



**THE SOCIAL SECURITY (ENTITLEMENT CARDS)
REGULATIONS 1991, AMENDMENT NO. 2**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 4th day of May 1992

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 132 and 132A of the Social Security Act 1964, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Social Security (Entitlement Cards) Regulations 1991, Amendment No. 2, and shall be read together with and deemed part of the Social Security (Entitlement Cards) Regulations 1991* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “ordinarily resident in New Zealand” (as inserted by regulation 2 of the Social Security

*S.R. 1991/236
Amendment No. 1: S.R. 1992/37

(Entitlement Cards) Regulations 1991, Amendment No. 1), and substituting the following definition:

“‘Ordinarily resident in New Zealand’, in relation to any person, includes a person whom the Director-General is satisfied is in the process of claiming refugee status in New Zealand; but does not include any other person—

“(a) Unlawfully resident or present in New Zealand; or

“(b) Lawfully resident or present in New Zealand but only by virtue of—

“(i) A visitor’s permit; or

“(ii) A temporary work permit; or

“(iii) A permit to be in New Zealand for the purposes of study at a New Zealand school or university or other educational establishment.”.

3. Eligibility for entitlement cards—(1) Regulation 6 (1) (d) of the principal regulations (as substituted by regulation 4 (1) of the Social Security (Entitlement Cards) Regulations 1991, Amendment No. 1) is hereby amended by revoking subparagraph (i), and substituting the following subparagraph:

“(i) Is not—

“(A) A dependent child; or

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

(2) Regulation 6 (1) of the principal regulations is hereby amended by adding the following paragraph:

“(f) A student who is—

“(i) Ordinarily resident in New Zealand; and

“(ii) Undertaking a recognised course of study in a full-time programme at a tertiary institution (other than a secondary school) within the meaning of the Student Allowances Regulations 1991 (S.R. 1991/295)—
and whose family income is less than the appropriate amount specified in the Schedule to these regulations.”

(3) Regulation 4 (1) of the Social Security (Entitlement Cards) Regulations 1991, Amendment No. 1, is hereby consequentially revoked.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

Regulation 2 revokes the definition of "ordinarily resident in New Zealand" contained in the principal regulations, and substitutes a new definition. The new definition corrects errors in paragraph (a) and paragraph (d) of the previous definition, and removes the present recognition as ordinarily resident of assisted students and exempt students under the Education Act 1989.

Regulation 3 removes the reference to secondary school students in regulation 6 (1) (d) (i) (B) of the principal regulations, and inserts a new paragraph (f) conferring eligibility for a Group 1 card on full-time students at tertiary institutions (other than secondary schools) within the meaning of the Student Allowances Regulations 1991 who are ordinarily resident in New Zealand and whose family income is less than the appropriate amount specified in the Schedule to the principal regulations.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 7 May 1992.
These regulations are administered in the Department of Social Welfare.