

Reprint
as at 26 November 2018



Social Security (Expiry and Re-grant of Specified Benefits) Regulations 2013 (SR 2013/251)

Social Security (Expiry and Re-grant of Specified Benefits) Regulations 2013: revoked, on 26 November 2018, by regulation 295(11) of the Social Security Regulations 2018 (LI 2018/202).

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 10th day of June 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 132M 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 (Expiry and Re-grant of Specified Benefits) Regulations 2013.

2 Commencement

These regulations come into force on 15 July 2013.

3 Interpretation

- (1) In these regulations, unless the context otherwise requires, **Act** means the Social Security Act 1964.
- (2) Any term or expression that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.

4 Certain benefits not subject to benefit expiry and re-grant provisions

The following benefits are not specified benefits for the purposes of sections 80BE and 80BF of the Act:

- (a) *[Revoked]*
- (b) a supported living payment on the ground of sickness, injury, disability, or total blindness, under section 40B of the Act:
- (c) a supported living payment on the ground of caring for a patient requiring care, under section 40D of the Act:
- (d) an emergency benefit.

Regulation 4(a): revoked, on 4 April 2016, by regulation 4 of the Social Security (Expiry and Re-grant of Specified Benefits) Amendment Regulations 2016 (LI 2016/49).

5 Expiry date for jobseeker support

- (1) The expiry date for jobseeker support for the purposes of sections 80BE and 80BF of the Act is,—
 - (a) in the case of a beneficiary whose sole parent support is replaced with jobseeker support under section 20H of the Act when the beneficiary's youngest dependent child turns 14 years old, the 12-month anniversary of the date on which the beneficiary's original benefit commenced or, as the case may be, last commenced; and
 - (b) in any other case, the 12-month anniversary of the date on which the person's jobseeker support commenced or, as the case may be, last commenced.

- (2) For the purpose of subclause (1)(a), the original benefit is,—
- (a) for a beneficiary who transfers to sole parent support on 15 July 2013 pursuant to clause 2(6) to (8) of Schedule 32 of the Act, either a domestic purposes benefit under section 27B of the Act or a widow's benefit under section 21 of the Act, as the case may be; and
 - (b) for any other beneficiary, sole parent support.
- (3) Subclause (1) is subject to clauses 2(13), 7(10), 8(8), and 10(9) of Schedule 32 of the Act.

5A Expiry date for sole parent support

- (1) The expiry date for sole parent support for the purposes of sections 80BE and 80BF of the Act is,—
- (a) in the case of a beneficiary receiving sole parent support to which the beneficiary was transferred on 15 July 2013 pursuant to clause 2(6) to (8) of Schedule 32 of the Act, the 12-month anniversary of the date on which the beneficiary's original benefit commenced or, as the case may be, last commenced; and
 - (b) in any other case, the 12-month anniversary of the date on which the beneficiary's sole parent support commenced or, as the case may be, last commenced.
- (2) For the purposes of subclause (1)(a), the **beneficiary's original benefit** means the benefit that the beneficiary was receiving immediately before 15 July 2013 that was either—
- (a) a domestic purposes benefit under section 27B of the Act; or
 - (b) a widow's benefit under section 21 of the Act.

Regulation 5A: inserted, on 4 April 2016, by regulation 5 of the Social Security (Expiry and Re-grant of Specified Benefits) Amendment Regulations 2016 (LI 2016/49).

6 Exemptions from expiry

The chief executive may, under section 80BE(8) of the Act, consider an exemption from expiry under section 80BE of the Act in any of following circumstances:

- (a) the beneficiary is a patient in hospital care within the meaning of section 4(1) of the Health and Disability Services (Safety) Act 2001;
- (b) the beneficiary is in residential disability care or rest home care within the meaning of that section;
- (c) the beneficiary resides in, or is present in and cannot reasonably leave, an area in respect of which a state of local emergency or state of national emergency is in force under Part 4 of the Civil Defence Emergency Management Act 2002.

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 13 June 2013.

Reprints notes

1 *General*

This is a reprint of the Social Security (Expiry and Re-grant of Specified Benefits) Regulations 2013 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(11)

Social Security (Expiry and Re-grant of Specified Benefits) Amendment Regulations 2016 (LI 2016/49)