



**THE SOCIAL SECURITY (DISABILITY SERVICES—FINANCIAL ASSESSMENT) REGULATIONS 1994**

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CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 7th day of March 1994

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 61H and 132B 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.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Social Security (Disability Services—Financial Assessment) Regulations 1994.

(2) These regulations shall come into force on the 8th day of March 1994.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“Act” means the Social Security Act 1964:

“Income” has the same meaning as in section 69E of the Act:

“Realisable assets” has the same meaning as in section 69E of the Act:

Other expressions defined in the Act have the meanings so defined.

**3. Increasing asset limit for certain married couples**—(1) The Twenty-seventh Schedule to the Act (as added by section 35 of the Social Security Amendment Act (No. 3) 1993) is hereby amended by omitting from clause 3 the expression “20,000”, and substituting the expression “40,000”.

(2) This regulation shall have effect from the date on which it came into force.

**4. Financial assessments to be done on a weekly basis**—When assessing a person’s financial means to pay or contribute to the cost of his or her residential care disability services under section 69F (3) of the Act, the Director-General shall determine the amount per week that a person can pay or contribute to the cost of those services, taking into account the exemption specified in regulation 5 of these regulations.

**5. Exemption of amounts of realisable assets and income**—(1) In this regulation—

“Specified amount” means the total of a person’s realisable assets and weekly income less—

(a) The sum of \$636; or

(b) The sum of \$636 + a – b, if a is greater than b:

where—

a is equal to the full cost on a weekly basis of the residential care disability services provided to that person; and

b is equal to the weekly amount that the appropriate purchaser is satisfied is necessary to meet the person’s need for residential care disability services:

Provided that the specified amount shall not be less than zero:

“Weekly income” is an amount equal to a person’s annual income divided by 52.

(2) In assessing the weekly amount that a person can pay or contribute towards the cost of his or her residential care disability services, the Director-General shall deduct from that assessment the specified amount.

MARIE SHROFF,  
Clerk of the Executive Council.

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## EXPLANATORY NOTE

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

These regulations increase the asset limit for a married couple of whom one is receiving residential care disability services from \$20,000 to \$40,000.

In addition, these regulations—

- (a) Provide that financial means assessments made under section 69F of the Social Security Act 1964 shall assess the weekly amount that a person is able to contribute towards the cost of the person's residential care disability services:
- (b) Have the effect of limiting the amount a person is required to pay for residential care disability services to a maximum of \$636 per week.

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

Date of notification in *Gazette*: 8 March 1994.

These regulations are administered in the Department of Social Welfare.