1999;
Winners will be notified by certified mail;

(3) New Zealand winners shall not be subject to any extra cost when they claim their prizes;

(4) The chance of a New Zealand participant winning a prize shall be equal to that of an overseas participant.

Dated at Wellington this 7th day of October 1998.

JACK ELDER, Minister of Internal Affairs.
go7420

Labour

Public Finance Act 1989

Notice of Publication of Annual Report—Department of Labour

The Department of Labour hereby gives notice that, pursuant to section 39 (2A) of the Public Finance Act 1989, it has published its annual report for the year ended 30 June 1998, containing its financial statements, audit report and management responsibility statements.

Dated this 13th day of October 1998.

J. M. CHETWIN, Secretary of Labour.
go7336

Prime Minister and Cabinet

Public Finance Act 1989

Notice of Publication of a Report in Relation to Outputs Supplied to the Crown

Pursuant to Section 32A of the Public Finance Act 1989

The Department of Prime Minister and Cabinet hereby gives notice that it has published the report; Vote Prime Minister and Cabinet, Outputs Supplied by other parties, for the year ended 30 June 1998. The report contains financial statements and the statement of service performance for the same period.

Dated this 15th day of October 1998.

RIGHT HON. JENNY SHIPLEY, Prime Minister.
go7459

Notice of Publication of Annual Report

Pursuant to Section 39 of the Public Finance Act 1989 and Section 30 of the State Sector Act 1988

The Department of Prime Minister and Cabinet hereby gives notice that it has published its annual report for the year ended 30 June 1998 containing its financial statements, statement of service performance, audit report and statement of responsibility for the same period.

Dated this 15th day of October 1998.

RIGHT HON. JENNY SHIPLEY, Prime Minister.
go7460

Social Services, Work and Income

Social Security Act 1964

Direction in Relation to Emergency Benefit and Community Wage

To: The Chief Executive, Department of Work and Income.

Pursuant to section 5 of the Social Security Act 1964, I, Roger Morrison Sowry, Minister of Social Services, Work and Income, give the following direction to take effect on 8 October 1998. I revoke effective on that date all previous ministerial directions under that section concerning the grant of emergency benefits under that Act.

Dated this 6th day of October 1998.

HON. ROGER SOWRY, Minister of Social Services, Work and Income.

Analysis

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Direction

Grants of Emergency Benefits, and Grants of Community Wage on the Ground of Hardship

This direction applies when you are considering whether to grant—

(a) An emergency benefit under section 61 of the Act; or

(b) A community wage under section 89 of the Act pursuant to section 90 of the Act,—

on and after 8 October 1998, and also applies when you are, after that date, reviewing an emergency benefit (whether granted before or after that date), or a community wage so granted. Without limiting the discretion available to you under section 61 or section 90 of the Act, you must have regard to the following matters:

1. Definitions

In this direction, unless the context otherwise requires,—

"the Act" means the Social Security Act 1964:

"Cash assets", in relation to any person, means the assets of that person and his or her spouse (if any) that can be readily converted into cash and include—

(a) Shares, stocks, debentures, bonus bonds, and other bonds;

(b) Bank accounts, including fixed and term deposits with any bank, friendly society, credit union, or building society;

(c) Money invested with or lent to any bank or other financial institution;

(d) The net equity held in any property or land not used as the person's home;

(e) Building society shares;

(f) Mortgage investments and other long term loans;

(g) Bills of exchange or promissory notes;

(h) The applicant's share in any partnership;—

but do not include—

(i) The motor vehicle principally used by the applicant for his or her personal use;

(j) A caravan, boat, or other vehicle—

(i) The net equity in which is less than $2,000; or

(ii) Which is used by the person or a member of his or her family for day to day accommodation;

(k) The personal effects of the person and his or her spouse (if any):

"Course" means a full-time course within the meaning of the Student Allowances Regulations 1998:

"Gross amount", in relation to a benefit, means the amount of that benefit before the deduction of income tax:

"Student Allowance" means a basic grant or an independent circumstances grant under the Student Allowances Regulations 1998;—

and terms otherwise defined in section 3 (1) of the Act have the meanings so defined.

2. Hardship: general criteria

Where an applicant who is not a full-time student—

(a) Has cash assets of or less than—

(i) $4,300, where the applicant is unmarried; or

(ii) $7,464, where the applicant is married or is unmarried with at least 1 dependent child; and

(b) Has no other means to support himself or herself or his or her dependent spouse or dependent children,—

you may consider that applicant to be suffering hardship.

3. Hardship: full-time students

Where an applicant who is a full-time student—

(a) Has cash assets of or less than—

(i) $4,300, where the applicant is unmarried; or

(ii) $7,464, where the applicant is married or is unmarried with at least 1 dependent child; and

(b) Has no other means to support himself or herself or his or her dependent spouse or dependent children; and

(c) Either—

(i) Has been receiving a student allowance during the academic year; or

(ii) At the time of the application is entitled to a student allowance or would be entitled to a student allowance but for the fact the course he or she intends to enrol in or has enrolled in has not commenced,—

you may consider the applicant to be suffering hardship.

4. Hardship: full-time students: further criteria

Where clause 3 (a) and (b) apply to an applicant who is a full-time student, but the applicant–

(a) Has not received a student allowance during the academic year; or

(b) At the time of the application for the benefit, is not entitled to a student allowance, or would not be entitled to a student allowance if he or she was attending a course,—

the applicant should not be considered to be suffering hardship unless, having regard to the following matters, you believe that such a determination is justified:

(c) The sources of money for living costs which have been or are available to the applicant to support himself or herself, including a student loan;

(d) Any decision by the applicant not to access any source of money available to him or her for living costs, including a student loan;

(e) The reasons why the applicant is not entitled to a student allowance;

(f) Where the applicant would not be eligible for a student allowance because of parental income, his or her parents' financial circumstances;

(g) The causes of the applicants hardship (if hardship exists);

(h) The nature and likely duration of that hardship;

(i) The health of the applicant;

(j) The ability of the applicant to improve his or her financial situation; and

(k) Any other matters that in the particular case you consider to be relevant.

5. Emergency benefits for people aged 16 or 17 attending social rehabilitation programmes

Where clause 2 (a) and (b) apply to an applicant who is—

(a) Aged 16 or 17 years; and

(b) Not qualified to receive an invalid's benefit under section 40 of the Act; and

(c) Attending a social rehabilitation programme approved by you,—

you may grant an emergency benefit to the applicant.

6. Emergency benefits for people aged 16 or 17 who are pregnant or sole parents

Where clause 2 (a) and (b) apply to an applicant—

(a) Who is aged 16 or 17 years; and

(b) Who is—

(i) Pregnant; or

(ii) A sole parent; and

(c) Whose parent or parents are unable to support the applicant because the parent's or parents' income would only be sufficient to qualify for the receipt of family support under the Income Tax Act 1994,—

you may grant an emergency benefit to the applicant.

7. Rates of emergency benefit for certain people who are 16 or 17

The rate of an emergency benefit granted under clause 5 or clause 6 must not, in the absence of exceptional circumstances, be more than:

(a) For a person granted the benefit under clause 5, the rate in clause 1 of the Twenty-sixth Schedule of the Act.

(b) For a person granted the benefit under clause 6—

(i) If that person is living with a parent (as that term is defined in section 3 (1) of the Act), 80 percent of the rate in clause 1 of the Twenty-sixth Schedule of the Act; or

(ii) For any other person, the rate in clause 1 of that Schedule.

8. Emergency benefits for care of patients

Where clause 2 (a) and (b) apply to an applicant for an emergency benefit to care for a sick or infirm person (a "patient") to enable the patient to remain in his or her home—

(a) You should not, in the exercise of your discretion under section 61, consider granting that applicant an emergency benefit if the patient has the ability to pay for his or her care; and

(b) You should consider that the patient has that ability if the patient's income exceeds by $2,600 or more—

(i) If the patient receives New Zealand superannuation, the gross rate of New Zealand superannuation that is payable to the patient and his or her spouse (if any); or

(ii) In any other case, the gross rate of an invalid's benefit that is or would be payable to the patient and his or her spouse (if any) if the patient qualified for that benefit.

9. Patient's income defined

(a) In clause 8, "income" means income within the meaning of section 3 (1) of the Act modified in accordance with paragraphs (b) to (d):

(b) The income of a patient includes the gross amount of the New Zealand superannuation or other benefit (being a community wage, emergency benefit, invalid's benefit, or domestic purposes benefit under section 27G of the Act) payable to the patient and his or her spouse (if any):

(c) The income of a patient includes an assessed income of—

(i) Subject to paragraph (d), for an unmarried person, $5.20 per annum for each $10 of the patient's cash assets in excess of $2,700:

(ii) For a married person, $5.20 per annum for each $10 of the cash assets of the patient and his or her spouse in excess of $5,400:

(d) If the applicant is applying for the emergency benefit to care for 2 unmarried patients, the income of each patient includes $2.60 per annum for each $10 of the combined cash assets of the patients in excess of $5,400:

(e) In paragraphs (c) and (d), cash assets do not include—

(i) Any interest in a policy of life insurance offered or entered into by a life insurer (within the meaning of either section OB 1 or OE 1 or OE 2 (1) of the Income Tax Act 1994); or

(ii) The capital value of any annuity owned beneficially by the patient or his or her spouse. For the avoidance of doubt, the annual value of any annuity is included in the income of the patient.

10. Cash assets may be disregarded in exceptional circumstances

In calculating a person's cash assets for the purpose of this direction, you may disregard some or all of the cash assets of that person and his or spouse (if any) if, in your opinion, exceptional circumstances exist having regard to the following matters:

(a) Whether a refusal to grant an emergency benefit or community wage on hardship grounds to the applicant will—

(i) Increase the expenditure of the Crown directly or indirectly; or

(ii) Have a serious adverse effect on a person's health or welfare:

(b) Whether the applicant is able to realise his or her cash assets for more than the appropriate cash asset limit:

(c) Whether the need for the emergency benefit or community wage is temporary:

(d) The amount of the person's total assets, including assets that are not cash assets:

(e) Any other matters you consider are relevant to determining whether hardship would exist.

11. General discretion

Nothing in this direction requires you to grant an emergency benefit, or a community wage on the grounds of hardship, if, in your discretion, you determine such grant ought not to be made.

go7368

Authorities and Other Agencies of State Notices

Civil Aviation Authority of New Zealand

Civil Aviation Act 1990

Airworthiness Directive

Pursuant to section 72I (3) (a) of the Civil Aviation Act 1990, and to a delegation from the Director of Civil Aviation, I, Geoffrey Neil Connor, Safety Analyst – Continuing Airworthiness, hereby issue the following airworthiness directive:

DCA/R22/35

This airworthiness directive shall come into force on 15 October 1998.

This airworthiness directive may be viewed on the CAA website (www.caa.govt.nz) or at Aviation House, 1 Market Grove, Lower Hutt.

Dated this 12th day of October 1998.

GEOFFREY N. CONNOR, Safety Analyst–Continuing Airworthiness.

as7452

Notification of Ordinary Rules

Pursuant to section 34 of the Civil Aviation Act 1990, notification is hereby given of the ordinary rules set out in the Schedule hereto which rules shall come into force as stated in the Schedule.