

**Reprint  
as at 26 November 2018**



**Social Security (SuperGold Card) Regulations 2007  
(SR 2007/209)**

Social Security (SuperGold Card) Regulations 2007: revoked, on 26 November 2018, by regulation 295(20) of the Social Security Regulations 2018 (LI 2018/202).

Anand Satyanand, Governor-General

**Order in Council**

At Wellington this 23rd day of July 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 132A 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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**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.

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

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## Regulations

### 1 Title

These regulations are the Social Security (SuperGold Card) Regulations 2007.

### 2 Commencement

These regulations come into force on 2 August 2007.

### 3 Interpretation

(1) In these regulations, unless the context otherwise requires,—

**cardholder** means a person who holds a valid SuperGold Card issued to him or her

**community services card** means a card issued under regulation 4 of the Health Entitlement Cards Regulations 1993

**dependent child** has the meaning given to it by regulation 2(1) of the Health Entitlement Cards Regulations 1993

**pharmacist** means a health practitioner who is, or is deemed to be, registered with the Pharmacy Council established by section 114(5) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of pharmacy

**provider** means a provider of services funded under the New Zealand Public Health and Disability Act 2000

**SuperGold Card** means an entitlement card issued under regulation 4(1)

**valid**, in relation to a SuperGold Card, means signed by the person to whom it was issued.

(2) In these regulations, terms not defined in subclause (1) but defined in section 3(1) of the Social Security Act 1964 have the meanings given to them by that subsection.

### 4 Issue and recall of cards

(1) The chief executive—

(a) may issue an entitlement card to any eligible person; and

- (b) must issue an entitlement card to an eligible person who applies for one.
- (2) The chief executive may—
  - (a) recall any SuperGold Card:
  - (b) re-issue a recalled SuperGold Card to the person to whom it was issued:
  - (c) issue a replacement SuperGold Card to a person whose SuperGold Card has been recalled:
  - (d) issue a new SuperGold Card to any eligible person whose SuperGold Card has expired or is about to expire:
  - (e) issue a new SuperGold Card bearing a photograph of the cardholder in place of a SuperGold Card not bearing a photograph.
- (3) If satisfied that a person's SuperGold Card has been stolen, damaged, destroyed, or lost, the chief executive may issue a replacement SuperGold Card to him or her.

## **5 Commencement and expiry of cards**

- (1) A SuperGold Card may state a day on which it expires, and if so is not valid after that day.
- (2) A SuperGold Card may state the day on which it commences, and if so is not valid before that day.

## **6 Form of SuperGold Cards**

- (1) A SuperGold Card—
  - (a) must bear the word “SuperGold”; and
  - (b) must have at least one side whose background colour is gold or a dull yellow; and
  - (c) must bear the name of the cardholder; and
  - (d) must have imprinted or contained on it a signature panel indicating that the signature written or endorsed on it is the signature of the cardholder; and
  - (e) if issued to a person who is known to meet the service requirement stated in section 161(1)(a) of the Veterans' Support Act 2014, may bear distinctive marks indicating that fact.
- (2) So long as it complies with subclause (1), a SuperGold Card—
  - (a) may be issued in any form the chief executive decides; and
  - (b) may have imprinted or contained on it any information or wording the chief executive decides.
- (3) A SuperGold Card—
  - (a) may bear a number or code indicating the cardholder's class of eligibility for the card:

- (b) may bear a code indicating the cardholder's entitlement—
    - (i) to New Zealand superannuation, a veteran's pension, a community services card, or any other entitlement; or
    - (ii) to 2 or more of those things:
  - (c) may have on it a magnetic stripe containing any or all of the following information:
    - (i) the cardholder's name;
    - (ii) an identifying number assigned by the department to the cardholder;
    - (iii) a number or code indicating the cardholder's class of eligibility for the card;
    - (iv) an identifying number assigned to the card;
    - (v) the commencement and expiry dates of the card;
    - (vi) a code number for mailing purposes;
  - (d) may have imprinted on it a barcode containing any or all of the information referred to in paragraph (c):
  - (e) at the election (in accordance with regulation 7) of the cardholder, may have a photograph of the cardholder affixed to or imaged onto it.
- (4) Subclause (3) does not limit the generality of subclause (2).

Regulation 6(1)(e): amended, on 7 December 2014, by section 278 of the Veterans' Support Act 2014 (2014 No 56).

## **7 Cardholders may elect to have photograph on card**

- (1) A person may elect to have a photograph of himself or herself affixed to or imaged onto a SuperGold Card to be issued to him or her.
- (2) A person makes an election by completing and signing a written application form provided by the chief executive for the purpose, and—
  - (a) presenting himself or herself before an authorised agent of the department to have a photograph or photographic image taken, verifying his or her identity to the satisfaction of the agent, and giving the completed and signed form to the agent; or
  - (b) if the chief executive allows him or her to do so, either—
    - (i) giving to the chief executive a photograph of himself or herself (the authenticity of which is verified to the chief executive's satisfaction) and the completed and signed form; or
    - (ii) having a photograph of himself or herself (the authenticity of which is verified to the chief executive's satisfaction) and the completed and signed form given to the chief executive by some other person.

## **8 Eligibility for SuperGold Card**

A person is eligible for a SuperGold Card if (and only if) he or she—

- (a) is of or over the age of 65 years, and is residentially qualified for it; or
- (b) is under the age of 65 years, and is receiving New Zealand superannuation under the New Zealand Superannuation and Retirement Income Act 2001 pursuant to an election made by his or her spouse or partner under section 12(2) of that Act; or
- (c) is under the age of 65 years, and is receiving veteran's pension payments payable under Part 6 of the Veterans' Support Act 2014 pursuant to an election made by his or her spouse or partner under section 172(2) of that Act; or
- (d) is under the age of 65 years, and is receiving a veteran's pension under section 164 of the Veterans' Support Act 2014.

Regulation 8(c): replaced, on 7 December 2014, by section 278 of the Veterans' Support Act 2014 (2014 No 56).

Regulation 8(d): replaced, on 7 December 2014, by section 278 of the Veterans' Support Act 2014 (2014 No 56).

## **9 Residential qualification for SuperGold Card**

For the purposes of regulation 8(a), a person is residentially qualified for a SuperGold Card if (and only if) he or she is ordinarily resident in New Zealand, and—

- (a) is a New Zealand citizen; or
- (b) is the holder of a residence class visa granted under the Immigration Act 2009.

Regulation 9(b): substituted, at 2 am on 29 November 2010, by section 406(2) of the Immigration Act 2009 (2009 No 51).

## **10 Obligations of cardholders**

- (1) As soon as a cardholder receives his or her SuperGold Card, he or she must sign it on the panel provided.
- (2) As soon as is reasonably practicable after receiving a written demand for its return signed by or on behalf of the chief executive, a cardholder must return his or her SuperGold Card to the department.
- (3) A cardholder must immediately destroy a SuperGold Card on written demand for its destruction made by notice signed by or on behalf of the chief executive and provided to the cardholder in accordance with regulation 13.
- (4) A cardholder must make all reasonable efforts to keep his or her SuperGold Card safe and secure.
- (5) Nothing in this regulation prevents a cardholder from returning his or her SuperGold Card to the department and asking for it to be cancelled.

## **11 Authorised uses of SuperGold Cards**

- (1) A cardholder may use his or her SuperGold Card for any or all of the following purposes:
  - (a) to provide evidence that he or she is eligible for a SuperGold Card:
  - (b) to provide evidence to the department that he or she has been issued with it and has been assigned the identifying number endorsed on it:
  - (c) to provide evidence of his or her class of eligibility for it:
  - (d) if it bears a code indicating he or she is eligible for a community services card, to provide evidence to a pharmacist that he or she is entitled to a community services card and has been assigned the identifying number the SuperGold Card bears:
  - (e) if the card bears a code indicating he or she is eligible for a community services card, to provide evidence to any of the persons referred to in subclause (2) that he or she is eligible for a community services card, and that he or she and his or her dependent children (if any) are eligible for—
    - (i) any services provided under a service agreement funded under the New Zealand Public Health and Disability Act 2000, other than treatment paid for (in whole or in part) by the Accident Compensation Corporation or an insurer under the Accident Insurance Act 1998; or
    - (ii) any exemption from a charge or part of a charge for any such service; or
    - (iii) any prescribed maximum amount of charge applicable to people of the class or classes of which he or she, or his or her dependent children, form part, in relation to any such service:
  - (f) to obtain a service, discount, or concession available to cardholders (or to cardholders of a particular kind or description).
- (2) The persons referred to in subclause (1)(d) are—
  - (a) the chief executive of the Ministry of Health:
  - (b) Health Benefits Limited:
  - (c) a medical practitioner, specialist, or pharmacist:
  - (d) a district health board or provider:
  - (e) a hospital care institution within the meaning of section 58(4) of the Health and Disability Services (Safety) Act 2001:
  - (f) an employee of a person described in any of paragraphs (a) to (e).

## **12 Unauthorised use of SuperGold Cards**

- (1) A cardholder must not—

- (a) assign, bail, give, lend, mortgage, pledge, rent, transfer, or sell his or her SuperGold Card to any other person; or
  - (b) deal with his or her SuperGold Card in a way that allows any other person to use it without authority; or
  - (c) use his or her SuperGold Card after having been served with a notice under regulation 13 demanding its return.
- (2) A cardholder must not—
- (a) accept any SuperGold Card by way of assignment, bailment, gift, loan, mortgage, pledge, rental, transfer, or sale; or
  - (b) make use of another person's SuperGold Card except as provided for in subclause (7) or (8).
- (3) Only an employee of the department or a person described in regulation 11(2) is entitled to demand or request a SuperGold Card as a form of identification of the cardholder.
- (4) Only an employee of the department is entitled to demand or request a SuperGold Card as evidence that the cardholder is eligible for it.
- (5) Only a person described in regulation 11(2) is entitled to demand or request a SuperGold Card as evidence that the cardholder is eligible for a community services card.
- (6) A person required or requested to produce his or her SuperGold Card by a person entitled to require or request its production may be treated as if he or she does not hold a SuperGold Card (or, as the case requires, is not eligible for a community services card) if he or she does not produce it within a reasonable time.
- (7) If a SuperGold Card bears a code indicating the cardholder is entitled to a community services card, it is not a breach of subclause (1) or (2) for the cardholder—
- (a) to lend it temporarily to a dependent child of the cardholder, or any other person who is for the time being looking after that dependent child, for the purpose only of obtaining for that dependent child services funded under the New Zealand Public Health and Disability Act 2000; or
  - (b) to lend it temporarily to any other person for the purpose only of obtaining for the cardholder, or a dependent child of the cardholder, services funded under the New Zealand Public Health and Disability Act 2000.
- (8) It is not a breach of subclause (1) or (2) for a cardholder to lend his or her SuperGold Card temporarily to another person for the purpose only of obtaining a service, discount, or concession for the cardholder.

### **13 Applications and notices**

- (1) An application for the issue of a SuperGold Card must be in a form provided by the chief executive for the purpose.

- (2) The chief executive may require an applicant for a SuperGold Card, or his or her spouse or partner, or both, to supply any information the chief executive reasonably considers necessary to determine the applicant's eligibility for the card.
- (3) The chief executive may require any SuperGold Card holder, or his or her spouse or partner, or both, to supply any relevant information, or answer any relevant questions, that the chief executive reasonably considers necessary to determine—
  - (a) whether the cardholder was eligible for the card when it was issued; or
  - (b) the cardholder's continued eligibility for the card.
- (4) Subclause (5) applies to—
  - (a) an applicant for a SuperGold Card and his or her spouse or partner; or
  - (b) a SuperGold Card holder and his or her spouse or partner.
- (5) If a person to whom this subclause applies fails to comply with a requirement under subclause (2) or (3) within a reasonable period specified by the chief executive, the chief executive—
  - (a) may refuse to issue a SuperGold Card to the applicant or (as the case requires) his or her spouse or partner;
  - (b) may—
    - (i) refuse to re-issue a SuperGold Card to the cardholder or (as the case requires) his or her spouse or partner; or
    - (ii) recall any SuperGold Card issued to the cardholder or (as the case requires) his or her spouse or partner.
- (6) Every notice required by these regulations must be in writing and must be given to or served on the person to whom it is addressed either personally or—
  - (a) by leaving it at his or her place of residence or business; or
  - (b) by sending it by pre-paid letter addressed to that person at one of those places.
- (7) In the absence of proof to the contrary, a notice sent by prepaid letter is deemed to have been served when it would have been delivered in the ordinary course of the post; and in proving service, it is enough to prove that the letter was properly addressed and posted.

#### **14 Offences**

- (1) The holder of a SuperGold Card who fails or refuses to do anything required by regulation 10 commits an offence against these regulations.
- (2) A person who does anything prohibited by regulation 12 commits an offence against these regulations.
- (3) A person who commits an offence against these regulations is liable on conviction to a fine not exceeding \$1,000.



Regulation 14(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Rebecca Kitteridge,  
for Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 26 July 2007.

## Reprints notes

### **1** *General*

This is a reprint of the Social Security (SuperGold Card) Regulations 2007 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

### **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 Regulations 2018 (LI 2018/202): regulation 295(20)

Veterans' Support Act 2014 (2014 No 56): section 278

Criminal Procedure Act 2011 (2011 No 81): section 413

Immigration Act 2009 (2009 No 51): section 406(2)