additional benefit includes the power to pay a lower rate as well as a higher rate.

Clause 16 amends section 66 (1) of the principal Act to omit a reference to age benefit and provide for persons receiving national superannuation subject to an income test to be eligible for the special income exemption of up to \$2 a week in respect of income received from a friendly or like society.

Clause 17 amends section 69A of the principal Act, which relates to telephone-rental concessions, to provide for national superannuitants to receive the concession subject to an income test.

The income limits are specified in a new Twentieth Schedule to the principal Act set out in the Second Schedule to this Bill.

In addition, *subclause (6)* adds a new subsection (4) to section 69A to provide that a telephone-rental concession shall not be granted in respect of any telephone rental period which expired before the date of application for the concession.

Clause 18 amends section 69B of the principal Act, which relates to television-licence-fee concessions, to provide for national superannuitants to receive the concession subject to an income test.

The income limits are specified in a new Twentieth Schedule to the principal Act set out in the Second Schedule to this Bill.

Clause 19 amends section 69C (1) (a) of the principal Act, relating to the disability allowance, to delete a reference to age benefit. Eligible national superannuitants will qualify for the disability allowance under section 69C (1) (e).

Clause 20 amends section 70 of the principal Act by omitting the references to superannuation allowances and annuities within the meaning of the New Zealand Superannuation Act 1974 (now repealed).

Clause 21 inserts a new section 71A in the principal Act to provide for the rate of a sickness, invalid's, widow's, orphan's, or related emergency benefit to be reduced by the total amount of any earnings related compensation the applicant is entitled to receive under the Accident Compensation Act 1972 in respect of the same circumstances as those which gave rise to the application for a benefit.

In addition, provision is made for earnings related compensation to be brought to charge as income in the assessment of any benefit.

Clause 22 amends section 72 of the principal Act by omitting the reference to a superannuation benefit, and substituting national superannuation.

Clause 23 amends section 73 (1) of the principal Act which provides the Social Security Commission with authority to refuse to grant a benefit, or grant it at a reduced rate, or cancel it, if the applicant has, in appropriate cases, failed to take action under the Family Protection Act 1955 or the Maori Affairs Act 1953 for a share in the estate of a relative. The amendment exempts national superannuation from this provision unless it is payable subject to an income test.

Clause 24 repeals section 75 of the principal Act and substitutes a new section to provide for the following reductions in the rates of benefits and national superannuation if the beneficiary or superannuitant is being maintained in a public general or psychiatric hospital:

- (a) One party of a married couple in hospital—the rate is not affected.
- (b) Both parties of a married couple in hospital—continued at the full rate for 13 weeks from the date of admission of the second party of the couple. After 13 weeks the rate will be determined by the Social Security Commission at a rate appropriate to meet the couple's commitments.
- (c) An unmarried person in hospital—continued at the full rate for 13 weeks. After 13 weeks the rate will be determined by the Social Security Commission at a rate appropriate to meet the patient's commitments.

Clause 25 amends section 76 (1) of the principal Act to provide the Social Security Commission with discretion to continue payment of national superannuation for a period not exceeding 4 weeks when a national superannuitant is detained in a penal institution.

Clause 26 repeals subsection (2) of section 78 of the principal Act, and substitutes a new subsection. Section 78 exempts a person in receipt of a benefit at the time of his departure from New Zealand from complying with the residential qualification for that benefit on his return if he was away for less than 5 years. The new subsection (2) provides for age and superannuation benefits to be deemed to be national superannuation for the purposes of the section in respect of a person who left New Zealand before the commencement of national superannuation.

Clause 27 amends section 80 (1) of the principal Act relating to the date of commencement of benefits and the periods for which they are payable. The amendment excludes national superannuation from the operation of the section. The date of commencement of individual grants of national superannuation is provided for under the new section 17 (see *clause 4*).

Clause 28 repeals subsections (1) and (2) of section 82 of the principal Act, and substitutes new subsections to provide authority for determining the amount of the instalments of each benefit and for assessing the weekly rate of each benefit.

Clause 29 amends section 85 of the principal Act, which relates to termination of a benefit on the death of a beneficiary. The amendment excludes national superannuation from the operation of the section. Termination of national superannuation is provided for under the new section 18 (see *clause 4*).

Clause 30 increases the rates of social security benefits on and after 14 January 1976.

The rates of superannuation, age, widows', invalids', miners', sickness, unemployment, domestic purposes, and related emergency benefits, are increased by \$2.45 a week in respect of unmarried persons and by \$2.03 a week in respect of married persons.

For any person receiving an age, widow's, invalid's, sickness, unemployment, domestic purposes, or related emergency benefit, the additional amount payable for the first dependent child is increased by \$1.61 a week.

The rate of orphan's benefit is increased by \$1.20 a week.

Clause 31 further increases the rates of social security benefits on and after 28 July 1976.

The rates of superannuation, age, widows', invalids', miners', sickness, unemployment, domestic purposes, and related emergency benefits, are increased by \$3.02 a week in respect of unmarried persons and by \$2.52 a week in respect of married persons.

The rate of sickness, invalids', domestic purposes, and related emergency benefits, payable to persons under 18 years of age is increased by \$2.30 a week.

The rate of unemployment benefit payable to persons under 20 years of age is increased by \$2.30 a week.

For any person receiving an age, widow's, invalid's, sickness, unemployment, domestic purposes, or related emergency benefit, the additional amount payable for the first dependent child is increased by \$2.02 a week.

The rate of orphan's benefit is increased by \$1.50 a week.

Clause 32 amends the Sixth, Tenth, and Seventeenth Schedules to the principal Act by omitting references to age and superannuation benefits and substituting national superannuation.

Clause 33 validates the special additional payments made to income-tested beneficiaries in December 1975.

Clause 34 amends section 124 of the principal Act to provide for the granting of special assistance to persons.

In addition the redundant subsection (3) is repealed.

Clause 35: Subclause (1) amends section 126 of the principal Act relating to the repair or replacement of artificial limbs, to provide for the change of name of the Rehabilitation League N.Z. (Incorporated).

Subclause (2) amends section 126 to take account of the repeal of the Workers Compensation Act 1956 and its replacement by the Accident Compensation Act 1972.

Hon. Mr Walker

SOCIAL SECURITY AMENDMENT

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A BILL INTITULED

An Act to amend the Social Security Act 1964

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

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1. Short Title and commencement—(1) This Act may be cited as the Social Security Amendment Act 1976, and shall be read together with and deemed part of the Social Security Act 1964* (hereinafter referred to as the principal Act).

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(2) Except as otherwise provided in this Act, this Act shall come into force on the 9th day of February 1977.

2. Interpretation—(1) Section 3 (1) of the principal Act is hereby amended—

(a) By inserting in the definition of the term “benefit”, after the words “monetary benefit”, the words “or national superannuation”;

(b) By inserting in the definition of the term “income”, after the words “derived or received”, the words “, before income tax,”;

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(c) By inserting in paragraph (b) of the definition of the term “income”, after the words “Any benefit”, the words “, allowance, or concession”;

(2) The said section 3 (1) is hereby further amended by inserting, after the definition of the term “income tax”, the following definition:

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“‘Married rate’, in relation to national superannuation, means the aggregate rate payable to a married couple both of whom are entitled to receive national superannuation:”.

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*1964, No. 136

Amendments: 1966, No. 85; 1967, No. 4; 1968, No. 44; 1969, No. 46; 1970, No. 9; 1970, No. 149; 1971, No. 8; 1971, No. 128; 1972, No. 133; 1973, No. 34; 1974, No. 46; 1975, No. 123

(3) The said section 3 (1) is hereby further amended by inserting, after the definition of the term "medical practitioner", the following definition:

5 "Pay day", in relation to national superannuation, means the date from time to time fixed by the Commission as the date on which an instalment of national superannuation falls due for payment:".

(4) Subsection (1) (b) and (c) of this section shall come into force on the passing of this Act.

10 **3. Right of appeal**—(1) Section 12J (1) of the principal Act (as inserted by section 4 (1) of the Social Security Amendment Act 1973) is hereby amended by repealing paragraph (b), and substituting the following paragraph:

"(b) Sections 124 (1) (d) and 125 of this Act:".

15 (2) This section shall come into force on the passing of this Act.

4. National superannuation—(1) The principal Act is hereby further amended by repealing sections 13 to 18 and 20, and the First and Second Schedules (as substituted
20 by section 31 (1) of this Act), and substituting the following heading and sections:

"National Superannuation

"13. **National superannuation**—Subject to the provisions of this Part of this Act, every person who has attained the
25 age of 60 years shall be entitled to receive national superannuation under this Part of this Act.

"14. **Residential qualification for national superannuation**—(1) No person shall be entitled to national superannuation unless he is ordinarily resident in New Zealand
30 on the date of his application for national superannuation and has resided in New Zealand for a period or periods aggregating not less than 7 years during the period of 10 years immediately preceding the date of such application, and his total period or periods of residence in New Zealand
35 since attaining the age of 16 years aggregate not less than 10 years:

"Provided that such period of 7 years shall be reduced by 1 year in respect of each 10 years of residence in New Zealand after the applicant attained the age of 16 years.

“(2) In determining for the purposes of subsection (1) of this section the period an applicant has been absent from New Zealand, no account shall be taken of—

- “(a) In the case of a totally blind person, any period of absence for the purpose of vocational or guide-dog training or of treatment in respect of his eyes: 5
- “(b) In the case of any applicant, any period of absence for the purpose of obtaining any special medical or surgical treatment or vocational training, if the Commission is satisfied that there were good and sufficient reasons for his leaving New Zealand to obtain that special treatment or training: 10
- “(c) In the case of a seaman, any period of absence while serving on board any ship registered or owned in New Zealand, and engaged in trading to and from New Zealand: 15
- “(d) In the case of any applicant, any period of absence while serving in any capacity as a member of any naval, military, or air force of any Commonwealth country or serving in connection with any war as a member of any organisation attached to any such force: 20
- “(e) In the case of any applicant, any period of absence while serving in any capacity as an accredited volunteer appointed by Volunteer Service Abroad Incorporated: 25
- “(f) In the case of any applicant, any period of absence while engaged in missionary work outside New Zealand as a member of, or on behalf of, any religious body, or, as the case may be, during any period that she was absent from New Zealand with her husband while he was engaged in such missionary work— 30
- if the Commission is satisfied— 35
- “(g) In each case referred to in paragraphs (a) to (e) of this subsection, that during the absence of the applicant he remained ordinarily resident in New Zealand:
- “(h) In the case referred to in paragraph (f) of this subsection, that the applicant was either born in New Zealand or was ordinarily resident in New Zealand immediately before leaving New Zealand to engage in such missionary work or, as the case may be, to accompany or join her husband. 45

“ (3) Unless otherwise expressly provided in the agreement, the provisions of subsection (2) (f) of this section shall not be deemed to be modified by the provisions of any agreement entered into by the Government of New Zealand
5 with the Government of any other country, whether before or after the commencement of this section, providing for reciprocity in social security benefits between their respective countries or the provisions of any Act giving effect to any such agreement.

10 “ (4) In this section ‘missionary work’ includes the advancement of religion or education and the maintenance, care, or relief of orphans, or the aged, infirm, sick, or needy.

“ 15. **Rates of national superannuation**—(1) Subject to the provisions of this Part of this Act, the Governor-General may
15 from time to time by Order in Council fix the rates of national superannuation payable, being not less than—

“ (a) In the case of a married couple both of whom are entitled to receive national superannuation, 70
20 percent of the average ordinary time weekly wage as disclosed by the latest half-yearly survey of salaries and wages conducted by the Department of Labour before the issue of the Order in Council:

“ (b) In the case of an unmarried person, 60 percent of the married rate:

25 “ (c) In the case of a married person whose spouse is not entitled to receive national superannuation—

“ (i) Fifty percent of the married rate, if the spouse of the applicant is, in his or her own right, in receipt of a benefit under this Part of this Act
30 or of an economic pension, war veteran’s allowance, or war service pension under the War Pensions Act 1954:

“ (ii) Sixty percent of the married rate in any other case.

35 “ (2) In the case of a married couple both of whom are entitled to receive national superannuation, each spouse shall be entitled to receive 50 percent of the married rate.

“ (3) Every Order in Council made under subsection (1) of this section shall come into force on a date specified in the
40 Order in Council, which may be a date before or after or the same as the date on which the Order in Council is made.

“16. Special provisions in respect of married couples where one spouse not entitled to national superannuation—(1) Notwithstanding anything in section 15 of this Act or in any Order in Council for the time being in force under that section, in the case of a married man entitled to receive national superannuation whose wife is not so entitled, national superannuation may, if the applicant so elects, be granted at the married rate: 5

“Provided that that rate shall be diminished by the equivalent of \$1 for every complete \$2 of the total annual income of the applicant and his wife in excess of \$884 a year but not in excess of \$1,300 a year and by \$3 for every complete \$4 of such income in excess of \$1,300 a year. 10

“(2) Notwithstanding anything in section 15 of this Act or in any Order in Council for the time being in force under that section, in the case of a married woman entitled to receive national superannuation whose husband is not so entitled, national superannuation may, if the applicant so elects, be granted at the married rate if the Commission is satisfied that— 15

“(a) The husband has been dependent on his wife’s income for a period of not less than 12 months immediately before the date of application for national superannuation; or 20

“(b) There is an adequate reason for the husband being dependent upon his wife’s income: 25

“Provided that that rate shall be diminished by the equivalent of \$1 for every complete \$2 of the total annual income of the applicant and her husband in excess of \$884 a year but not in excess of \$1,300 a year and by \$3 for every complete \$4 of such income in excess of \$1,300 a year. 30

“17. Commencement and payment of national superannuation—(1) In each case, national superannuation shall commence on the first pay day following the date on which the application for national superannuation is received, or on the first pay day following the date on which the applicant became entitled to receive national superannuation, whichever is the later: 35

“Provided that if the application is received on a pay day and the applicant is entitled to receive national superannuation on or before that date, national superannuation shall commence on that pay day. 40

“(2) Notwithstanding anything in subsection (1) of this section, the right of any person to receive national superannuation on and after the pay day following the date he became entitled to receive it, or on and after the pay day on
5 which he became so entitled, as the case may be, shall not be affected if the application is received by the Commission within 6 months after the date of such entitlement.

“(3) If an application for national superannuation is received by the Commission on a date which is more than
10 6 months after the date on which the applicant became entitled to receive it, national superannuation shall commence on the pay day following the date 6 months prior to the date of receipt of the application.

“(4) Subject to the limitations imposed by this Part of
15 this Act, every grant of national superannuation shall continue to be payable until such pay day as the Commission determines, and may from time to time be renewed.

“18. **Termination of national superannuation on death of recipient**—(1) On the death of a person in receipt of national
20 superannuation, that person’s entitlement to national superannuation shall cease on the day following the pay day immediately preceding the date of death:

“Provided that if a person dies on a pay day, the entitlement to national superannuation shall cease on the day
25 following that pay day.

“(2) Notwithstanding anything in subsection (1) of this section, if a person in receipt of national superannuation dies leaving a widow, a widower, or any dependent child or children, the Commission may, in its discretion, pay to the
30 widow or widower or any dependent child or children, as the case may be, a lump sum equal to 13 weeks’ payment of national superannuation at the net rate payable in respect of the deceased immediately before death:

“Provided that on the death of a married person, the
35 amount of any such lump sum shall not in any case exceed 13 weeks’ payment of national superannuation at half the net married rate.

“(3) In any case to which subsection (2) of this section does not apply, a lump sum, not exceeding the equivalent of
40 13 weeks’ payment at the net rate payable in respect of the deceased immediately before death, may be made in the discretion of the Commission to meet any outstanding and reasonable debts, including funeral expenses, which cannot be met from the estate of the deceased.

“(4) The amount of any national superannuation unpaid at the date of death of the superannuitant and any lump sum granted under subsection (2) or subsection (3) of this section shall, in the discretion of the Commission, be payable—

- “(a) To or for the benefit of the widow or widower, or any dependent child or children of the deceased; or
- “(b) To the estate of the deceased.

“19. **Special allowance for South African War veterans—**
In addition to any national superannuation computed in accordance with the provisions of this Part of this Act, there shall be payable a special allowance at the rate of \$52 a year to any national superannuitant who served in South Africa as a member of a New Zealand contingent in connection with the South African War, or who, being domiciled in New Zealand, served in South Africa in connection with that war as a member of any of Her Majesty’s Forces other than a New Zealand contingent.”

(2) On and after the 31st day of August 1978, the reference in section 15 (1) (a) of the principal Act (as substituted by subsection (1) of this section) to “70 percent” shall be read as a reference to “80 percent”.

(3) The following enactments are hereby consequentially repealed:

- (a) Section 4 of the Social Security Amendment Act 1969:
- (b) Sections 4, 5, and 7 of the Social Security Amendment Act 1972.

(4) Notwithstanding anything in section 14 of the principal Act (as substituted by subsection (1) of this section), any person who, immediately before the commencement of this section, was in receipt of a superannuation or age benefit under section 13 or section 16 of the principal Act, as the case may be, shall be deemed to be residentially qualified for national superannuation.

(5) Notwithstanding the repeal of sections 13 and 16 of the principal Act and of the First and Second Schedules to the principal Act by subsection (1) of this section, those sections and those Schedules shall continue in force and operate in respect of every person who became entitled to receive an age benefit or superannuation benefit, as the case may be, during the period of 6 months before the 9th day of February 1976 as if those sections and those Schedules had not been repealed:

Provided that no payments shall be made under this subsection to any person in respect of any period commencing on or after that date.

(6) Any unmarried female beneficiary who, immediately before the commencement of this section, was in receipt of an age benefit under the proviso to section 16 of the principal Act, shall be deemed to be eligible for a domestic purposes benefit under section 27c of the principal Act and shall be entitled to receive that benefit accordingly.

5. Domestic purposes benefit for solo parents—(1) Section 27B (1) (d) of the principal Act (as inserted by section 6 (1) of the Social Security Amendment Act 1973) is hereby repealed.

(2) Section 27B (1) (f) of the principal Act (as so inserted) is hereby amended by adding the words “(other than her admission to a hospital within the meaning of the Mental Health Act 1969)”.

(3) The said section 27B (as so inserted) is hereby further amended by repealing subsections (3), (5), and (6).

(4) Notwithstanding anything in this section, if, immediately before the commencement of this section—

(a) A woman was in receipt of a domestic purposes benefit under section 27B (1) (d) of the principal Act; or

(b) A man was in receipt of such a benefit under section 27B (1) (f) of the principal Act on the ground that his wife had been continuously in a hospital within the meaning of the Mental Health Act 1969—

the Commission may in its discretion continue to pay the benefit as if this section had not been enacted.

6. Rates of domestic purposes benefits—(1) Section 27H (2) of the principal Act (as so inserted) is hereby amended—

(a) By omitting the words “paragraph (d),”;

(b) By inserting, after the words “section 27B”, the words “, or section 27c,”.

(2) Notwithstanding the provisions of subsection (1) (a) of this section, if a domestic purposes benefit is continued in accordance with section 5 (4) of this Act, the provisions of section 27H (2) of the principal Act shall continue to apply as if that paragraph had not been enacted.

(3) Subsection (1) (b) of this section shall come into force on the passing of this Act.

7. Invalids' benefits—Section 40 of the principal Act (as substituted by section 10 of the Social Security Amendment Act 1972) is hereby amended by omitting the words “and who is not qualified to receive an age benefit”.

8. Residential qualifications for invalids' benefits—Section 41 (2) (a) of the principal Act is hereby amended by inserting, after the word “vocational”, the words “or guide-dog”.

9. Unemployment benefits—Section 58 (1) of the principal Act is hereby amended by omitting the words “an age benefit”, and substituting the words “national superannuation”.

10. Rates of unemployment benefits—(1) Section 59 of the principal Act is hereby amended by adding the following subsection:

“(3) In exercising its discretion to fix the rate of unemployment benefit payable under subsection (1) of this section, the Commission shall have regard to the amount by which the weekly earnings of the applicant have been reduced by reason of his unemployment, but in no case shall the rate fixed by the Commission exceed that amount.”

(2) This section shall come into force on the passing of this Act.

11. Period for which unemployment benefit payable—(1) Section 60 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsections:

“(3) The Commission may, in its discretion, postpone for such period, not exceeding 6 weeks, as it determines the commencement of an unemployment benefit, or, as the case may require, terminate any such benefit already granted, where the Commission is satisfied that—

“(a) The applicant has voluntarily become unemployed without a good and sufficient reason; or

“(b) The applicant has lost his employment by reason of any misconduct as a worker; or

“(c) The applicant or beneficiary has refused or failed, without a good and sufficient reason, to accept any offer of suitable employment; or

“(d) The applicant or beneficiary has failed to take reasonable steps to obtain suitable work; or

“(e) The applicant has lost his employment by reason of a strike either by himself or by fellow members of his union at the same place of employment.

5 “(3A) In the case of a postponement the Commission may require the applicant to lodge a further application on the expiry of the period of postponement.”

(2) The said section 60 is hereby further amended by adding the following subsection:

10 “(6) In this section—
“‘Strike’ shall have the meaning defined in section 123 of the Industrial Relations Act 1973:

15 “‘Union’ means an industrial union registered under the Industrial Relations Act 1973; and includes a group of employees with a common interest in respect of their employment.”

(3) Section 18 of the Social Security Amendment Act 1972 is hereby consequentially repealed.

(4) This section shall come into force on the passing of this Act.

20 **12. Additional benefit for dependent children—(1) Section 61A of the principal Act (as substituted by section 19 of the Social Security Amendment Act 1972) is hereby amended by repealing paragraph (a), and substituting the following paragraph:**

25 “(a) In receipt of—
“(i) A widow’s, domestic purposes, invalid’s, sickness, unemployment, or emergency benefit; or
“(ii) National superannuation and is married; and”.

30 (2) The said section 61A (as so substituted) is hereby further amended by adding the following proviso:

35 “Provided that an additional benefit shall not be granted under this section to a married person in receipt of national superannuation if the total annual income of the beneficiary and the spouse of the beneficiary, including national superannuation, is \$4,580 a year or more.”

(3) The principal Act is hereby further amended by repealing the Fourteenth Schedule (as substituted by section 31 (1) of this Act), and substituting the Fourteenth Schedule set out in the First Schedule to this Act.

(4) Section 8 (a) of the Social Security Amendment Act 1973 is hereby consequentially repealed.

13. Benefits on death for dependent widows, widowers, and children—Section 61D (1) of the principal Act (as inserted by section 7 (1) of the Social Security Amendment Act 1974) is hereby amended by omitting the words “65 years”, and substituting the words “60 years”.

5

14. Additional benefit—(1) Section 61E (a) of the principal Act (as inserted by section 10 (1) of the Social Security Amendment Act 1975) is hereby amended by omitting the words “An age,”, and substituting the word “A”.

(2) The said section 61E (as so inserted) is hereby further amended by inserting, after paragraph (a), the following paragraph:

“(aa) National superannuation; or”

(3) The said section 61E (as so inserted) is hereby further amended by repealing paragraph (e).

15

15. Commission may fix special entitlement—Section 61G of the principal Act (as so inserted) is hereby amended—

(a) By omitting the word “other”, and substituting the words, “higher or lower”;

(b) By omitting the words “who satisfies the Commission”, and substituting the words “if the Commission is satisfied”.

16. Exemption of income from friendly or like society—Section 66 (1) of the principal Act is hereby amended by omitting the words “an age benefit”, and substituting the words “national superannuation under section 16 of this Act”.

25

17. Telephone-rental concessions—(1) Section 69A (1) (a) of the principal Act (as inserted by section 11 (1) of the Social Security Amendment Act 1973) is hereby amended by omitting the word “age,”.

(2) The said section 69A (1) (as so inserted) is hereby further amended by inserting, after paragraph (a), the following paragraph:

30

“(aa) National superannuation, if the income of that person is less than the appropriate amount specified in the Twentieth Schedule to this Act; or”

(3) Section 69A (1) (c) of the principal Act (as so inserted) is hereby amended by inserting, after the words “paragraph (a)”, the words “or paragraph (ca)”.

35

(4) The said section 69A (1) (as so inserted) is hereby further amended by inserting, after paragraph (c), the following paragraph:

5 “(ca) An emergency benefit payable under section 61 of this Act, if that person is over the age of 60 years but is not entitled to receive national superannuation, and the benefit is, in the opinion of the Commission, likely to continue for a period of more than 26 weeks; or”.

10 (5) The said section 69A (1) (as so inserted) is hereby further amended by repealing paragraph (d), and substituting the following paragraph:

15 “(d) A war veteran’s allowance, war service pension, economic pension, or wife’s pension granted under the War Pensions Act 1954; or”.

(6) The said section 69A (as so inserted) is hereby further amended by adding the following subsection:

20 “(4) A telephone-rental concession shall not be granted under this section in respect of any telephone rental period, within the meaning of the Telephone Regulations 1976, applicable to the applicant’s telephone lease which expired before the date of receipt of the application for the concession.”

25 (7) The principal Act is hereby further amended by adding the Twentieth Schedule set out in the Second Schedule to this Act.

(8) Subsection (6) of this section shall come into force on the passing of this Act.

18. Television-licence-fee concessions—(1) Section 69B (1) (a) of the principal Act (as inserted by section 11 (1) of the Social Security Amendment Act 1975) is hereby amended by omitting the word “age”.

35 (2) The said section 69B (1) (as so inserted) is hereby further amended by inserting, after paragraph (a), the following paragraph:

“(aa) National superannuation, if the income of that person is less than the appropriate amount specified in the Twentieth Schedule to this Act; or”.

40 (3) Section 69B (1) (c) of the principal Act (as so inserted) is hereby amended by inserting, after the words “paragraph (a)”, the words “or paragraph (ca)”.

(4) The said section 69B (1) (as so inserted) is hereby further amended by inserting, after paragraph (c), the following paragraph:

“(ca) An emergency benefit payable under section 61 of this Act, if that person is over the age of 60 years but is not entitled to receive national superannuation, and the benefit is, in the opinion of the Commission, likely to continue for a period of more than 52 weeks; or” 5

(5) The said section 69B (1) (as so inserted) is hereby further amended by repealing paragraph (d), and substituting the following paragraph:

“(d) A war veteran’s allowance, war service pension, economic pension, or wife’s pension granted under the War Pensions Act 1954; or” 10

19. Disability allowance—Section 69c (1) (a) of the principal Act (as inserted by section 12 (1) of the Social Security Amendment Act 1975) is hereby amended by omitting the word “age,”. 15

20. Rate of benefits if overseas pension payable—(1) Section 70 (1) of the principal Act (as substituted by section 13 (1) of the Social Security Amendment Act 1975) is hereby amended— 20

(a) By repealing paragraph (a) of the proviso:

(b) By omitting from the proviso the words “a superannuation allowance, superannuation annuity,”.

(2) This section shall come into force on the passing of this Act. 25

21. Special provisions in respect of earnings related compensation—(1) The principal Act is hereby further amended by inserting, after section 71, the following section:

“71A. (1) For the purposes of this Part of this Act, if—

“(a) Any person qualified to receive a sickness, invalid’s, widow’s, orphan’s, or related emergency benefit payable under section 61 of this Act, is entitled to receive or receives, in respect of himself or his dependants, or if any of his dependants is entitled to receive or receives, earnings related compensation within the meaning of section 2 of the Accident Compensation Act 1972; and 35

“(b) The earnings related compensation, or any part of it, is, in the opinion of the Commission, payable in respect of the same circumstances as those which gave rise to the application for a sickness, invalid’s, widow’s, orphan’s, or related emergency benefit—
5 the rate of any such benefit that would otherwise be payable shall be reduced by the amount of earnings related compensation for the time being payable to that person.

“(2) If, in accordance with subsection (1) of this section,
10 the Commission is satisfied that the earnings related compensation is not payable in respect of the same circumstances as those which gave rise to the application for a sickness, invalid’s, widow’s, orphan’s, or related emergency benefit, the compensation payments shall be brought to charge as income
15 in the assessment of any such benefit.”

(2) This section shall come into force in respect of every application for a benefit received after the passing of this Act.

22. Limitation where applicant receiving another benefit or war pension—Section 72 (b) of the principal Act is hereby
20 amended by omitting from the first proviso the words “a superannuation benefit”, and substituting the words “national superannuation”.

23. Limitation where applicant entitled to claim under Family Protection Act 1955 or Maori Affairs Act 1953—
25 Section 73 (1) of the principal Act is hereby amended by omitting the words “a superannuation benefit, a miner’s benefit”, and substituting the words “national superannuation not subject to an income test, a miner’s benefit, a miner’s widow’s benefit”.

24. Beneficiaries in hospital—The principal Act is hereby
30 further amended by repealing section 75, and substituting the following section:

“75. (1) For the purposes of this section ‘hospital’ means a hospital maintained by a Hospital Board under the
35 Hospitals Act 1957; and includes a psychiatric hospital within the meaning of the Mental Health Act 1969.

“(2) Notwithstanding anything to the contrary in this Part of this Act, if a person in receipt of a benefit under this Part of this Act (other than family benefit), or who becomes
40 entitled to receive such a benefit, is a patient in a hospital, the following provisions shall apply:

- “(a) In the case of a married couple where one spouse is a patient in a hospital, the rate of benefit payable to the patient shall not be affected because of the beneficiary’s hospitalisation:
- “(b) In the case of a married couple both of whom are patients in a hospital, the rate of benefit shall not be affected by reason of the couple’s hospitalisation, if the period of the couple’s hospitalisation does not exceed 13 weeks from the date of admission to hospital of the spouse who was admitted after his wife or her husband, as the case may be. If such period exceeds 13 weeks, the rate of any benefit payable for the subsequent period of hospitalisation of the couple shall be determined in the discretion of the Commission at an amount appropriate to meet the couple’s continuing commitments having regard to their income, family responsibilities, and capacity to appreciate the payments:
- “(c) In the case of an unmarried person, the rate of benefit payable shall not be affected because of the beneficiary’s hospitalisation, if the period of hospitalisation does not exceed 13 weeks. If such period exceeds 13 weeks, the rate of any benefit payable for the subsequent period of hospitalisation shall be determined in the discretion of the Commission at an amount appropriate to meet the beneficiary’s continuing commitments having regard to his income, family responsibilities, and capacity to appreciate the payments.”

25. Forfeiture of instalments of benefit during detention in penal institution—Section 76 (1) of the principal Act is hereby amended by adding the following proviso:

“Provided that if a person in receipt of national superannuation is detained in such a penal institution pursuant to a sentence of imprisonment or preventive detention, the Commission may in its discretion continue payment of national superannuation for two pay days after the date of such imprisonment or detention.”

26. Effect of absence of beneficiary from New Zealand on residential qualification—Section 78 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) If, before the commencement of this subsection, a person left New Zealand while in receipt of an age benefit or a superannuation benefit, such benefit shall, for the purposes of this section, be deemed to be national superannuation.”

5 **27. Periods for which benefits payable**—Section 80 (4) of the principal Act (as substituted by section 26 (1) of the Social Security Amendment Act 1972) is hereby amended—

- 10 (a) By omitting the words “superannuation benefit, family benefit,”, and substituting the words “family benefit”:
15 (b) By inserting, after the words “Every other benefit”, the words “, other than national superannuation,”.

15 **28. Payment of benefits**—(1) Section 82 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

“ (1) Every benefit shall be payable by instalments of such number of weeks’ benefit as the Commission determines from time to time.

20 “(2) The amount of a weekly instalment of a benefit that is payable at an annual rate shall be ascertained by dividing the annual rate by 52.”

(2) Section 14 of the Social Security Amendment Act 1975 is hereby consequentially repealed.

25 (3) This section shall come into force on the passing of this Act.

29. Termination of benefit on death of beneficiary—

(1) Section 85 (1) of the principal Act is hereby amended—

- 30 (a) By inserting, after the words “On the death of any beneficiary”, the words “, other than a person in receipt of national superannuation,”;
35 (b) By inserting in paragraph (a), after the words “unemployment benefit”, the words “or a related emergency benefit”;
40 (c) By repealing paragraph (b).

(2) Section 85 (2) of the principal Act (as substituted by section 27 (1) of the Social Security Amendment Act 1972) is hereby amended—

- (a) By omitting the words “an age,”, and substituting the word “a”:
40 (b) By inserting, after the words “any of those benefits”, the words “or was granted because of age”:

(c) By omitting the word “children” where it thirdly occurs, and substituting the words “children, if that additional benefit is not payable to the surviving widow or widower”.

(3) Section 85 (4) of the principal Act (as substituted by section 27 (2) of the Social Security Amendment Act 1972) is hereby amended by inserting in the definition of the term “benefit”, after the words “does not include”, the words “national superannuation or”.

30. Increasing rates of benefits in respect of period 14 January 1976 to 27 July 1976— (1) In respect of the period commencing on the 14th day of January 1976 and ending with the 27th day of July 1976, the principal Act shall have effect as if each provision of that Act specified in the first column of the Third Schedule to this Act had been amended by omitting every expression set out in the second column of that Schedule opposite the reference to that provision, wherever that expression occurs, and substituting in each case the expression set out opposite to it in the third column of that Schedule.

(2) This section and the Third Schedule to this Act shall be deemed to have come into force on the 14th day of January 1976.

31. Increasing rates of benefits on and after 28 July 1976—

(1) The principal Act is hereby further amended by repealing the First to Tenth, Twelfth, and Fourteenth to Seventeenth Schedules (as substituted by section 17 (1) of the Social Security Amendment Act 1975), the Eighteenth Schedule (as added by section 10 (2), of the Social Security Amendment Act 1975), and the Nineteenth Schedule (as added by section 12 (2) of the Social Security Amendment Act 1975), and substituting the First to Tenth, Twelfth, and Fourteenth to Nineteenth Schedules set out in the Fourth Schedule to this Act.

(2) The following enactments are hereby consequentially repealed:

(a) Sections 9 and 10 of, and the First and Second Schedules to, the Social Security Amendment Act 1974:

(b) Sections 10 (2), 12 (2), 16, and 17 of, and the First to Fourth Schedules to, the Social Security Amendment Act 1975.

(3) This section and the Fourth Schedule to this Act shall be deemed to have come into force on the 28th day of July 1976.

32. Amendments to Schedules consequential to national superannuation—The principal Act is hereby further amended—

- 5 (a) By omitting from clause 1 (c) of the Sixth Schedule (as substituted by section 31 (1) of this Act) the words “a superannuation benefit”, and substituting the words “national superannuation”:
- 10 (b) By omitting from clause 1 (e) of the said Sixth Schedule the words “superannuation benefit” in both places where they occur, and substituting in each case the words “national superannuation”:
- 15 (c) By omitting from the proviso to the said clause 1 (e) the words “a superannuation benefit”, and substituting the words “national superannuation”:
- (d) By omitting from the heading to the Tenth Schedule (as so substituted) the word “AGE”, and substituting the words “NATIONAL SUPERANNUATION AND”:
- 20 (e) By omitting from clause 3 of the Seventeenth Schedule (as so substituted) the words “a superannuation benefit”, and substituting the words “national superannuation”:
- 25 (f) By omitting from clause 4 of the said Seventeenth Schedule the words “superannuation benefit” in both places where they occur, and substituting in each case the words “national superannuation”.

33. Authority to increase rates of benefits—(1) Notwithstanding anything to the contrary in the principal Act, the Commission may, in accordance with any general or special instructions given by the Minister, in respect of the period
30 commencing on the 1st day of December 1975 and ending with the 31st day of December 1975, increase the rate of any benefit under the principal Act by an amount not exceeding the rate of that benefit payable in respect of any one week in that period.

35 (2) This section shall be deemed to have come into force on the 1st day of December 1975.

34. Money payable out of Consolidated Revenue Account—
40 (1) Section 124 (1) (d) of the principal Act is hereby amended by inserting, after the words “for the purpose of”, the words “granting special assistance under”.

(2) Section 124 (2) (a) of the principal Act is hereby amended by omitting the word "supplementary", and substituting the word "special".

(3) Section 124 (3) of the principal Act (as added by section 8 of the Social Security Amendment Act 1968) is hereby repealed. 5

(4) Part III of the Social Security Amendment Act 1968 is hereby consequentially repealed.

(5) This section shall come into force on the passing of this Act. 10

35. Cost of repair and replacement of artificial limbs—

(1) Section 126 of the principal Act (as amended by section 2 of the Social Security Amendment Act (No. 2) 1971) is hereby further amended by omitting the words "Disabled Re-establishment League Incorporated", and substituting the words "Rehabilitation League N.Z. (Incorporated)". 15

(2) The said section 126 is hereby further amended by omitting the words "section 23A of the Workers' Compensation Act 1956 (as inserted by section 2 of the Workers' Compensation Amendment Act 1963)", and substituting the words "section 110 of the Accident Compensation Act 1972". 20

(3) The Social Security Amendment Act (No. 2) 1971 is hereby consequentially repealed.

(4) This section shall come into force on the passing of this Act. 25

SCHEDULES

Section 12 (3)

FIRST SCHEDULE

NEW FOURTEENTH SCHEDULE TO PRINCIPAL ACT

“FOURTEENTH SCHEDULE Section 61A

ADDITIONAL AMOUNTS FOR DEPENDENT CHILDREN

1. To any person receiving an emergency benefit payable otherwise than by weekly instalments, or a widow's, domestic purposes, or invalid's benefit—
 - (a) At the rate payable to an unmarried beneficiary—
 - (i) On account of first or only dependent child \$1,099.28 a year.
 - (ii) On account of second dependent child \$156 a year.
 - (iii) On account of each additional dependent child after the second \$65 a year.
 - (b) At the rate payable to a married beneficiary—
 - (i) On account of first or only dependent child \$156 a year.
 - (ii) On account of each additional dependent child after the first \$65 a year.
2. To any person receiving an emergency benefit payable by weekly instalments, or a sickness or unemployment benefit—
 - (a) At the rate payable to an unmarried beneficiary—
 - (i) On account of first or only dependent child \$21.14 a week.

"FOURTEENTH SCHEDULE—*continued*

- (ii) On account of second dependent child \$3 a week.
 - (iii) On account of each additional dependent child after the second \$1.25 a week.
 - (b) At the rate payable to a married beneficiary—
 - (i) On account of first or only dependent child \$3 a week.
 - (ii) On account of each additional dependent child after the first \$1.25 a week.
 - 3. To a married person receiving national superannuation and who qualifies for an additional amount for dependent children under section 61A of this Act—
 - (i) On account of first or only dependent child \$156 a year.
 - (ii) On account of each additional dependent child after the first \$65 a year."
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SECOND SCHEDULE

Section 17 (7)

NEW TWENTIETH SCHEDULE TO PRINCIPAL ACT

"TWENTIETH SCHEDULE

Sections 69A and 69B

TELEPHONE-RENTAL AND TELEVISION-LICENCE-FEE CONCESSIONS (LIMITS OF INCOME FOR PERSONS IN RECEIPT OF NATIONAL SUPERANNUATION)

Persons in receipt of national superannuation shall not be eligible for a telephone-rental concession or a television-licence-fee concession unless their income, including national superannuation, is less than—

- (a) For an unmarried person without a dependent child or children \$3,156 a year.
- (b) For an unmarried person with—
 - (i) One dependent child \$4,372 a year.
 - (ii) Two dependent children \$4,580 a year.
 - (iii) Three dependent children \$4,664 a year, increased by \$88 a year for each dependent child after the third.
- (c) For a married couple, both or either of whom are or is in receipt of national superannuation, without a dependent child or children \$4,580 a year.
- (d) For a married couple both or either of whom are or is in receipt of national superannuation, with—
 - (i) One dependent child \$4,788 a year.
 - (ii) Two dependent children \$4,872 a year.
 - (iii) Three dependent children \$4,960 a year, increased by \$88 a year for each dependent child after the third."

Section 30 (1)

THIRD SCHEDULE

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF BENEFITS IN
RESPECT OF PERIOD 14 JANUARY 1976 TO 27 JULY 1976

Provisions Amended	Expressions Omitted	Expressions Substituted
First Schedule—		
Clause 1	\$1,599	\$1,726.40
Clause 2	\$1,332.76	\$1,438.32
Second Schedule—		
Clause 1 (a)	\$1,599	\$1,726.40
Clause 1 (b)	\$1,332.76	\$1,438.32
Clause 1 (c)	\$1,332.76	\$1,438.32
Clause 1 (d)	\$1,332.76	\$1,438.32
	\$2,216.76	\$2,322.32
	\$2,632.76	\$2,738.32
Third Schedule—		
Clause 1	\$1,599	\$1,726.40
Clause 2	\$1,599	\$1,726.40
Fourth Schedule		
	\$803.40	\$865.80
Sixth Schedule—		
Clause 1 (a)	\$1,222	\$1,318.20
Clause 1 (b)	\$1,599	\$1,726.40
Clause 1 (c)	\$1,332.76	\$1,438.32
Clause 1 (d)	\$1,332.76	\$1,438.32
Clause 1 (e)	\$1,332.76	\$1,438.32
	\$2,216.76	\$2,322.32
	\$2,632.76	\$2,738.32
Clause 2	\$2,528.76	\$2,634.32
	\$266.24	\$288.08
Seventh Schedule—		
Clause 1 (a)	\$1,332.76	\$1,438.32
Clause 1 (b)	\$1,599	\$1,726.40
Clause 2	\$1,515.80	\$1,643.20
Eighth Schedule—		
Clause 1 (a)	\$23.50	\$25.35
Clause 1 (b)	\$30.75	\$33.20
Clause 1 (c)	\$25.63	\$27.66
Clause 1 (d)	\$25.63	\$27.66
	\$42.63	\$44.66
	\$50.63	\$52.66
Clause 1 (e)	\$25.63	\$27.66
Clause 2	\$20.51	\$22.12
Ninth Schedule—		
Clause 1 (a)	\$23.50	\$25.35
Clause 1 (b)	\$30.75	\$33.20
Clause 1 (c)	\$25.63	\$27.66
Clause 1 (d)	\$25.63	\$27.66
Clause 2	\$20.51	\$22.12

THIRD SCHEDULE—*continued*AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF BENEFITS IN
RESPECT OF PERIOD 14 JANUARY 1976 TO 27 JULY 1976—*continued*

Provisions Amended	Expressions Omitted	Expressions Substituted
Fourteenth Schedule—		
Clause 1 (a) (i)	\$910.52	\$994.24
Clause 2 (a) (i)	\$17.51	\$19.12
Sixteenth Schedule—		
Clause 1	\$1,222	\$1,318.20
Clause 2	\$1,599	\$1,726.40
Clause 3	\$1,599	\$1,726.40
Seventeenth Schedule—		
Clause 1	\$1,222	\$1,318.20
Clause 2	\$1,599	\$1,726.40
Clause 3	\$1,332.76	\$1,438.32
Clause 4	\$1,332.76	\$1,438.32
	\$2,216.76	\$2,322.32
	\$2,632.76	\$2,738.32

Section 31 (1)

FOURTH SCHEDULE

NEW FIRST TO TENTH, TWELFTH, AND FOURTEENTH TO
NINETEENTH SCHEDULES TO PRINCIPAL ACT

(Effective on and after 28 July 1976)

Section 15

"FIRST SCHEDULE

RATES OF SUPERANNUATION BENEFITS

1. To any unmarried beneficiary \$1,883.44 a year.
2. To any married beneficiary \$1,569.36 a year.

Sections 18, 20

"SECOND SCHEDULE

RATES OF AGE BENEFITS

1. (a) To any unmarried beneficiary \$1,883.44 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of his or her total annual income in excess of \$1,300 a year.
- (b) To a married beneficiary whose wife or husband is granted, in her or his own right, a benefit (other than a superannuation benefit) under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$1,569.36 a year, diminished by 50c for every complete \$2 of the total annual income of the beneficiary and his or her spouse in excess of \$884 a year but not in excess of \$1,300 a year, and by \$1.50 for every complete \$4 of such income in excess of \$1,300 a year.
- (c) To a married male beneficiary whose wife is not granted, in her own right, a benefit under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$1,569.36 a year, increased by \$1,569.36 a year in respect of his wife, the total rate to be diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and his wife in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of such income in excess of \$1,300 a year.

"SECOND SCHEDULE—continued

- (d) To any other married beneficiary \$1,569.36 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and the spouse of the beneficiary, including the amount of any superannuation benefit under Part I of this Act granted to the spouse of the beneficiary, in excess of \$2,453.36 a year but not in excess of \$2,869.36 a year, and by \$3 for every complete \$4 of such income, including superannuation benefit, in excess of \$2,869.36 a year:

Provided that, if the spouse of the beneficiary is not in receipt of a superannuation benefit under Part I of this Act, the rate of the age benefit payable to the beneficiary shall not be less than the aggregate of the rates of age benefits that would be payable if the beneficiary and the spouse of the beneficiary were both entitled to receive an age benefit, but the rate of benefit payable hereunder shall not exceed \$1,569.36 a year:

Provided that, if the beneficiary has the care of a dependent child or children, the rate of benefit specified in this Schedule may, in the discretion of the Commission, be increased by an amount not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act:

Provided also that, in computing for the purposes of this clause the income of any totally blind person, the Commission shall take no account of the personal earnings of that person:

Provided further that, in any case where a beneficiary is totally blind, the rate of the age benefit, together with any benefits and allowances payable to or in respect of the wife or husband of the beneficiary, shall not be less than the aggregate rate of the benefits and allowances that would have been payable to or in respect of the beneficiary and his or her spouse if the beneficiary had been eligible for an invalid's benefit.

2. Additional age benefit for \$52 a year.

South African War veterans, in every case

Sections 21, 24

“THIRD SCHEDULE**RATES OF WIDOWS’ BENEFITS**

1. To a beneficiary without dependent children \$1,883.44 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of her total annual income in excess of \$1,300 a year.
2. To a beneficiary with 1 or more dependent children \$1,883.44 a year, increased, in the discretion of the Commission, by an amount not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act, and diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$1,092 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of her total annual income in excess of \$1,300 a year.

Section 29

“FOURTH SCHEDULE**MAXIMUM RATES OF ORPHANS’ BENEFITS**

- In every case \$943.80 a year, diminished by \$3 for every complete \$4 of the total annual income of the orphan in excess of \$260 a year.

Section 34

“FIFTH SCHEDULE**RATES OF FAMILY BENEFITS**

- In respect of each child \$3 a week.

Sections 42, 43

“SIXTH SCHEDULE**RATES OF INVALIDS’ BENEFITS**

1. (a) To an unmarried beneficiary under the age of 18 years \$1,437.80 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of the total annual income of the beneficiary in excess of \$1,300 a year.

"SIXTH SCHEDULE—continued

- (b) To any other unmarried beneficiary \$1,883.44 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of the total annual income of the beneficiary in excess of \$1,300 a year.
- (c) To a married beneficiary whose wife or husband is granted, in her or his own right, a benefit (other than a superannuation benefit) under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$1,569.36 a year, diminished by 50¢ for every complete \$2 of the total annual income of the beneficiary and his or her spouse in excess of \$884 a year but not in excess of \$1,300 a year, and by \$1.50 for every complete \$4 of such income in excess of \$1,300 a year.
- (d) To a married male beneficiary whose wife is not granted, in her own right, a benefit under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$1,569.36 a year, increased by \$1,569.36 a year in respect of his wife, the total rate to be diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and his wife in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of such income in excess of \$1,300 a year.
- (e) To any other married beneficiary \$1,569.36 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and the spouse of the beneficiary, including the amount of any superannuation benefit under Part I of this Act granted to the spouse of the beneficiary, in excess of \$2,453.36 a year but not in excess of \$2,869.36 a year, and by \$3 for every complete \$4 of such income, including superannuation benefit, in excess of \$2,869.36 a year:

"SIXTH SCHEDULE—continued

Provided that, if the spouse of the beneficiary is not in receipt of a superannuation benefit under Part I of this Act, the rate of the invalid's benefit payable to the beneficiary shall not be less than the aggregate of the rates of invalid's benefits that would be payable if the beneficiary and the spouse of the beneficiary were both entitled to receive an invalid's benefit, but the rate of benefit payable hereunder shall not exceed \$1,569.36 a year:

Provided that, if the beneficiary has the care of a dependent child or children, the rate of benefit specified in this Schedule may, in the discretion of the Commission, be increased by an amount not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act:

Provided also that, in computing for the purposes of this clause the income of any totally blind person, the Commission shall take no account of the personal earnings of that person:

Provided further that the rates specified in paragraphs (a) and (b) of this clause shall be reduced by the amount of any family benefit payable under Part I of this Act in respect of the beneficiary.

- | | |
|---|--|
| 2. Maximum amount from all sources where subsidy paid on earnings of blind invalid, in every case | \$2,765.36 a year, increased by \$314.08 a year if the beneficiary is an unmarried person. |
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Sections 49, 53

"SEVENTH SCHEDULE

RATES OF MINERS' BENEFITS AND MINERS' WIDOWS' BENEFITS

- | | |
|---------------------------|---|
| 1. (a) To a married miner | \$1,569.36 a year, increased by \$1,569.36 a year in respect of his wife. |
| (b) In any other case | \$1,883.44 a year. |
| 2. To a miner's widow | \$1,800.24 a year. |

Sections 54A (3), 55

"EIGHTH SCHEDULE

RATES OF SICKNESS BENEFITS

- | | |
|---|---|
| 1. (a) To an unmarried beneficiary under the age of 18 years without dependants | \$27.65 a week, diminished by 10c for every complete 20c of the total weekly income of the beneficiary in excess of \$17 a week but not in excess of \$25 a week, and by 15c for every complete 20c of the total weekly income of the beneficiary in excess of \$25 a week. |
|---|---|

“EIGHTH SCHEDULE—*continued*

- (b) To any other unmarried beneficiary \$36.22 a week, diminished by 10c for every complete 20c of the total weekly income of the beneficiary in excess of \$17 a week but not in excess of \$25 a week, and by 15c for every complete 20c of the total weekly income of the beneficiary in excess of \$25 a week.
- (c) To a married male beneficiary \$30.18 a week, increased by \$30.18 a week in respect of his wife, the total rate to be diminished by 10c for every complete 20c of the total weekly income of the beneficiary and his wife in excess of \$17 a week but not in excess of \$25 a week, and by 15c for every complete 20c of such income in excess of \$25 a week.
- (d) To a married female beneficiary \$30.18 a week, diminished by 10c for every complete 20c of the total weekly income of the beneficiary and her husband (including the amount of any benefit under Part I of this Act received by the husband) in excess of \$47.18 a week but not in excess of \$55.18 a week, and by 15c for every complete 20c of such income in excess of \$55.18 a week:
 Provided that, if the husband of the beneficiary is not in receipt of a benefit under Part I of this Act, the rate of sickness benefit payable to the beneficiary shall not be less than the rate of sickness benefit that would be payable to a married male beneficiary under paragraph (c) of this clause, but the rate of benefit payable hereunder shall not exceed \$30.18 a week.
- (e) To a married person under section 54A \$30.18 a week, diminished by 10c for every complete 20c of the total weekly income of the beneficiary in excess of \$17 a week but not in excess of \$25 a week, and by 15c for every complete 20c of such income in excess of \$25 a week:

Provided that, for the purposes of paragraphs (a) to (d) of this clause, if the beneficiary has the care of a dependent child or children, the rate of benefit specified in this Schedule may, in the discretion of the Commission, be increased by an amount not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act.

2. Maximum increase in respect of a housekeeper \$24.14 a week.



Section 59

"NINTH SCHEDULE

MAXIMUM RATES OF UNEMPLOYMENT BENEFITS

1. (a) To an unmarried beneficiary under the age of 20 years without dependants \$27.65 a week.
- (b) To any other unmarried beneficiary \$36.22 a week.
- (c) To a married male beneficiary \$30.18 a week, increased by \$30.18 a week in respect of his wife.
- (d) To a married female beneficiary \$30.18 a week:

Provided that, if the beneficiary has the care of a dependent child or children, the rate of benefit specified in this Schedule may, in the discretion of the Commission, be increased by an amount not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act:

Provided also that the rates specified in paragraphs (a) and (b) of this clause shall be reduced by the amount of any family benefit payable under Part I of this Act in respect of the beneficiary.

2. Maximum increase in respect of a housekeeper \$24.14 a week.

Section 66

"TENTH SCHEDULE

SPECIAL INCOME EXEMPTION IN RESPECT OF SICK BENEFITS FROM FRIENDLY OR LIKE SOCIETY (AGE, INVALIDS', WIDOWS', DOMESTIC PURPOSES, AND SICKNESS BENEFITS ONLY)

Maximum rate \$2 a week in the case of a sickness benefit, and \$104 a year in any other case.

Section 69

"TWELFTH SCHEDULE

MAXIMUM INCREASE IN RATE OF BENEFIT PAYABLE TO PARENT OF DECEASED MEMBER OF FORCES OR MERCANTILE MARINE

Maximum rate \$1 a week.

“FOURTEENTH SCHEDULE

Section 61A

ADDITIONAL AMOUNTS FOR DEPENDENT CHILDREN

1. To any person receiving an emergency benefit payable otherwise than by weekly instalments, or an age, widow's, domestic purposes, or invalid's benefit—
 - (a) At the rate payable to an unmarried beneficiary—
 - (i) On account of first or only dependent child \$1,099.28 a year.
 - (ii) On account of second dependent child \$156 a year.
 - (iii) On account of each additional dependent child after the second \$65 a year.
 - (b) At the rate payable to a married beneficiary—
 - (i) On account of first or only dependent child \$156 a year.
 - (ii) On account of each additional dependent child after the first \$65 a year.
2. To any person receiving an emergency benefit payable by weekly instalments, or a sickness or unemployment benefit—
 - (a) At the rate payable to an unmarried beneficiary—
 - (i) On account of first or only dependent child \$21.14 a week.
 - (ii) On account of second dependent child \$3 a week.
 - (iii) On account of each additional dependent child after the second \$1.25 a week.

"FOURTEENTH SCHEDULE—*continued*

- (b) At the rate payable to a married beneficiary—
- (i) On account of first or only dependent child \$3 a week.
 - (ii) On account of each additional dependent child after the first \$1.25 a week.

Section 124 (4) "FIFTEENTH SCHEDULE

MAXIMUM RATE OF REHABILITATION ALLOWANCE

To any disabled person \$10 a week.

Sections 27B, 27C, and 27H "SIXTEENTH SCHEDULE

RATES OF DOMESTIC PURPOSES BENEFITS

1. To a beneficiary under the age of 18 years without dependent children \$1,437.80 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of the total annual income of the beneficiary in excess of \$1,300 a year.
2. To any other beneficiary without dependent children \$1,883.44 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of the total annual income of the beneficiary in excess of \$1,300 a year.
3. To a beneficiary with 1 or more dependent children \$1,883.44 a year, increased, in the discretion of the Commission, by an amount not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act, and diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$1,092 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of the total annual income of the beneficiary in excess of \$1,300 a year.

“SEVENTEENTH SCHEDULE Sections 27G and 27H

RATES OF DOMESTIC PURPOSES BENEFITS

1. To an unmarried beneficiary under the age of 18 years \$1,437.80 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of the total annual income of the beneficiary in excess of \$1,300 a year.
2. To any other unmarried beneficiary \$1,883.44 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary in excess of \$884 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of the total annual income of the beneficiary in excess of \$1,300 a year.
3. To a married beneficiary whose wife or husband is granted, in her or his own right, a benefit (other than a superannuation benefit) under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$1,569.36 a year, diminished by 50c for every complete \$2 of the total annual income of the beneficiary and his or her spouse in excess of \$884 a year but not in excess of \$1,300 a year, and by \$1.50 for every complete \$4 of such income in excess of \$1,300 a year.
4. To any other married beneficiary \$1,569.36 a year, diminished by \$1 for every complete \$2 of the total annual income of the beneficiary and the spouse of the beneficiary, including the amount of any superannuation benefit under Part I of this Act granted to the spouse of the beneficiary, in excess of \$2,453.36 a year but not in excess of \$2,869.36 a year, and by \$3 for every complete \$4 of such income, including superannuation benefit, in excess of \$2,869.36 a year:

"SEVENTEENTH SCHEDULE—*continued*

Provided that, if the spouse of the beneficiary is not in receipt of a benefit under Part I of this Act, the rate of the domestic purposes benefit payable to the beneficiary shall not be less than the aggregate of the rates of domestic purposes benefits that would be payable if the beneficiary and the spouse of the beneficiary were both entitled to receive a domestic purposes benefit, but the rate of benefit payable hereunder shall not exceed \$1,596.36 a year.

Sections 61E and 61F "EIGHTEENTH SCHEDULE

RATES OF ADDITIONAL BENEFIT

1. To any unmarried person without a dependent child or children \$6 a week, diminished by 50c a week in respect of each \$1 a week, or part thereof, of the applicant's income in excess of \$1 a week, and further diminished by 50c a week in respect of each \$100, or part thereof, of the applicant's cash assets in excess of \$100:

Provided that the rate of additional benefit shall be increased by half the amount by which the applicant's weekly rent, or weekly outgoings on any property occupied by him as a home, exceeds \$6 a week, or by half the amount by which his board payments exceed \$15 a week, but not in any case by more than \$6 a week:

Provided also that the rate of additional benefit may, in the discretion of the Commission, be further increased by up to \$2 a week if the applicant has essential and regular commitments of an exceptional nature which, in the opinion of the Commission, could not reasonably be expected to be met otherwise than by an additional benefit granted under this proviso.

“EIGHTEENTH SCHEDULE—*continued*

2. To any married couple or solo parent with a dependent child or children \$10 a week, diminished by \$1 a week in respect of each \$2 a week, or part thereof, of the married couple's or solo parent's income in excess of \$2 a week, and further diminished by \$1 a week in respect of each \$200, or part thereof, of the married couple's or solo parent's cash assets in excess of \$200:

Provided that the rate of the additional benefit shall be increased by half the amount by which the couple's or solo parent's weekly rent, or weekly outgoings on any property occupied by the applicant as a home, exceed \$6 a week, or by half the amount by which the couple's or solo parent's board payments exceed \$25 a week, but not in any case by more than \$6 a week:

Provided also that the rate of additional benefit may, in the discretion of the Commission, be further increased by up to \$2 a week if the couple or solo parent has essential and regular commitments of an exceptional nature which, in the opinion of the Commission, could not reasonably be expected to be met otherwise than by an additional benefit granted under this proviso.

“NINETEENTH SCHEDULE

Section 69c

MAXIMUM RATE OF DISABILITY ALLOWANCE PAYABLE TO
A DISABLED PERSON

Maximum rate \$8 a week.”