



**THE SOCIAL SECURITY (MONETARY BENEFITS)
REGULATIONS 1939, AMENDMENT NO. 1**

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 23rd day of December 1958

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Social Security Act 1938, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Social Security (Monetary Benefits) Regulations 1939, Amendment No. 1, and shall be read together with and deemed part of the Social Security (Monetary Benefits) Regulations 1939* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force in relation to any class of benefit upon such day as the Minister, by notice in the *Gazette*, appoints in that behalf, and different days may be so appointed in relation to different classes of benefits.

(3) Until these regulations come into force in relation to any specified class of benefit, the principal regulations shall continue to remain in full force and effect in relation to that class of benefit as if these regulations had not been made.

2. (1) Regulation 2 of the principal regulations is hereby amended by revoking the definitions of the terms "benefit year" and "income year".

(2) Regulation 2 of the principal regulations is hereby further amended by inserting, in their appropriate alphabetical order, the following definitions:

"Benefit order" means an order issued by the Department for payment of an instalment of a benefit:

"Order book" means a book of benefit orders:".

3. Regulation 8 of the principal regulations is hereby amended by revoking subclause (5).

4. Regulation 9 of the principal regulations is hereby amended by omitting the words "the benefit-certificate", and substituting the words "all unpaid benefit orders".

5. Regulation 10 of the principal regulations is hereby amended by omitting from subclause (2) the words "the benefit-certificate", and substituting the words "all unpaid benefit orders".

6. The principal regulations are hereby amended by revoking regulations 11 to 15, and substituting the following regulations:

"PAYMENT OF MONETARY BENEFITS

"11. (1) Subject to the provisions of the Act and these regulations, every monetary benefit shall be paid in such manner as the Commission directs.

"(2) Every instalment of a monetary benefit shall be deemed to accrue from day to day during the pay period for which it is payable, and shall be due on the last day of that period.

"(3) Payment of any instalment may be made at any time within or after the expiry of the pay period for which it is payable, in accordance with the general or special instructions of the Commission.

"(4) No instalment shall be paid before the commencement of the pay period for which it is payable, except with the authority of the Commission.

"(5) Where under section 70 of the Act, any benefit is payable in respect of any period during which the beneficiary is absent from New Zealand, the Commission may make such arrangements for payment as it considers expedient, having regard to the circumstances of the case.

"12. (1) A benefit order or a book of benefit orders issued to any person shall remain the property of the Department, and shall be returnable to the Department on demand.

"(2) For the purposes of identification, a beneficiary shall be required to sign the order book with his usual signature:

"Provided that, where an agent is appointed by the Commission to receive payment of the benefit, the agent shall sign the order book.

"(3) When receiving payment of any instalment, the payee shall give a receipt in such manner and in such form as the Commission requires. Payment may be refused if—

"(a) The signature does not correspond with the specimen signature on the order book cover; or

"(b) The signature or order bears any erasure or alteration or is defaced or mutilated.

"(4) Any person who receives a benefit order shall acquire no better title to the order than that of the person from whom he received it.

"(5) If the sum mentioned in an order has been received by a person not entitled thereto, the amount may be recovered from that person as a debt due to the Crown at the suit of any one of the Commissioners.

"13. (1) In the event of a benefit order or book of orders being lost, destroyed, or mutilated, the beneficiary or his duly authorised agent may apply for a duplicate order or order book. Every such application shall be in writing and the circumstances under which it is made shall be declared by the applicant.

“(2) Every beneficiary or duly authorised agent of a beneficiary commits an offence against these regulations, and is liable on summary conviction to a fine of £10, if he presents for payment an original benefit order after a duplicate benefit order has been issued.”

7. Regulation 16 of the principal regulations is hereby amended as follows:

- (a) By omitting from subclause (4) the words “approved or”:
- (b) By omitting from the same subclause the word “benefit-certificate”, and substituting the words “order book”:
- (c) By omitting from paragraph (b) of subclause (5) the word “benefit-certificate”, and substituting the words “order book”:
- (d) By omitting from paragraph (d) of the same subclause the word “benefit-certificate” wherever it occurs, and substituting in each case the words “order book”:
- (e) By omitting from the same paragraph the words “clause 11”, and substituting the words “regulation 13 (2)”:
- (f) By omitting from the same paragraph the word “certificates”, and substituting the words “order books”.

8. Regulation 17 of the principal regulations is hereby amended as follows:

- (a) By omitting from paragraph (a) of subclause (1) the words “pursuant to a warrant issued by the Commission”:
- (b) By revoking subclause (3).

9. Regulation 18 of the principal regulations is hereby amended by omitting from subclause (3) the word “benefit-certificate”, and substituting the words “order book”.

T. J. SHERRARD,
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 (except regulation 3) make such amendments to the Social Security (Monetary Benefits) Regulations 1939 as are necessary to give effect to Part III of the Social Security Amendment Act 1958 providing for payment of monetary benefits on a four-weekly basis by means of benefit orders.

Regulation 3 revokes the existing provision that returns of income are not required from persons in receipt of certain classes of benefits.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 December 1958.

These regulations are administered in the Social Security Department.