

SOCIAL SECURITY AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Social Security Act 1964.

Clause 1 relates to the Short Title and commencement.

Clause 2: Subclause (1) repeals section 17 of the principal Act, relating to the date of grant of national superannuation, and substitutes a new section. The new section provides for the date of grant to be the date on which the applicant attains the qualifying age of 60 years (or becomes residentially qualified, whichever is the later date). As currently worded section 17 provides for the date of grant to be the national superannuation pay day following the date of qualification.

Subclause (2) provides for the new section to apply to persons attaining 60 years (or becoming residentially qualified for national superannuation) on and after 1 January 1984.

Clause 3 amends section 21 of the principal Act to provide that, despite *clause 7*, which provides for a family benefit to be cancelled from the child's 16th birthday, a child who has left school will continue to be regarded as dependent for the purposes of a widow's benefit until the end of the 4-weekly pay period in which the child attains the age of 16 years.

The clause is to come into force on 1 January 1984, the date of commencement of *clause 7*.

Clause 4 amends section 271 of the principal Act which defines various terms for the purposes of the liable parent scheme.

Subclause (1) makes it clear that the term "dependent child" includes a child in respect of whom a family benefit is continued beyond the age of 16 years.

In addition, the subclause makes it clear that the term "employer" includes a person by whom a retiring allowance or pension or other payment of a like nature is payable to a liable parent.

Subclause (2) adds a new subsection (5) to section 271.

The new subsection provides that notwithstanding anything in the Family Proceedings Act 1980 or in any rule of law, for the purposes of sections 27k to 27zi of the principal Act each parent of a child shall be deemed to be liable in law to maintain the child while a family benefit is payable in respect of the child.

Clause 5, subclause (1) amends section 27k (1) of the principal Act by increasing the minimum contribution of a liable parent towards the cost of his or her spouse's domestic purposes benefit from \$10 to \$15 a week.

Subclause (2) makes it clear that, in the case of a liable parent whose whereabouts are unknown, the liability to contribute commences on the 28th day after the date on which the contribution is calculated.

Subclause (3) provides that where—

- (a) A liable parent has been given notice of the grant of a benefit pursuant to section 27L of the principal Act; and
- (b) The Commission has, pursuant to section 27N, calculated the contribution to be paid by the liable parent; and
- (c) That required contribution is the minimum amount specified in subsection (1) of section 27K; and

(d) The minimum amount so specified is at any time altered—
the Commission is to give to the liable parent notice of the new minimum amount without reviewing the liable parent's contribution under section 27ZH of the principal Act; and liability to pay the new minimum amount shall commence on such date as the Commission determines, being not less than 28 days after the date on which notice of the new minimum amount was given or, in the case of a liable parent whose whereabouts are unknown, not less than 28 days after the date on which the alteration of the specified minimum amount took effect.

Clause 6 amends section 27P of the principal Act to provide that the grounds of objection to a liable parent contribution are subject to the new section 27I (5) added by *clause 4* of the Bill.

Clause 7: Subclause (1) repeals section 35 of the principal Act relating to the date of commencement and termination of family benefit, and substitutes a new section.

Subsection (1) of the new section provides for family benefit to be paid from the date of birth of the child if the application is received within 6 months after the date of birth. The current date of commencement is the first day of the 4-weekly pay period in which the child was born.

Subsection (2) of the new section provides that where an application for family benefit is received more than 6 months after the date of birth of the child, the benefit is to be paid from a date 6 months prior to the date of receipt of the application. This provision is similar to the existing section 35 (3).

Subsection (3) of the new section provides for family benefit to cease from the child's 16th birthday unless the child is continuing at school. Under the present section 35 (4), the benefit continues until the end of the 4-weekly pay period in which the child turns 16.

The proviso to subsection (3) of the new section provides that in assessing a lump-sum advance of family benefit for housing purposes under the Family Benefits (Home Ownership) Act 1964, entitlement to the benefit is to be deemed to continue until the end of the 4-weekly pay period in which the child turns 16.

Subsection (4) of the new section re-enacts the existing section 35 (5) and provides that in the event of a child's death, family benefit continues to the end of the 4-weekly pay period in which the child died.

Subclause (2) provides for a consequential repeal.

Subclauses (3) to (5) provide for the new provisions relating to the commencement and termination of family benefit to apply in respect of children born on or after the 1st day of January 1984 and children who attain the age of 16 years on or after that date.

Clause 8: Subclause (1) repeals section 54A of the principal Act under which a married person can receive a sickness benefit at half the married couple rate for up to 13 weeks irrespective of the income of his or her spouse.

Subclause (2) makes a consequential amendment to the Eighth Schedule to repeal that part of the Schedule fixing the rate of a sickness benefit granted under section 54A.

Subclause (3) provides for consequential repeals.

Subclause (4) provides for grants of sickness benefit under section 54A current on the date of commencement of the clause to continue.

Subclause (5) provides for applications for a sickness benefit under section 54A received in respect of any period of incapacity which commenced before 1 January 1984 to be dealt with and determined under the existing provisions.

Subclause (6) provides for the clause to come into force on 1 January 1984.

Clause 9 amends section 61A of the principal Act to provide that, despite *clause 7*, which provides for a family benefit to be cancelled from the child's 16th birthday, a child supplement can continue to be paid in respect of a child who has left school until the end of the 4-weekly pay period in which the child attains the age of 16 years.

The clause is to come into force on 1 January 1984, the date of commencement of *clause 7*.

Clause 10 inserts a new section 61H in the principal Act to provide for alterations in the rates of benefits to be implemented by Order in Council.

Subsection (1) of the new section provides that the Governor-General may from time to time, by Order in Council, amend the Third to Ninth, Twelfth, Fourteenth, Sixteenth, and Seventeenth Schedules to the principal Act by altering the rate of any benefit set out in those Schedules.

Subsection (2) of the new section provides that every such Order in Council is to state the date on which it comes into force (which may be a date before the date on which it was made) and is to apply to benefits payable in respect of the period commencing on the date on which it comes into force and ending with the date of its revocation by a subsequent Order in Council.

Subsection (3) of the new section provides that every such Order in Council is to be laid before Parliament not later than the 16th sitting day of Parliament after the day on which it was made.

Subsection (4) of the new section provides that every Order in Council required to be laid before Parliament, if not so laid in accordance with subsection (3), shall expire on the close of the 16th sitting day of Parliament after the day on which it was made.

Subsection (5) of the new section provides that every such Order in Council, if it is so laid in accordance with subsection (3), shall expire on the close of the last day of the session of Parliament during which it was so laid except so far as it is expressly validated and confirmed by an Act of Parliament passed during that session.

Subsection (6) of the new section provides that every such Order in Council which is so laid in accordance with *subsection (3)* and which has been revoked by a subsequent Order in Council before the close of the last day of the session of Parliament during which it was so laid, shall be deemed to be invalid in respect of the period it purported to be in force except so far as it is expressly validated and confirmed in respect of that period by an Act of Parliament passed during that session.

Subsection (7) of the new section provides that every such Order in Council shall, while it continues in force, have the force of law as if it was enacted by the principal Act.

Subsection (8) of the new section provides that the validity of any such Order in Council is not to be affected by reason only of the repeal of an Act of Parliament validating and confirming it.

Clause 11 increases the rates of social security benefits for the period 19 January to 19 July 1983.

The rates of widows', invalids', miners', sickness, unemployment, domestic purposes, and related emergency benefits are increased by \$5.28 a week in respect of unmarried persons and by \$4.40 a week each in respect of a married couple.

The rate of child supplement for the first or only child of a widow or solo parent is increased by \$3.52 to \$52.70 a week.

The rate of orphans' benefits is increased by \$2.60 to \$43.50 a week.

Clause 12 increases the rates of social security benefits on and after 20 July 1983.

The rates of widows', invalids', miners', sickness, unemployment, domestic purposes, and related emergency benefits are increased by \$1.58 a week in respect of unmarried persons and by \$1.32 a week each in respect of a married couple.

The rate of child supplement for the first or only child of a widow or solo parent is increased by \$1.06 to \$53.76 a week.

The rate of orphans' benefits is increased by 75c to \$44.25 a week.

Clause 13: Subclause (1) repeals the Eighteenth Schedule to the principal Act, and substitutes a new Eighteenth Schedule setting out the rates and method of assessment of accommodation benefits. The changes contained in the new Schedule are as follows:

(a) The maximum grant of accommodation benefit is increased from \$22 to \$32 a week:

(b) The lowest accommodation cost (i.e. rent or outgoings on a home) for which accommodation benefit can be paid is increased from \$22 to \$26 a week:

(c) The income exemption for single applicants is increased by \$3 to \$8 a week. The income exemption for married couples and solo parents is increased by \$4 to \$12 a week.

Subclause (2) provides for consequential repeals.

Subclause (3) provides the Social Security Commission with authority to continue an existing grant of accommodation benefit as if the changes effected by *subclause (1)* had not been made.

Subclause (4) provides that any accommodation benefit continued under *subclause (3)* is to be reassessed under the new Eighteenth Schedule from the date the benefit is first renewed or reviewed.

Subclause (5) provides for the clause to take effect on and after 9 November 1983.

Clause 14: Subclause (1) repeals the Nineteenth Schedule to the principal Act, and substitutes a new Nineteenth Schedule increasing the maximum rate of a disability allowance and a handicapped child's allowance from \$12.50 to \$14 a week.

Subclause (2) provides for consequential repeals.

Subclause (3) provides the Social Security Commission with authority to continue an existing grant of disability allowance as if the change effected by *subclause (1)* had not been made.

Subclause (4) provides that any disability allowance continued under *subclause (3)* is to be reassessed under the new Nineteenth Schedule from the date the allowance is first renewed or reviewed.

Subclause (5) provides for the clause to take effect on and after 9 November 1983.

Clause 15 is a consequential repeal.

Clause 16 provides for notices issued to liable parents since the commencement of the liable parent contribution scheme in April 1981 to be valid and effective despite the fact that they did not sufficiently conform to the forms prescribed in the Social Security (Contribution Towards Cost of Domestic Purposes Benefit) Regulations 1981.

Hon. V. S. Young

SOCIAL SECURITY AMENDMENT

ANALYSIS

Title	<i>Alteration of Rates of Benefits</i>
1. Short Title and commencement	61H. Rates of benefits may be altered by Order in Council
2. Commencement and payment of national superannuation	11. Increasing rates of benefits in respect of period 19 January 1983 to 19 July 1983
3. Widows' benefits	12. Increasing rates of benefits on and after 20 July 1983
4. Interpretation	13. Accommodation benefit
5. Liable parent to contribute towards cost of benefit and child supplement	14. Increasing rates of handicapped child's allowance and disability allowance on and after 9 November 1983
6. Grounds on which objection may be made	15. Consequential repeal
7. Period for which family benefit payable	16. Validating notices given to liable parents
8. Repealing provisions relating to sickness benefit for a married person	Schedules
9. Child supplement	
10. New heading and section inserted	

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:

- 1. Short Title and commencement**—(1) This Act may be cited as the Social Security Amendment Act 1983, and shall be read together with and deemed part of the Social Security Act 1964* (hereinafter referred to as the principal Act).
- 10 (2) Except as provided in **sections 2 (2), 3 (3), 7 (5), 8 (6), 9 (2), 11 (2), 12 (3), 13 (5), and 14 (5)** of this Act, this Act shall come into force on the day on which it receives the Governor-General's assent.

*Reprinted 1975, Vol. 4, p. 2951

Amendments: 1976, No. 40; 1977, No. 120; 1977, No. 133; 1978, No. 58; 1979, No. 14; 1980, No. 157; 1980, No. 158; 1981, No. 46; 1982, No. 16; 1982, No. 154

2. Commencement and payment of national superannuation—(1) The principal Act is hereby amended by repealing section 17 (as substituted by section 4 of the Social Security Amendment Act 1976), and substituting the following section:

“17. (1) If an application for national superannuation is received by the Commission within 6 months after the date on which the applicant became entitled to receive it in accordance with sections 13 and 14 of this Act, national superannuation shall commence on the date of such entitlement. 10

“(2) If an application for national superannuation is received by the Commission on a date which is more than 6 months after the date on which the applicant became entitled to receive it in accordance with sections 13 and 14 of this Act, national superannuation shall commence on the day 6 months prior to the date of receipt of the application. 15

“(3) Subject to the limitations imposed by this Part of 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.” 20

(2) This section shall come into force on the 1st day of January 1984 and apply in respect of persons qualifying for national superannuation in accordance with sections 13 and 14 of the principal Act on and after that date. In respect of persons qualifying for national superannuation before that date, section 17 of the principal Act shall apply as if this section had not been enacted. 25

3. Widows' benefits—(1) Section 21 (1) (a) of the principal Act is hereby amended by omitting the words “under 16 years of age”. 30

(2) Section 21 of the principal Act is hereby amended by repealing subsection (5), and substituting the following subsection:

“(5) For the purposes of subsection (1) (a) of this section and of the Third Schedule to this Act— 35

“(a) The term ‘dependent children’ means children in respect of whom family benefit is for the time being payable under section 32 of this Act:

“(b) Where a child in respect of whom family benefit is payable attains the age of 16 years and the proviso to section 32 (1) of this Act is not applicable, the child shall be deemed to remain dependent until the end of the pay period in which the child attained that age.” 40 45

(3) This section shall come into force on the 1st day of January 1984.

4. Interpretation—(1) Section 27I (1) of the principal Act (as inserted by section 7 of the Social Security Amendment Act 1980) is hereby amended by repealing the definition of the term “dependent child”, and substituting the following definitions:

- “Dependent child’, in relation to a beneficiary, means a child who is being cared for by the beneficiary and in respect of whom a family benefit is for the time being payable under section 32 of this Act:
- “Employer’, in relation to a liable parent, includes a person by whom a retiring allowance or pension or other payment of a like nature is payable to the liable parent.”

(2) Section 27I of the principal Act (as so inserted) is hereby amended by adding the following subsection:

“(5) Notwithstanding anything in the Family Proceedings Act 1980 or in any rule of law, for the purposes of sections 27K to 27ZI of this Act each parent of a child shall be deemed to be liable in law to maintain the child while a family benefit is payable in respect of the child under section 32 of this Act.”

5. Liable parent to contribute towards cost of benefit and child supplement—

(1) Section 27K (1) of the principal Act (as substituted by section 5 (1) of the Social Security Amendment Act 1982) is hereby amended by omitting the expression “\$10”, and substituting the expression “\$15”.

(2) Section 27K (2) of the principal Act (as inserted by section 7 of the Social Security Amendment Act 1980) is hereby amended by inserting, after the word “unknown,”, the words “on the 28th day”.

(3) Section 27K of the principal Act (as so inserted) is hereby amended by inserting, after subsection (2), the following subsection:

- “(2A) Where—
- “(a) A liable parent has been given notice of the grant of a benefit pursuant to section 27L of this Act; and
- “(b) The Commission has, pursuant to section 27N of this Act, calculated the contribution to be paid by the liable parent; and
- “(c) That required contribution is the minimum amount specified in subsection (1) of this section; and
- “(d) The minimum amount so specified is at any time altered—

the Commission shall give to the liable parent notice of the new minimum amount without reviewing the liable parent’s

contribution under section 27ZH of this Act; and liability to pay the new minimum amount shall commence on such date as the Commission determines, being not less than 28 days after the date on which notice of the new minimum amount was given or, in the case of a liable parent whose whereabouts are unknown, not less than 28 days after the date on which the alteration of the specified minimum amount took effect.” 5

6. Grounds on which objection may be made—Section 27P(b) of the principal Act (as inserted by section 7 of the Social Security Amendment Act 1980) is hereby amended by 10 omitting the words “That, in respect of”, and substituting the words “Subject to **section 27(5)** of this Act, that, in respect of”.

7. Period for which family benefit payable—(1) The principal Act is hereby amended by repealing section 35 (as substituted by section 9 of the Social Security Amendment Act 15 1972), and substituting the following section:

“35. (1) If an application for family benefit is received by the Commission within 6 months after the date of birth of the child in respect of whom the application is made, family benefit shall commence on the date of birth of the child. 20

“(2) If an application for family benefit is received by the Commission on a date which is more than 6 months after the date of birth of the child in respect of whom the application is made, family benefit shall commence on the day 6 months prior to the date of receipt of the application. 25

“(3) Subject to section 32 of this Act, a family benefit in respect of a child shall cease to be payable on the day after the day on which the child attains the age of 16 years:

“Provided that for the purpose of calculating, under the Family Benefits (Home Ownership) Act 1964, the capitalised 30 value of a family benefit, entitlement to the benefit shall be deemed to continue until the end of the pay period in which the child attains the age of 16 years.

“(4) If a child in respect of whom a family benefit is payable dies, the benefit in respect of that child shall continue until 35 the end of the pay period in which the child dies, and the amount (if any) unpaid on the date of the death of the child may be paid to the person to whom the benefit was payable on that date or to such other person as the Commission determines.” 40

(2) Section 9 of the Social Security Amendment Act 1972 is hereby consequentially repealed.

(3) Subsections (1) and (2) of section 35 of the principal Act (as substituted by **subsection (1)** of this section) shall apply in respect of children born on or after the 1st day of January 1984. In respect of children born before that date, subsections 5 (1) to (3) of section 35 of the principal Act shall apply as if this section had not been enacted.

(4) Section 35 (3) of the principal Act (as substituted by **subsection (1)** of this section) shall apply in respect of children who attain the age of 16 years on or after the 1st day of 10 January 1984. In respect of children who attain the age of 16 years before that date, section 35 (4) of the principal Act shall apply as if this section had not been enacted.

(5) This section shall come into force on the 1st day of January 1984.

15 **8. Repealing provisions relating to sickness benefit for a married person**—(1) Section 54A of the principal Act (as inserted by section 8 of the Social Security Amendment Act 1975) is hereby repealed.

(2) The Eighth Schedule to the principal Act (as substituted 20 by **section 12** of this Act) is hereby amended by repealing clause 1 (f).

(3) The following enactments are hereby consequentially repealed:

(a) Section 8 of the Social Security Amendment Act 1975:

25 (b) Section 11 of the Social Security Amendment Act (No. 2) 1977:

(c) Section 10 of the Social Security Amendment Act 1978.

(4) Notwithstanding the provisions of **subsections (1) to (3)** of this section, if any person was, immediately before the 30 commencement of this section, in receipt of a sickness benefit under section 54A of the principal Act, the Commission shall continue to pay that benefit as if this section had not been enacted.

(5) Notwithstanding the provisions of **subsections (1) to (3)** of 35 this section, any application for a sickness benefit under section 54A of the principal Act received by the Commission in respect of any period of incapacity which commenced before the 1st day of January 1984 shall be dealt with and determined as if this section had not been enacted.

40 (6) This section shall come into force on the 1st day of January 1984.

9. Child supplement—(1) Section 61A of the principal Act (as substituted by section 7 (1) of the Social Security Amendment Act 1979) is hereby amended by adding the following 45 subsection:

“(3) For the purposes of subsection (2) of this section, where a child in respect of whom family benefit is payable attains the age of 16 years and the proviso to section 32 (1) of this Act is not applicable, family benefit shall be deemed to be payable until the end of the pay period in which the child attained that age.” 5

(2) This section shall come into force on the 1st day of January 1984.

10. New heading and section inserted—The principal Act is hereby amended by inserting, after section 61G, the following heading and section:

“Alteration of Rates of Benefits

“**61H. Rates of benefits may be altered by Order in Council**—(1) The Governor-General may from time to time, by Order in Council, amend the Third to Ninth, Twelfth, 15 Fourteenth, Sixteenth, and Seventeenth Schedules to this Act by altering the rate of any benefit set out in those Schedules.

“(2) Every Order in Council made under **subsection (1)** of this section shall state the date on which it comes into force (which may be a date before the date on which it was made) and shall 20 apply to benefits payable in respect of the period commencing on the date on which it comes into force and ending with the date of its revocation by a subsequent Order in Council.

“(3) Every Order in Council made under **subsection (1)** of this section shall be laid before Parliament not later than the 16th 25 sitting day of Parliament after the day on which it was made.

“(4) Every Order in Council required by **subsection (3)** of this section to be laid before Parliament, if not so laid in accordance with that subsection, shall expire on the close of the 16th sitting day of Parliament after the day on which it was made. 30

“(5) Every such Order in Council, if it is so laid in accordance with the said **subsection (3)**, shall expire on the close of the last day of the session of Parliament during which it was so laid except so far as it is expressly validated and confirmed by an Act of Parliament passed during that session. 35

“(6) Every such Order in Council which is so laid in accordance with the said **subsection (3)**, and which has been revoked by a subsequent Order in Council before the close of the last day of the session of Parliament during which it was so laid, shall be deemed to be invalid in respect of the period 40 it purported to be in force except so far as it is expressly validated and confirmed in respect of that period by an Act of Parliament passed during that session.

“(7) Every Order in Council made under **subsection (1)** of this section shall, while it continues in force, have the force of law as if it was enacted by this Act.

5 “(8) The validity of any Order in Council made under **subsection (1)** of this section shall not be affected by reason only of the repeal of an Act of Parliament validating and confirming it.”

11. Increasing rates of benefits in respect of period 19 January 1983 to 19 July 1983—(1) In respect of the period
10 commencing on the 19th day of January 1983 and ending with the 19th day of July 1983, the principal Act shall have effect as if each provision of that Act specified in the first column of the **First** Schedule to this Act had been amended by omitting
15 every expression set out opposite to it in the second column of that Schedule, 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 **First** Schedule to this Act shall be deemed to have come into force on the 19th day of January
20 1983.

12. Increasing rates of benefits on and after 20 July 1983—(1) The principal Act is hereby amended by repealing the Third to Tenth, Twelfth, Fourteenth, Sixteenth, and Seventeenth Schedules (as substituted by section 18 (1) of the
25 Social Security Amendment Act 1982), and substituting the Third to Tenth, Twelfth, Fourteenth, Sixteenth, and Seventeenth Schedules set out in the **Second** Schedule to this Act.

(2) Sections 17 to 19 of, and the First and Second Schedules to, the Social Security Amendment Act 1982 are hereby
30 consequentially repealed.

(3) This section and the **Second** Schedule to this Act shall be deemed to have come into force on the 20th day of July 1983.

13. Accommodation benefit—(1) The principal Act is hereby amended by repealing the Eighteenth Schedule (as
35 substituted by section 20 (1) of the Social Security Amendment Act 1982), and substituting the Eighteenth Schedule set out in the **Third** Schedule to this Act.

(2) Section 20 of, and the Third Schedule to, the Social Security Amendment Act 1982 are hereby consequentially
40 repealed.

(3) Notwithstanding the provisions of **subsections (1) and (2)** of this section, if any person was, immediately before the commencement of this section, in receipt of an accommodation benefit under section 61E of the principal Act, the Commission shall continue to assess and pay such a benefit as if this section had not been enacted. 5

(4) The rate of any accommodation benefit continued under **subsection (3)** of this section shall be reassessed in accordance with the provisions of the Eighteenth Schedule to the principal Act (as substituted by **subsection (1)** of this section) from the date such benefit is first renewed under section 80 (4) of the principal Act or is first reviewed under section 81 (1) of that Act, whichever is sooner. 10

(5) This section and the **Third** Schedule to this Act shall be deemed to have come into force on the 9th day of November 1983. 15

14. Increasing rates of handicapped child's allowance and disability allowance on and after 9 November 1983—

(1) The principal Act is hereby amended by repealing the Nineteenth Schedule (as substituted by section 21 (1) of the Social Security Amendment Act 1982), and substituting the Nineteenth Schedule set out in the **Fourth** Schedule to this Act. 20

(2) The following enactments are hereby consequentially repealed:

(a) Section 21 of, and the Fourth Schedule to, the Social Security Amendment Act 1982: 25

(b) Section 7 (5) and (7) of the Social Security Amendment Act (No. 2) 1982.

(3) Notwithstanding the provisions of **subsections (1) and (2)** of this section, if any person was, immediately before the commencement of this section, in receipt of a disability allowance under section 69C of the principal Act, the Commission shall continue to assess and pay such an allowance as if this section had not been enacted. 30

(4) The rate of any disability allowance continued under **subsection (3)** of this section shall be reassessed in accordance with the provisions of the Nineteenth Schedule to the principal Act (as substituted by **subsection (1)** of this section) from the date such allowance is first renewed under section 80 (4) of the principal Act or is first reviewed under section 81 (1) of that Act, whichever is sooner. 35 40

(5) This section and the **Fourth** Schedule to this Act shall be deemed to have come into force on the 9th day of November 1983.

15. Consequential repeal—Section 4 (2) of the Social Security Amendment Act 1976 is hereby repealed.

16. Validating notices given to liable parents—Every notice of grant of a domestic purposes benefit under section 5 27L of the principal Act, and every notice of required contribution under section 27N of that Act, given to a liable parent on or after the 1st day of April 1981 and before the date of commencement of this Act, shall be valid and effective notwithstanding any want of form because it does not 10 sufficiently conform to the forms prescribed in the Social Security (Contribution Towards Cost of Domestic Purposes Benefit) Regulations 1981; and the liability of any liable parent who has received any such notice shall be deemed to have 15 27k (2) of the principal Act notwithstanding that there may have been a defect of that kind in the notice given to him.

SCHEDULES

FIRST SCHEDULE

Section 11 (1)

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF BENEFITS IN RESPECT
OF PERIOD 19 JANUARY 1983 TO 19 JULY 1983

Provisions Amended	Expressions Omitted	Expressions Substituted
Third Schedule—	\$	\$
Clause 1	4,304.56	4,579.12
Clause 2	4,304.56	4,579.12
Fourth Schedule	2,126.80	2,262
Sixth Schedule—		
Clause 1 (a)	3,274.44	3,483.48
Clause 1 (b)	4,304.56	4,579.12
Clause 1 (c)	3,586.96	3,815.76
Clause 1 (d)	3,586.96	3,815.76
Clause 1 (e)	3,586.96	3,815.76
Clause 2	5,198.96	5,427.76
.. .. .	717.60	763.36
Seventh Schedule—		
Clause 1 (a)	3,586.96	3,815.76
Clause 1 (b)	4,304.56	4,579.12
Clause 2	4,222.16	4,495.92
Eighth Schedule—		
Clause 1 (a)	62.97	66.99
Clause 1 (b)	82.78	88.06
Clause 1 (c)	68.98	73.38
Clause 1 (d)	68.98	73.38
Clause 1 (e)	68.98	73.38
Clause 1 (f)	68.98	73.38
Clause 2	55.18	58.70
Ninth Schedule—		
Clause 1 (a)	62.97	66.99
Clause 1 (b)	82.78	88.06
Clause 1 (c)	68.98	73.38
Clause 2	55.18	58.70
Fourteenth Schedule—		
Clause 1 (a) (i)	2,557.36	2,740.40
Clause 2 (a) (i)	49.18	52.70
Sixteenth Schedule—		
Clause 1	4,304.56	4,579.12
Clause 2	4,304.56	4,579.12
Seventeenth Schedule—		
Clause 1	3,274.44	3,483.48
Clause 2	4,304.56	4,579.12
Clause 3	3,586.96	3,815.76
Clause 4	3,586.96	3,815.76

SECOND SCHEDULE

Section 12 (1)

NEW THIRD TO TENTH, TWELFTH, FOURTEENTH, SIXTEENTH, AND SEVENTEENTH SCHEDULES TO PRINCIPAL ACT

(Effective on and after 20 July 1983)

“THIRD SCHEDULE

Sections 21, 24

RATES OF WIDOWS’ BENEFITS

- | | |
|---|---|
| 1. To a beneficiary without dependent children | \$4,661.28 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of her total annual income in excess of \$2,080 a year. |
| 2. To a beneficiary with 1 or more dependent children | \$4,661.28 a year, increased, in the discretion of the Commission, by a child supplement not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act, and diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of her total annual income in excess of \$2,080 a year: |

Provided that in computing for the purposes of this clause the income of a widow, the Commission may, in its discretion, disregard as income some or all of that part of her personal earnings (not exceeding \$20 a week) used to meet the cost of placing a dependent child or children of the beneficiary in a day care centre registered under the Child Care Centre Regulations 1960, or in any other day care facility approved by the Commission for the purpose.

“FOURTH SCHEDULE

Section 29

MAXIMUM RATES OF ORPHANS BENEFITS

- | | |
|-------------------------|--|
| In every case | \$2,301 a year, diminished by \$3 for every complete \$4 of the total annual income of the orphan in excess of \$260 a year. |
|-------------------------|--|

SECOND SCHEDULE—*continued*

“FIFTH SCHEDULE

Section 34

RATES OF FAMILY BENEFITS

In respect of each child . . . \$6 a week.

“SIXTH SCHEDULE

Sections 42, 43

RATES OF INVALIDS BENEFITS

1. (a) To an unmarried beneficiary under the age of 18 years \$3,546.40 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
- (b) To any other unmarried beneficiary \$4,661.28 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
- (c) To a married beneficiary whose spouse is granted, in his or her own right, a benefit (other than national superannuation) under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$3,884.40 a year, diminished by 20c for every complete \$1 of the total annual income of the beneficiary and his or her spouse in excess of \$1,300 a year, but not in excess of \$2,080 a year, and by 40c for every complete \$1 of such income in excess of \$2,080 a year.
- (d) To a married beneficiary whose spouse is not granted, in his or 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 \$3,884.40 a year, increased by \$3,884.40 a year in respect of his or her spouse, the total rate to be diminished by 40c for every complete \$1 of the total annual income of the beneficiary and his or her spouse in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of such income in excess of \$2,080 a year.
- (e) To a married beneficiary whose spouse is granted, in his or her own right, national superannuation under Part I of this Act \$3,884.40 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary and his or her spouse in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of such income in excess of \$2,080 a year:

SECOND SCHEDULE—*continued*

“SIXTH SCHEDULE—*continued*

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 a child supplement not exceeding the appropriate rate 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 \$5,496.40 a year, increased by \$776.88 a year, if the beneficiary is an unmarried person.

“SEVENTH SCHEDULE

Sections 49, 53

RATES OF MINERS' BENEFITS AND MINERS' WIDOWS' BENEFITS

1. (a) To a married miner . . . \$3,884.40 a year increased by \$3,884.40 a year in respect of his wife.
 (b) In any other case . . . \$4,661.28 a year.
 2. To a miner's widow . . . \$4,578.08 a year.

“EIGHTH SCHEDULE

Sections 54A (3), 55

RATES OF SICKNESS BENEFITS

1. (a) To an unmarried beneficiary under the age of 18 years without dependants \$68.20 a week, diminished by 8c for every complete 20c of the total weekly income of the beneficiary in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of the total weekly income of the beneficiary in excess of \$40 a week.
 (b) To any other unmarried beneficiary \$89.64 a week, diminished by 8c for every complete 20c of the total weekly income of the beneficiary in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of the total weekly income of the beneficiary in excess of \$40 a week.

SECOND SCHEDULE—*continued*“EIGHTH SCHEDULE—*continued*”

- (c) To a married beneficiary whose spouse is granted, in his or her own right, a benefit (other than national superannuation) under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$74.70 a week, diminished by 4c for every complete 20c of the total weekly income of the beneficiary and his or her spouse in excess of \$25 a week but not in excess of \$40 a week, and by 8c for every complete 20c of such income in excess of \$40 a week.
- (d) To a married beneficiary whose spouse is not granted, in his or 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 \$74.70 a week, increased by \$74.70 a week in respect of his or her spouse, the total rate to be diminished by 8c for every complete 20c of the total weekly income of the beneficiary and his or her spouse in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of such income in excess of \$40 a week.
- (e) To a married beneficiary whose spouse is granted, in his or her own right, national superannuation under Part I of this Act \$74.70 a week, diminished by 8c for every complete 20c of the total weekly income of the beneficiary and his or her spouse in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of such income in excess of \$40 a week.
- (f) To a married person under section 54A \$74.70 a week, diminished by 8c for every complete 20c of the total weekly income of the beneficiary in excess of \$25 a week but not in excess of \$40 a week, and by 16c for every complete 20c of such income in excess of \$40 a week:

Provided that for the purposes of paragraphs (a) to (e) 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 a child supplement not exceeding the appropriate rate 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 \$59.76 a week.

SECOND SCHEDULE—*continued*

“NINTH SCHEDULE

Section 59

MAXIMUM RATES OF UNEMPLOYMENT BENEFITS

1. (a) To an unmarried beneficiary under the age of 20 years without dependants \$68.20 a week.
- (b) To any other unmarried beneficiary \$89.64 a week.
- (c) To a married beneficiary \$74.70 a week, increased by \$74.70 a week in respect of his or her spouse.
2. Maximum increase in respect of a housekeeper \$59.76 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 a child supplement not exceeding the appropriate rate specified in the Fourteenth Schedule to this Act.

“TENTH SCHEDULE

Section 66

SPECIAL INCOME EXEMPTION IN RESPECT OF SICK BENEFITS FROM FRIENDLY OR LIKE SOCIETY (NATIONAL SUPERANNUATION PAYABLE UNDER SECTION 16 OF THIS ACT, 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.

“TWELFTH SCHEDULE

Section 69

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

Maximum rate \$1 a week.

SECOND SCHEDULE—*continued*

“FOURTEENTH SCHEDULE

Section 61A

CHILD SUPPLEMENTS

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 \$2,795.52 a year.
 - (ii) On account of each additional dependent child after the first \$312 a year.
 - (b) At the rate payable to a married beneficiary—on account of each dependant child \$312 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 \$53.76 a week.
 - (ii) On account of each additional dependent child after the first \$6 a week.
 - (b) At the rate payable to a married beneficiary—on account of each dependent child \$6 a week.
-

SECOND SCHEDULE—*continued*

“SIXTEENTH SCHEDULE

Sections 27B, 27C, 27G, 27H

RATES OF DOMESTIC PURPOSES BENEFITS

1. To a beneficiary without children \$4,661.28 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
2. To a beneficiary with 1 or more dependent children \$4,661.28 a year, increased, in the discretion of the Commission, by a child supplement not exceeding the appropriate amount specified in the Fourteenth Schedule to this Act, and diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year:

Provided that in computing for the purposes of this clause the income of a solo parent the Commission may, in its discretion, disregard as income some or all of that part of his or her personal earnings (not exceeding \$20 a week) used to meet the cost of placing a dependent child or children of the beneficiary in a day care centre registered under the Child Care Centre Regulations 1960, or in any other day care facility approved by the Commission for the purpose.

SECOND SCHEDULE—*continued*

“SEVENTEENTH SCHEDULE

Sections 27G, 27H

RATES OF DOMESTIC PURPOSES BENEFITS

1. To an unmarried beneficiary under the age of 18 years \$3,546.40 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
2. To any other unmarried beneficiary \$4,661.28 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of the total annual income of the beneficiary in excess of \$2,080 a year.
3. To a married beneficiary whose wife or husband is granted, in her or his own right, a benefit (other than national superannuation) under Part I of this Act, or an economic pension, war veteran's allowance, or war service pension under the War Pensions Act 1954 \$3,884.40 a year, diminished by 20c for every complete \$1 of the total annual income of the beneficiary and his or her spouse in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 40c for every complete \$1 of such income in excess of \$2,080 a year.
4. To any other married beneficiary \$3,884.40 a year, diminished by 40c for every complete \$1 of the total annual income of the beneficiary and the spouse of the beneficiary in excess of \$1,300 a year but not in excess of \$2,080 a year, and by 80c for every complete \$1 of such income in excess of \$2,080 a year:
 Provided that, if the spouse of the beneficiary is not in receipt of national superannuation 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 \$3,884.40 a year.”

THIRD SCHEDULE

Section 13 (1)

NEW EIGHTEENTH SCHEDULE TO PRINCIPAL ACT

“EIGHTEENTH SCHEDULE

Sections 61E, 61F

(Effective on and after 9 November 1983)

RATES OF ACCOMMODATION BENEFIT

1. To any unmarried person without a dependent child or children Two-thirds of the amount (but not exceeding \$32 a week) by which the applicant's weekly rent or weekly outgoings on any property, occupied by him as a home, exceeds \$26 a week, or by which his weekly board payments exceed \$35 a week, diminished by \$1 a week in respect of each complete \$1 of the applicant's weekly income in excess of \$8 a week.
2. To any married couple or solo parent with a dependent child or children Two-thirds of the amount (but not exceeding \$32 a week) by which the couple's or solo parent's weekly rent or weekly outgoings on any property, occupied by the couple or solo parent as a home, exceeds \$26 a week, or by which the couple's or solo parent's weekly board payments exceed \$58 a week, diminished by \$1 a week in respect of each complete \$1 of the couple's or solo parent's weekly income in excess of \$12 a week.

3. For the purposes of clauses 1 and 2 of this Schedule, an applicant's or couple's or solo parent's weekly income shall be deemed to be his or their actual income (other than that derived from cash assets) plus \$1 a week for each \$100 of his or their cash assets.

4. In computing for the purposes of this Schedule the income of a solo parent receiving a widow's or domestic purposes benefit, the Commission may, in its discretion, disregard as income some or all of that part of his or her personal earnings (not exceeding \$20 a week) used to meet the cost of placing a dependent child or children of the beneficiary in a day care centre registered under the Child Care Centre Regulations 1960, or in any other day care facility approved by the Commission for the purpose.

5. After computing, in accordance with this Schedule, the amount of accommodation benefit payable, that amount may be rounded up to the next complete 50 cents.”

FOURTH SCHEDULE

Section 14 (1)

NEW NINETEENTH SCHEDULE TO PRINCIPAL ACT

(Effective on and after 9 November 1983)

“NINETEENTH SCHEDULE

Sections 39A, 69C

RATES OF HANDICAPPED CHILD'S ALLOWANCE AND DISABILITY ALLOWANCE

1. Rate of handicapped child's allowance \$14 a week.
2. Maximum rate of disability allowance—
 - (a) If section 69C (5) is applicable \$24 a week.
 - (b) In any other case \$14 a week.”