

1982/65



**THE SOCIAL SECURITY (BREAST PROSTHESES)
REGULATIONS 1977, AMENDMENT NO. 1**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 22nd day of March 1982

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to section 116 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.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Social Security (Breast Prosthesis) Regulations 1977, Amendment No. 1, and shall be read together with and deemed part of the Social Security (Breast Prosthesis) Regulations 1977* (hereinafter referred to as the principal regulations).

(2) These regulations shall be deemed to have come into force on the 10th day of July 1981.

2. Benefits—The principal regulations are hereby amended by revoking regulation 4, and substituting the following regulation:

“4. (1) Subject to regulation 5 of these regulations, a sum equivalent to the ordinary cost to a purchaser of a breast prosthesis, but not exceeding \$40 a year, shall be paid by the Department to—

“(a) Any Hospital Board which sells or supplies a breast prosthesis to a patient who has undergone a mastectomy; or

“(b) Any licensee of a private hospital who sells or supplies a breast prosthesis to a patient who has undergone a mastectomy in that hospital; or

“(c) The controlling authority of any institution or place recognised and approved by the Minister pursuant to section 103 of the Act which sells or supplies a breast prosthesis to a patient who has undergone a mastectomy in that institution or place; or

“(d) Any person who sells breast protheses in the course of his business, and who supplies a breast prothesis to a patient who has undergone a mastectomy; or

“(e) Any patient who has undergone a mastectomy and to whom a breast prothesis is sold or supplied by a person referred to in paragraphs (a) to (d) of this subclause.

“(2) The benefit provided for in subclause (1) of this regulation shall be payable in respect of a replacement prothesis where any woman has undergone a mastectomy elsewhere than in New Zealand, if she is entitled to the several benefits under Part II of the Act.

“(3) The benefit provided for in subclause (1) of this regulation may be claimed on the sale or supply of a breast prothesis, or at any time after such sale or supply, and may be accumulated for any number of years.”

3. Conditions of payment—Regulation 5 (3) of the principal regulations is hereby amended—

(a) By revoking paragraph (a):

(b) By omitting from paragraph (b) the words “, subsequent to such mastectomy,”.

P. G. MILLEN,
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 amend the principal regulations as follows:

- (a) The maximum benefit for a breast prothesis is increased from \$30 to \$40 and is payable annually.
- (b) The benefit will be payable to women who underwent mastectomies before 29 July 1976.
- (c) The benefit is payable to women who underwent mastectomies overseas if they are otherwise entitled to receive health benefits.
- (d) The annual benefit may be accumulated for any number of years.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25 March 1982.

These regulations are administered in the Department of Health.