



**THE HEALTH ENTITLEMENT CARDS REGULATIONS 1993,  
AMENDMENT NO. 4**

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MICHAEL HARDIE BOYS, Governor-General

**ORDER IN COUNCIL**

At Wellington this 27th day of May 1996

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 52 of the Health and Disability Services Act 1993, section 25 (1) (c) of the Health Reforms (Transitional Provisions) Act 1993, and section 132A of the Social Security Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Health Entitlement Cards Regulations 1993, Amendment No. 4, and shall be read together with and deemed part of the Health Entitlement Cards Regulations 1993\* (hereinafter referred to as the principal regulations).

(2) Except as provided in regulation 4 (3) of these regulations, these regulations shall come into force on the 1st day of July 1996.

\*S.R. 1993/169

Amendment No. 1: S.R. 1993/265

Amendment No. 2: S.R. 1994/40

Amendment No. 3: S.R. 1994/259

**2. Interpretation**—(1) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “assessable income”, and substituting the following definition:

“‘Assessable income’ means assessable income within the meaning of the Income Tax Act 1994; and—

“(a) Includes—

“(i) Fifty percent of any amount received by way of a pension under a superannuation scheme registered under the Superannuation Schemes Act 1989; and

“(ii) Fifty percent of any amount received under an annuity paid on or after the 1st day of April 1990 in respect of a policy of life insurance—

“(A) Offered or entered into in New Zealand by a life insurer (as that term is defined in paragraph (a) of the definition of the term ‘life insurer’ in section OB 1 of the Income Tax Act 1994); or

“(B) Offered or entered into outside of New Zealand by a life insurer (as so defined) that is resident in New Zealand within the meaning of section OE 1 or section OE 2 of the Income Tax Act 1994; and

“(iii) Income which is derived outside of New Zealand; and

“(iv) New Zealand superannuation:

“(b) Does not include 50 percent of any qualifying foreign private annuity (as defined in section OB 1 of the Income Tax Act 1994):”.

(2) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “family support income” (as inserted by regulation 2(4) of the Health Entitlement Cards Regulations 1993, Amendment No. 1), and substituting the following definition:

“‘Family credit income’, in relation to any person, means that person’s assessable income calculated in accordance with section KD 1 of the Income Tax Act 1994; and includes—

“(a) Any family credit (as defined in section OB 1 of the Income Tax Act 1994); and

“(b) Any guaranteed minimum family income (as defined in section OB 1 of the Income Tax Act 1994)—

that was or is to be paid or credited to that person within the income year to which the calculation relates:”.

(3) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “income year” (as so inserted), and substituting the following definition:

“‘Income year’ has the meaning given to it by section OB 1 of the Income Tax Act 1994:”.

(4) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “specified period” (as so inserted).

(5) Regulation 2(4) of the Health Entitlement Cards Regulations 1993, Amendment No. 1 is hereby consequentially revoked.

**3. Eligibility for community service cards**—(1) Regulation 8(1) of the principal regulations is hereby amended by revoking paragraph (c) (as substituted by regulation 3 of the Health Entitlement Cards Regulations

1993, Amendment No. 2) and paragraph (ca) (as substituted by regulation 6 (1) of the Health Entitlement Cards Regulations 1993, Amendment No. 1), and substituting the following paragraphs:

“(c) A person with one or more dependent children if—

“(i) In the case of a single person, the person is entitled to receive a family credit under Part KD of the Income Tax Act 1994 in respect of one or more dependent children of the person; or

“(ii) In the case of a married person, the person is entitled to receive a family credit under Part KD of the Income Tax Act 1994 in respect of one or more dependent children of the person and the person’s spouse—

and the person has family credit income of not more than the appropriate amount specified in subclause (6) of this regulation:

“(ca) A person with one or more dependent children, who is ordinarily resident in New Zealand, if that person is not entitled to receive a family credit under Part KD of the Income Tax Act 1994 in respect of one or more dependent children of that person and has family credit income of not more than the appropriate amount specified in subclause (6) of this regulation:”.

(2) Regulation 8 (1) (d) (i) of the principal regulations is hereby amended by revoking subsubparagraph (B), and substituting the following subsubparagraph:

“(B) A person whose age would qualify any person to receive (if otherwise entitled) a family credit in respect of the first-mentioned person; and”.

(3) Regulation 8 of the principal regulations is hereby amended by revoking subclauses (4) to (7), and substituting the following subclauses:

“(4) For the purposes of this regulation, a person is entitled to receive a family credit if the person—

“(a) Receives fortnightly interim instalments of a family credit under Part KD of the Income Tax Act 1994 for a period commencing on or about the date the person applies for a community services card; or

“(b) Received, in respect of the preceding income year, under Part KD of the Income Tax Act 1994, a family support credit of tax (for a period ending before 1 July 1996) or a family credit (for a period commencing on or after 1 July 1996).

“(5) For the purposes of this regulation, the appropriate amount of family income is—

“(a) For an unmarried person living in shared accommodation, \$17,134 per annum:

“(b) For an unmarried person living alone, \$18,173 per annum:

“(c) For a married person, \$27,000 per annum.

“(6) For the purposes of this regulation, the appropriate amount of family credit income is—

“(a) For a 2-person family, \$27,000 per annum:

“(b) For a 3-person family, \$31,673 per annum:

“(c) For a 4-person family, \$36,346 per annum:

“(d) For a 5-person family, \$41,019 per annum:

“(e) For a family with 6 or more persons, \$45,692 per annum.

“(7) For the purposes of subclause (6) of this regulation, ‘family’ means a group of persons who live together in the same household, being a group that comprises not less than 1 adult or more than 2 adults who care for one or more dependent children who are part of the group, and the dependent children who are part of the group.”

(4) The following regulations are hereby consequentially revoked:

- (a) Regulation 6 (1), (4), and (5) of the Health Entitlement Cards Regulations 1993, Amendment No. 1:
- (b) Regulation 3 of the Health Entitlement Cards Regulations 1993, Amendment No. 2.

**4. Further increasing income thresholds on and after 1 July 1997**—(1) Regulation 8 (5) of the principal regulations (as substituted by regulation 3 (3) of these regulations) is hereby amended—

- (a) By omitting from paragraph (a) the expression “\$17,134”, and substituting the expression “\$17,769”:
- (b) By omitting from paragraph (b) the expression “\$18,173”, and substituting the expression “\$18,846”:
- (c) By omitting from paragraph (c) the expression “\$27,000”, and substituting the expression “\$28,000”.

(2) Regulation 8 (6) of the principal regulations (as so substituted) is hereby amended—

- (a) By omitting from paragraph (a) the expression “\$27,000”, and substituting the expression “\$28,000”:
- (b) By omitting from paragraph (b) the expression “\$31,673”, and substituting the expression “\$32,846”:
- (c) By omitting from paragraph (c) the expression “\$36,346”, and substituting the expression “\$37,692”:
- (d) By omitting from paragraph (d) the expression “\$41,019”, and substituting the expression “\$42,538”:
- (e) By omitting from paragraph (e) the expression “\$45,692”, and substituting the expression “\$47,385”.

(3) This regulation shall come into force on the 1st day of July 1997.

**5. Ascertainment of income**—(1) Regulation 9 of the principal regulations (as amended by regulation 7 (1) of the Health Entitlement Cards Regulations 1993, Amendment No. 1) is hereby amended—

- (a) By omitting from subclause (1) the words “or family support income”, and substituting the words “or family credit income”:
- (b) By omitting from subclause (2) words “or family support income”, and substituting the words “or family credit income”.

(2) Regulation 9 (2A) of the principal regulations (as inserted by regulation 7 (2) of the Health Entitlement Cards Regulations 1993, Amendment No. 1) is hereby amended by omitting the words “section 336c of the Income Tax Act 1976”, and substituting the words “section JB 2 of the Income Tax Act 1994”.

(3) Regulation 9 (3) of the principal regulations (as amended by regulation 7 (3) of the Health Entitlement Cards Regulations 1993, Amendment No. 1) is hereby amended by omitting the words “or

assessable income or family support income”, and substituting the words “or assessable income or family credit income”.

(4) Regulation 7 (1) and (3) of the Health Entitlement Cards Regulations 1993, Amendment No. 1 are hereby consequentially revoked.

MARIE SHROFF,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Health Entitlement Cards Regulations 1993 as follows:

- (a) References to income tax legislation are updated:
- (b) The term “assessable income” is re-defined to exclude 50 percent of any qualifying foreign private annuity (as defined in section OB 1 of the Income Tax Act 1994):
- (c) The definition of “family support income” is replaced by a definition of “family credit income” to take account of the introduction of the independent family tax credit:
- (d) The income thresholds for eligibility for a community services card are increased as follows on and after the dates shown:

	Current \$	1 July 1996 \$	1 July 1997 \$
Unmarried in shared accommo- dation ... ..	16,500	17,134	17,769
Unmarried living alone ... ..	17,500	18,173	18,846
Married ... ..	26,000	27,000	28,000
2-person family ... ..	26,000	27,000	28,000
3-person family ... ..	30,500	31,673	32,846
4-person family ... ..	35,000	36,346	37,692
5-person family ... ..	39,500	41,019	42,538
Family of 6 or more ... ..	44,000	45,692	47,385

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Issued under the authority of the Acts and Regulations Publication Act 1989.

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These regulations are administered in the Ministry of Health.