

House of Representatives

Supplementary Order Paper

Tuesday, 16 March 2021

Child Support Amendment Bill

Proposed amendments

Chlöe Swarbrick, in Committee, to move the following amendments:

New clause 4A

After *clause 4* (page 5, after line 19), insert:

4A Section 4 amended (Objects)

Delete section 4(j).

New clauses 45AA and 45AB

After *clause 45* (page 22, after line 12), insert:

45AA Sections 141 to 143 replaced

Replace sections 141 to 143 with:

141 Payment to receiving carers

All money received by the Commissioner by way of child support in respect of a qualifying child shall be paid to the receiving carer in accordance with this Part.

45AB Section 144 amended (Payment of lump sum and other child support)

Delete section 144(2).

New clause 46A

After *clause 46* (page 22, after line 32), insert:

*Amendment to Part 11 (enforcement provisions)***46A Section 180A repealed (Commissioner may write off benefit component of child support debt if receiving carer was social security beneficiary and recovery would cause serious hardship or be inefficient use of Commissioner's resources)**

Repeal section 180A.

Explanatory note

This Supplementary Order Paper (SOP) amends the Child Support Amendment Bill. It will implement the Welfare Expert Advisory Group's recommendation, supported by the submission of the Children's Commissioner to the select committee, to "pass on all child support collected to receiving carers, including for recipients of Unsupported Child's Benefit".

Under the current Child Support Act 1991, if child support owed to a beneficiary is more than the amount of the benefits they are entitled to, then only the difference over and above their entitlement is paid to them by Inland Revenue (IRD). The rest of the child support is taken by IRD and the Ministry of Social Development to offset the cost of the benefit to the State.

In contrast, higher-income households where the primary caregiver is not on a benefit receive the additional child support payments in full, on top of any income earned by the parent.

This SOP will allow the receiving carer access to the entire child support payment that the other parent has paid for the welfare of the child, and mitigate some of the inequity currently experienced by children living in the lowest-income households. Including this in the Bill would go some way towards rectifying this inequity, enabling greater wellbeing for these children.