



Social Security (Long-term Residential Care) Amendment Regulations (No 3) 2006

Anand Satyanand, Governor-General

Order in Council

At Wellington this 11th day of December 2006

Present:

His Excellency the Governor-General in Council

Pursuant to section 155 of the Social Security Act 1964, His 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

These regulations are the Social Security (Long-term Residential Care) Amendment Regulations (No 3) 2006.

2 Commencement

These regulations come into force on 15 December 2006.

3 Principal regulations amended

These regulations amend the Social Security (Long-term Residential Care) Regulations 2005.

4 Assets exempt from means assessment

- (1) Regulation 10(1) is amended by adding the following paragraph:

“(f) any ex gratia payment made to the person, on or after 15 December 2006, by or on behalf of the Crown, and made because the person suffered a personal injury that is, or was caused by, hepatitis C infection contracted through the New Zealand blood supply.”

- (2) Regulation 10 is amended by inserting the following subclauses after subclause (1):

“(1A) The exemption in subclause (1)(f) applies only in respect of the first 12 months after the payment concerned is made.

“(1B) In subclause (1)(f), **Crown, New Zealand blood supply, and personal injury** have the meanings given to them by regulation 3 of the Social Security (Income and Cash Assets Exemptions: Personal Injury from Hepatitis C Infection Contracted Through New Zealand Blood Supply) Regulations 2006.”

Rebecca Kitteridge,
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 15 December 2006, extend the categories, prescribed by regulation 10 of the Social Security (Long-term Residential Care) Regulations 2005, of assets that are exempt from means assessment under Part 4 of the Social Security Act 1964.

The new category of exempt assets, which is prescribed by *new regulation 10(1)(f)*, is any ex gratia payment—

- made to a person, on or after 15 December 2006, by or on behalf of the Crown; and

- made because the person suffered a personal injury that is, or was caused by, hepatitis C infection contracted through the New Zealand blood supply.

The exemption applies only in respect of the first 12 months after the ex gratia payment concerned was made.

(Crown, New Zealand blood supply, and personal injury have the meanings given to them by the related Social Security (Income and Cash Assets Exemptions: Personal Injury from Hepatitis C Infection Contracted Through New Zealand Blood Supply) Regulations 2006.)

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 14 December 2006.

These regulations are administered by the Ministry of Social Development and the Ministry of Health.
