

House of Representatives

Supplementary Order Paper

Tuesday, 20 October 2009

Social Assistance (Payment of New Zealand Superannuation and Veteran's Pension Overseas) Amendment Bill

Proposed amendments

Hon Paula Bennett, in Committee, to move the following amendments:

Clause 2

To omit “2 November 2009” (at line 6 on page 2) and substitute “a date to be appointed by the Governor-General by Order in Council”.

Clause 6

Proposed *new section 26(1)(b)* of the New Zealand Superannuation and Retirement Income Act 2001: To insert after “New Zealand” (at line 18 on page 3) “at a time when he or she was”.

Proposed *new section 26(2)(a)* of the New Zealand Superannuation and Retirement Income Act 2001: To insert after “New Zealand” (at line 31 on page 3) “at a time when he or she was”.

Proposed *new section 26(2)(b)* of the New Zealand Superannuation and Retirement Income Act 2001: To insert after “New Zealand” (at line 6 on page 4) “at a time when he or she was”.

Proposed *new section 26* of the New Zealand Superannuation and Retirement Income Act 2001: To insert the following subsections after *subsection (3)* (after line 24 on page 4):

- (3A) Except to the extent provided by **paragraphs (a)(i) and (b)(i) of subsection (2)**, a person does not cease to be entitled to be paid New Zealand superannuation under that subsection by reason only of changing his or her intentions after leaving New Zealand.
- (3B) **Subsection (3A)** is for the avoidance of doubt.

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Proposed *new section 26AA(2)(d)* of the New Zealand Superannuation and Retirement Income Act 2001: To insert after “spouse” (at line 25 on page 6) “or partner”.

Clause 14

Proposed *new section 74J(1)(b)* of the War Pensions Act 1954: To insert after “New Zealand” (at line 14 on page 9) “at a time when he or she was”.

Proposed *new section 74J(2)(a)* of the War Pensions Act 1954: To insert after “New Zealand” (at line 27 on page 9) “at a time when he or she was”.

Proposed *new section 74J(2)(b)* of the War Pensions Act 1954: To insert after “New Zealand” (at line 4 on page 10) “at a time when he or she was”.

Proposed *new section 74J* of the War Pensions Act 1954: To insert after *subsection (3)* (after line 25 on page 10) the following subsections:

(3A) Except to the extent provided by **paragraphs (a)(i) and (b)(i) of subsection (2)**, a person does not cease to be entitled to be paid a veteran's pension under that subsection by reason only of changing his or her intentions after leaving New Zealand.

(3B) **Subsection (3A)** is for the avoidance of doubt.

Proposed *new section 74JAA(2)(d)* of the War Pensions Act 1954: To insert after “spouse” (at line 38 on page 12) “or partner”.

Explanatory note

This Supplementary Order Paper proposes the following amendments to the Bill:

- an amendment to clause 2 so that the Bill comes into force on a date to be appointed by Order in Council, rather than on 2 November 2009;
- amendments to *clause 6* to make clear when the intentions of a person travelling overseas are to be considered for the purposes of proposed *new section 26* of the New Zealand Superannuation and Retirement Income Act 2001;
- an amendment to *clause 6* to rectify a drafting omission in proposed *new section 26AA(2)(d)* of the New Zealand Superannuation and Retirement Income Act 2001;
- amendments to *clause 14* to make clear when the intentions of a person travelling overseas are to be considered for the purposes of proposed *new section 74J* of the War Pensions Act 1954;
- an amendment to *clause 14* to rectify a drafting omission in proposed *new section 74JAA(2)(d)* of the War Pensions Act 1954.

The change in commencement is to enable the Bill's commencement to be deferred until the passage of certain amendments to the Income Tax Act 2007 that it has become clear should be made in order to deal with tax treatment of pay-

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ments that will now be able to be made by virtue of the amendments made by the Bill.
