

**Reprint  
as at 26 November 2018**



## **Social Security Amendment Act 2012**

Public Act      2012 No 18  
Date of assent      24 February 2012  
Commencement      see section 2

Social Security Amendment Act 2012: repealed, on 26 November 2018, pursuant to section 455(1) of the Social Security Act 2018 (2018 No 32).

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### **The Parliament of New Zealand enacts as follows:**

**1      Title**

This Act is the Social Security Amendment Act 2012.

**2      Commencement**

This Act comes into force on the day after the date on which it receives the Royal assent.

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This Act is administered by the Ministry of Social Development.**

### **3 Principal Act amended**

This Act amends the Social Security Act 1964.

### **4 Persons unlawfully resident or present in New Zealand**

Section 74A(1A) (as substituted by section 406(1) and Schedule 3 of the Immigration Act 2009) is repealed and the following subsections are substituted:

- (1A) Despite subsection (1), the chief executive may take either or both of the actions specified in subsection (1B) if the chief executive is satisfied that the person is—
- (a) a person lawfully present in New Zealand who is awaiting the outcome of his or her claim for recognition as a refugee or a protected person; or
  - (b) a person who is recognised as a refugee or a protected person; or
  - (c) a person applying for a residence class visa under the Immigration Act 2009 who is compelled to remain in New Zealand because of unforeseen circumstances.
- (1B) The actions referred to in subsection (1A) are—
- (a) grant the person an emergency benefit under section 61;
  - (b) grant the person temporary additional support under section 61G or, as the case requires, continue, under section 23 of the Social Security (Working for Families) Amendment Act 2004, a special benefit already granted to the person.

## Reprints notes

### **1**    *General*

This is a reprint of the Social Security Amendment Act 2012 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2**    *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3**    *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4**    *Amendments incorporated in this reprint*

Social Security Act 2018 (2018 No 32): section 455(1)