

Reprint
as at 1 July 2016



Social Security (Long-term Residential Care) Amendment Regulations (No 3) 2015 (LI 2015/291)

Social Security (Long-term Residential Care) Amendment Regulations (No 3) 2015: revoked, on 1 July 2016, by regulation 4 of the Social Security (Long-term Residential Care) Amendment Regulations 2016 (LI 2016/107).

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 23rd day of November 2015

Present:

His Excellency the Governor-General in Council

Pursuant to section 155 of the Social Security Act 1964 and section 13 of the Interpretation Act 1999, 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.

Regulations

1 Title

These regulations are the Social Security (Long-term Residential Care) Amendment Regulations (No 3) 2015.

2 Commencement

These regulations are deemed to have come into force on 1 July 2015, immediately after the commencement of the Social Security (Long-term Residential Care) Amendment Regulations (No 2) 2015.

3 Schedule 27 of Social Security Act 1964 amended

- (1) In the Social Security Act 1964, Schedule 27, Part 1, clause 1(2), replace “\$218,598” with “\$218,973”.
- (2) In the Social Security Act 1964, Schedule 27, Part 1, clause 1(3), replace “\$119,709” with “\$119,915”.

4 Revocation

The Social Security (Long-term Residential Care) Amendment Regulations (No 2) 2015 (LI 2015/100) are revoked.

Michael Webster,
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 are deemed to have come into force on 1 July 2015. The regulations amend Part 1 of Schedule 27 of the Social Security Act 1964 (the **Act**) to correct errors in asset thresholds used to assess eligibility for partial funding of long-term residential care (*see* Part 4 of the Act).

Section 155 of the Act requires the asset thresholds to be increased by an amount that reflects the movement in the New Zealand Consumers Price Index (All Groups) (the **CPI**) for the year that ended on 31 March 2015, rounded to the nearest whole dollar. The CPI movement for the year that ended on 31 March 2015 was incorrectly published by Statistics New Zealand as approximately 0.08%. These regulations replace the asset thresholds in Part 1 of Schedule 27 of the Act (which are based on a CPI movement of 0.08%) with asset thresholds that are based on the correct CPI movement of approximately 0.25%.

The corrected asset thresholds are—

- threshold A, which is \$218,973 and which applies to a resident if—

- the resident has no spouse or partner; or
 - the resident's spouse or partner also requires care; or
 - the resident has elected to have threshold A apply even though his or her spouse or partner does not require care; and
- threshold B, which is \$119,915 and which applies to a resident if the resident's spouse or partner does not require care and the resident has not elected to have threshold A apply.

The increases in the asset thresholds are based on the previous year's unrounded asset thresholds as required by section 155(3)(b) of the Act.

Section 155 of the Act also requires the income-from-assets exemptions set out in Part 3 of Schedule 27 to be increased by the amount of the movement in the New Zealand Consumers Price Index (All Groups, excluding cigarettes and other tobacco products) for the year that ended on 31 March 2015, as that amount is calculated under section 155(2A) of the Act. The movement in the New Zealand Consumers Price Index (All Groups, excluding cigarettes and other tobacco products) for the year that ended on 31 March 2015 was incorrectly recorded by Statistics New Zealand as approximately -0.17%. It is now recorded as 0%. No changes are required to the income-from-assets exemptions as a result of this correction.

These regulations revoke the Social Security (Long-term Residential Care) Amendment Regulations (No 2) 2015, which are superseded.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 26 November 2015.

Reprints notes

1 *General*

This is a reprint of the Social Security (Long-term Residential Care) Amendment Regulations (No 3) 2015 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 (Long-term Residential Care) Amendment Regulations 2016 (LI 2016/107): regulation 4