



**THE SOCIAL SECURITY (BREAST PROSTHESES) REGULATIONS
1977, AMENDMENT NO. 3**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 22nd day of September 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 116, 123 (2), and 132 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, commencement, and application—(1) These regulations may be cited as the Social Security (Breast Prostheses) Regulations 1977, Amendment No. 3, and shall be read together with and deemed part of the Social Security (Breast Prostheses) Regulations 1977* (hereinafter referred to as the principal regulations).

(2) Regulation 2 of these regulations shall be deemed to have come into force on the 1st day of August 1986, and shall apply to breast prostheses sold or supplied to a patient who has undergone a mastectomy on or after that date until the close of the 30th day of September 1986. In respect of breast prostheses sold or supplied to patients who underwent a

*S.R. 1977/138
Amendment No. 1: S.R. 1982/65
Amendment No. 2: S.R. 1985/283

mastectomy before the 1st day of August 1986, the principal regulations shall continue to apply as if these regulations had not been made.

(3) Regulation 3 of these regulations shall come into force on the 1st day of October 1986, and shall apply to breast prostheses sold or supplied to a patient who undergoes a mastectomy on or after that date.

2. Increased benefits on and after 1 August 1986—The principal regulations are hereby amended by revoking regulation 4 (as substituted by regulation 2 of the Social Security (Breast Prostheses) Regulations 1977, Amendment No. 1), 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 an initial sum of \$180 and, after 1 year, \$40 in each subsequent year, shall be paid by the Department to—

“(a) Any Hospital Board that sells or supplies a breast prosthesis to a patient who has undergone a mastectomy in that hospital; 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 that 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 prostheses in the course of that person’s business, and who supplies a breast prosthesis to a patient who has undergone a mastectomy; or

“(e) Any patient who has undergone a mastectomy and to whom a breast prosthesis 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 prosthesis 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 prosthesis, or at any time after such sale or supply, and may be claimed—

“(a) In respect of a mastectomy undergone on or after the 1st day of August 1986, as an initial lump sum payment of not more than \$300 (comprising the initial sum of \$180 plus the subsequent yearly benefit of \$40 for up to 3 years) and, after the expiry of the period used to calculate the lump sum payment, as a yearly benefit; or

“(b) In every case, as a yearly benefit,—

and, when claimed as a yearly benefit, may be accumulated for any number of years.”

3. Increased benefits as from 1 October 1986—Regulation 4 of the principal regulations (as substituted by regulation 2 of these regulations) is hereby amended—

(a) By omitting from subclause (1) the expression “\$180”, and substituting the expression “\$198”:

- (b) By omitting from subclause (1) the expression “\$40”, and substituting the expression “\$44”:
- (c) By omitting from paragraph (a) of subclause (3) the expression “\$300”, and substituting the expression “\$330”:
- (d) By omitting from paragraph (a) of subclause (3) the expression “\$180”, and substituting the expression “\$198”:
- (e) By omitting from paragraph (a) of subclause (3) the expression “\$40”, and substituting the expression “\$44”.

4. Revocations—The following regulations are hereby consequentially revoked:

- (a) Regulation 2 of the Social Security (Breast Prostheses) Regulations 1977, Amendment No. 1:
- (b) The Social Security (Breast Prostheses) Regulations 1977, Amendment No. 2.

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.

Regulation 2 increases, on and after 1 August 1986, the benefits payable in respect of a breast prosthesis supplied in respect of a mastectomy undergone on or after that date until 30 September 1986.

Regulation 3 increases, as from 1 October 1986, the benefits payable in respect of a breast prosthesis supplied in respect of a mastectomy undergone on or after that date.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 25 September 1986.
These regulations are administered in the Department of Health.