



Social Security (Temporary Additional Support) Amendment Regulations (No 2) 2006

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 27th day of March 2006

Present:

Her Excellency the Governor-General in Council

Pursuant to section 132AB of the Social Security Act 1964, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

- (1) These regulations are the Social Security (Temporary Additional Support) Amendment Regulations (No 2) 2006.
- (2) In these regulations, the Social Security (Temporary Additional Support) Regulations 2005 are called “the principal regulations”.

2 Commencement

These regulations come into force on 1 April 2006.

3 Interpretation

Regulation 4 of the principal regulations is amended by revoking the definition of **upper limit**, and substituting the following definition:

“**upper limit** has the meaning given to it in regulation 10(3) or regulation 10A(2), whichever is applicable.”

4 Prescribed amount of support: general weekly rate

Regulation 10(1)(a) of the principal regulations is amended by inserting, after the words “upper limit”, the words “(see subclause (3) or regulation 10A, whichever is applicable)”.

5 New regulation 10A inserted

The principal regulations are amended by inserting, after regulation 10, the following regulation:

“10A Variation of upper limit for persons awaiting decision on refugee status, refugees, and certain applicants for residence permits

- “(1) Subclause (2) applies, instead of regulation 10(3), when calculating under regulation 10(1) the amount of temporary additional support that may be granted per week to a person who the chief executive is satisfied is—

“(a) a person of the kind referred to in section 74A(1)(c) of the Act (a person lawfully present in New Zealand awaiting the outcome of his or her application for refugee status in New Zealand); or

“(b) a person referred to in section 74A(1)(d) of the Act (a person who has refugee status in New Zealand); or

- “(c) a person referred to in section 74A(1)(e) of the Act (a person applying for a residence permit under the Immigration Act 1987 who is compelled to remain in New Zealand through some unforeseen circumstances).
- “(2) The **upper limit** is the higher of—
- “(a) the appropriate maximum rate of accommodation supplement that would be applicable if section 74A(1) of the Act did not prohibit the person receiving a benefit; and
- “(b) the upper limit in regulation 10(3).”

Rebecca Kitteridge,
Acting for Clerk of the Executive Council.

Explanatory note

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

These regulations, which come into force on 1 April 2006, set out a variation to the upper limit variable used in calculating the amount of temporary additional support available per week under the Social Security (Temporary Additional Support) Regulations 2005.

The variation has effect if the chief executive is satisfied that the person in relation to whom the sum of temporary additional support that is payable is being calculated—

- is lawfully present in New Zealand awaiting the outcome of his or her application for refugee status in New Zealand; or
- has refugee status in New Zealand; or
- has applied for a residence permit under the Immigration Act 1987 and is compelled to remain in New Zealand through some unforeseen circumstances.

Each of those groups of persons are eligible for temporary additional support under section 74A(1) of the Social Security Act 1964.

**Social Security (Temporary Additional
Support) Amendment Regulations
(No 2) 2006**

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These regulations are administered in the Ministry of Social Development.
