

# **War Pensions Amendment Bill**

Government Bill

As reported from the committee of the whole House

This bill was formerly part of the New Zealand Superannuation and Veterans' Pensions (Entitlements of Spouses and Partners of People in Long-term Residential Care and Remedial Matters) Bill as reported from the Social Services Committee. The committee of the whole House has amended the bill (by omitting clause 3) and divided it as follows:

- The New Zealand Superannuation and Retirement Income Amendment Bill, comprising Part 1.
  - This bill, comprising Part 2.
-

*Hon David Benson-Pope*

## **War Pensions Amendment Bill**

Government Bill

### **Contents**

		Page
1	Title	1
2	Commencement	1
. . . . .		
9	Principal Act amended	1
10	Interpretation	2
11	New section 74BA inserted	2
	74BA Entitlement to veteran's pension for spouses or partners of persons in long-term residential care in hospital or rest home	2
12	Absences up to 52 weeks with aid agencies	2
13	Living alone payments	3
14	Rates of pensions, lump sum payments, and allowances may be increased by Order in Council	3
15	Amendment to Social Security Act 1964	3
16	Amendment to Social Security (Long-term Residential Care) Regulations 2005	3
17	Savings provision	3

---

### **The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the War Pensions Amendment Act **2006**.
- 2 Commencement**
- (1) Except as provided in **subsection (2)**, this Act comes into force on **1 July 2006**. 5
- (2) **Section 14** comes into force on the day after the date on which this Act receives the Royal assent.
- . . . . .
- 9 Principal Act amended**  
This Act amends the War Pensions Act 1954. 10

**10 Interpretation**

Section 67(1) is amended by inserting the following definition in its appropriate alphabetical order:

“**partner** has the same meaning as in section 3(1) of the Social Security Act 1964”.

5

**11 New section 74BA inserted**

The following section is inserted after section 74B:

**“74BA Entitlement to veteran’s pension for spouses or partners of persons in long-term residential care in hospital or rest home**

10

“(1) This section applies to any person—

“(a) who is not in long-term residential care and whose spouse or partner is in long-term residential care in a hospital or rest home, whether or not the spouse or partner is a resident assessed as requiring care (within the meaning of section 136 of the Social Security Act 1964); and

15

“(b) who is in receipt of a veteran’s pension, or whose spouse or partner is in receipt of a veteran’s pension.”

“(2) A person to whom this section applies is entitled to receive a veteran’s pension at the rate payable to a person who is single—

20

“(a) stated in clause 1(a) of Schedule 11, if the person has been granted a living alone payment under section 74U; or

25

“(b) stated in clause 1(b) of Schedule 11, if the person has not been granted a living alone payment under section 74U.

“(3) Any benefit payable to a person to whom this section applies is not subject to abatement in respect of any income of the person that has been included in a means assessment of the person’s spouse or partner under Part 4 of the Social Security Act 1964.”

30

**12 Absences up to 52 weeks with aid agencies**

(1) The heading to section 74H is amended by omitting “52” and substituting “156”.

35

(2) Section 74H(1)(b) is amended by omitting “52” and substituting “156”.

- 
- 13 Living alone payments**  
Section 74U(3)(b) is amended by omitting “or household expenses (including accommodation expenses)”.
- 14 Rates of pensions, lump sum payments, and allowances may be increased by Order in Council** 5  
Section 75C(1)(ab) is amended by omitting “clause 2(a) of”.
- 15 Amendment to Social Security Act 1964**  
Section 155(1) of the Social Security Act 1964 is amended by repealing paragraph (a). 10
- 16 Amendment to Social Security (Long-term Residential Care) Regulations 2005**  
The Social Security (Long-term Residential Care) Regulations 2005 are amended by revoking regulation 4.
- 17 Savings provision** 15
- (1) This section applies to a person who, immediately before **section 16** comes into force, is entitled under regulation 4 of the Social Security (Long-term Residential Care) Regulations 2005 to receive, and who is receiving, a veteran’s pension at the appropriate single rate as provided for by that regulation. 20
- (2) A person to whom this section applies is to be treated as a person to whom **section 74BA** of the War Pensions Act 1954 (as inserted by **section 11** of this Act) applies for so long as—
- (a) the person’s spouse or partner continues to be in long-term residential care in a hospital or rest home; and 25
- (b) the person is not himself or herself in long-term residential care.

---

### Legislative history

13 June 2006

Divided from New Zealand Superannuation and Veterans’ Pensions (Entitlements of Spouses and Partners of People in Long-term Residential Care and Remedial Matters) Bill (Bill 22–1) as Bill 22–2B

---