

**Reprint  
as at 22 September 2011**



**Social Security (Income and Cash  
Assets Exemptions: Personal  
Injury from Hepatitis C Infection  
Contracted Through New Zealand  
Blood Supply) Regulations 2006**

(SR 2006/377)

Social Security (Income and Cash Assets Exemptions: Personal Injury from Hepatitis C Infection Contracted Through New Zealand Blood Supply) Regulations 2006: revoked, on 22 September 2011, by regulation 47 of the Social Security (Income and Cash Assets Exemptions) Regulations 2011 (SR 2011/287).

Anand Satyanand, Governor-General

**Order in Council**

At Wellington this 11th day of December 2006

Present:

His Excellency the Governor-General in Council

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**These regulations are administered by the Ministry of Social Development.**

Pursuant to section 132 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 (Income and Cash Assets Exemptions: Personal Injury from Hepatitis C Infection Contracted Through New Zealand Blood Supply) Regulations 2006.
- 2 Commencement**

These regulations come into force on 15 December 2006.
- 3 Interpretation**

In these regulations, unless the context otherwise requires,—

**Act** means the Social Security Act 1964

**Crown** means all or any of the following:

  - (a) the Sovereign in right of New Zealand; and
  - (b) all Ministers of the Crown, and all Departments of the Public Service specified in Schedule 1 of the State Sector Act 1988; and
  - (c) Crown entities as defined in section 7(1) of the Crown Entities Act 2004 (for example, DHBs); and
  - (d) every other instrument of the Crown in respect of the Government of New Zealand, whether the instrument is or was an agency, corporation, department, division, en-

terprise, service, or otherwise (for example, every predecessor in title of a DHB)

**DHB** means a district health board established by or under section 19 of the New Zealand Public Health and Disability Act 2000

**New Zealand blood supply** means either or both of the following:

- (a) blood collected in New Zealand (whether or not that blood was donated, or otherwise collected, with assistance provided or funded by or on behalf of the Crown); and
- (b) any blood product derived from blood of that kind

**personal injury** has the meaning set out in section 26 of the Injury Prevention, Rehabilitation, and Compensation Act 2001

**predecessor in title**, in relation to a DHB, has the meaning given to it by section 2(1) of the Health Sector (Transfers) Act 1993.

#### **4 Application**

The exemptions in regulations 5 and 6 apply only in respect of the first 12 months after the *ex gratia* payment concerned was made.

#### **5 Specified item and income declared not to be income**

- (1) The item of income, and income from the source, specified in subclause (2) are (under paragraph (f)(xvii) of the definition of income in section 3(1) of the Act) not a person's income for the purposes of the Act.
- (2) The item of income and the source of income are—
  - (a) 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; and
  - (b) any income derived (directly or indirectly) by the person from the payment referred to in paragraph (a).

**6 Specified item declared not to be cash assets**

- (1) The item of cash assets specified in subclause (2) is (under paragraph (b) of the definition of cash assets in section 61E(1) of the Act) not a person's cash assets for the purposes of the Act.
- (2) The item of cash assets is any *ex gratia* payment—
  - (a) made to the person, on or after 15 December 2006, by or on behalf of the Crown; and
  - (b) made because the person suffered a personal injury that is, or was caused by, hepatitis C infection contracted through the New Zealand blood supply.

Rebecca Kitteridge,  
for 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, which come into force on 15 December 2006, are made under the Social Security Act 1964 (the **Act**). They declare certain income and cash assets not to be a person's income or cash assets for the purposes of the Act.

The exempted income and cash assets are *ex gratia* payments, and income derived from *ex gratia* payments, received because of a personal injury that is, or was caused by, hepatitis C infection contracted through the New Zealand blood supply.

The exemptions apply only in respect of the first 12 months after the *ex gratia* payment concerned was made.

(The exempted payments are also assets exempt from means assessment under Part 4 of the Act, because of the related exemption in regulation 10(1)(f) of the Social Security (Long-term Residential Care) Regulations 2005.)

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**Social Security (Income and Cash Assets  
Exemptions: Personal Injury from Hepatitis  
C Infection Contracted Through New  
Zealand Blood Supply) Regulations 2006**

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 14 December 2006.

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## **Notes**

### **1 *General***

This is a reprint of the Social Security (Income and Cash Assets Exemptions: Personal Injury from Hepatitis C Infection Contracted Through New Zealand Blood Supply) Regulations 2006. The reprint incorporates all the amendments to the regulations as at 22 September 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

### **2 *Status of reprints***

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### **3     *How reprints are prepared***

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

### **4     *Changes made under section 17C of the Acts and Regulations Publication Act 1989***

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)

- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5** *List of amendments incorporated in this reprint  
(most recent first)*

Social Security (Income and Cash Assets Exemptions) Regulations 2011 (SR 2011/287): regulation 47

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