

Howard, Garry Lionel, Church of Jesus Christ of Latter-Day Saints.
 Ieremia, Ieremia, Samoan Methodist Church of New Zealand.
 Jenson, Kenneth J., Church of Jesus Christ of Latter-Day Saints.
 Kim, Peter Dong-Hee, Eun Chong Presbyterian Church.
 Kippenburger, Maurice Paul D., Church of Jesus Christ of Latter-Day Saints.
 Kulu, Pasatina, Church of Jesus Christ of Latter-Day Saints.
 Latu, Teufili, Church of Jesus Christ of Latter-Day Saints.
 Lindsay, Andrew William, Brethren.
 Livingstone, Sonny, Methodist.
 Magill, John, Roman Catholic.
 Mains, Geoffrey, New Life Churches of New Zealand.
 Maki, Lucy, Church of Te Kooti Rikirangi.
 Malcolm, Bronwyn Frances, Salvation Army.
 Marple, David Rex, Brethren.
 McCann, Geoffrey T., Presbyterian.
 Molloy, David, Roman Catholic.
 Nanai, Esau, Jehovah's Witnesses.
 Nicholls, Val, Methodist.
 Niu, Dennis John, Church of Jesus Christ of Latter-Day Saints.
 O'Dwyer, Jacqueline Kay, The Rock City Church Wellington.
 Oatway, Malcolm, Anglican.
 Olamaleva'a, Leamoni, Church of Jesus Christ of Latter-Day Saints.
 Onosai, Viliamu, The Pacific Island Assembly of God Church in New Zealand Inc.
 Palu, Alifaleti, The Tongan Community Church of Hepzibah in New Zealand.
 Paulo, Sepiliano, The Congregational Union of New Zealand.
 Perris, Lyall Frederick, Anglican.
 Perris, Sally Joy, Anglican.
 Probett, Paul Stephen Edwin, Jehovah's Witnesses.
 Rainer, John, Anglican.
 Redepening, Mathias, Full Gospel Mission.
 Renfrew, Colin James, Seventh-Day Adventist.
 Rimmer, Cambell, New Life Churches of New Zealand.
 Roberst, Marilyn Gay, Salvation Army.
 Smith, Michael P., Roman Catholic.
 Steele, John Gregg, New Life Churches of New Zealand.
 Subritzky, Peter, Church of Jesus Christ of Latter-Day Saints.
 Taufu'i, Hausia, Methodist.
 Te Ahuru, Reuben, Brethren.
 Thompson, Barry Joseph, Sovereign Ministries.
 Tiakia, Sione Hatu, Church of Jesus Christ of Latter-Day Saints.
 Tonga, Viliani, Methodist.
 Tukua, John, Anglican.
 Van de Geer, Jill, Methodist.
 Vaoga, Faafetai, Brethren.

Waiomio, Wiremu, Methodist.
 Walters, Kathryn, Methodist.
 Walters, Margaret, United Pentecostal Church.
 Way, Richard Ernest, Cornerstone Celebration Church.
 Wilson, Frank, New Life Churches of New Zealand.

Dated at Lower Hutt this 22nd day of February 1999.

B. E. CLARKE, Registrar-General.

go1520

Justice

District Courts Act 1947

Acting District Court Judge Appointed

Pursuant to section 10A of the District Courts Act 1947, His Excellency the Governor-General has been pleased to appoint

Lynton Edward Laing, retired District Court Judge to be an Acting District Court Judge, to exercise civil and criminal jurisdiction in New Zealand, and to exercise the criminal jurisdiction of the District Courts under Part IIA of the District Courts Act 1947, at such place or places and for such period or periods only as the Chief District Court Judge may fix, pursuant to the said section 10A of the District Courts Act 1947, for a term expiring on 1 February 2000.

Dated at Wellington this 12th day of February 1999.

D. A. M. GRAHAM, Attorney-General.

go1354

Social Welfare

Social Security Act 1964

Welfare Programme for Recoverable Assistance for Non-Beneficiaries

Pursuant to section 124 (1) (d) of the Social Security Act 1964, I, Roger Morrison Sowry, Minister of Social Services, Work and Income, establish and approve the following welfare programme for special assistance.

And I revoke the previous welfare programme of the same name originally approved on 17 June 1996, and approved by me on 23 December 1996, except for the provisions relating to the recovery of any assistance granted under it.

Dated this 15th day of February 1999.

R. M. SOWRY, Minister of Social Services, Work and Income.

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Programme**1. Title and Commencement**

1.1 This welfare programme is to be known as the Recoverable Assistance Programme and any grant of assistance under it is to be known as a recoverable assistance payment.

1.2 This programme comes into effect on the date the Minister gives approval to it.

2. Objectives of Programme

The objectives of this programme are to—

- (a) provide interest free, recoverable financial assistance to non-Beneficiaries on equivalent low incomes for the stated essential and immediate needs set out in Part 3 of this programme;
- (b) provide such financial assistance, complementary to the advance payments of Benefit available to Beneficiaries under the Act;
- (c) ensure that the financial assistance set out in paragraphs (a) and (b) is provided within the limits and for the reasons prescribed; and
- (d) facilitate the recovery of such financial assistance.

Part 1**General Provisions****3. Definitions**

3.1 In this programme, unless the context otherwise requires,—

“52 Week Period”, in relation to a payment means the 52 weeks immediately preceding the date of application for it;

“Act” means the Social Security Act 1964;

“Applicant” means the person applying for a Payment under this programme, or, as the case may require, the person on whose behalf an application for a Payment is made;

“Cash Assets”, in relation to any person, means 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 or other person;
- (d) the 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; and
- (h) the person's share in any partnership;

but do not include—

- (i) the motor vehicle principally used by the person 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 immediate family for day to day accommodation; or
- (k) the personal effects of the person and his or her spouse (if any);

“Departmental Debt Balance”, in relation to a person, means the outstanding amounts that may be recovered from the person under the Act;

“Health Agency” means any of—

- (a) the Minister of Health;
- (b) the Ministry of Health;
- (c) a funder within the meaning of the Health and Disability Services Act 1993;
- (d) a Hospital and Health Service within the meaning of that Act;
- (e) the Accident Rehabilitation Compensation and Insurance Corporation;
- (f) an insurer within the meaning of the Accident Insurance Act 1998; or
- (g) the Secretary for War Pensions in respect of grants or subsidies for disability services made under the War Pensions Act 1954;

“Immediate Family”, in relation to a person, means—

- (a) in the case of a married person, that person, his or her spouse, and each dependent child; and
- (b) in the case of a sole parent, that person and each dependent child; and
- (c) in the case of a dependent child, the child, his or her Parent, and each other Dependent Child of the Parent;

“Immediate Needs” means all of the applicant's essential needs, including—

- (a) the Applicant's particular immediate need; and
- (b) his or her ability to meet the regular and ongoing essential living expenses of himself or herself and those of his or her spouse (if any) and any dependent child;

“Invalid's Benefit” means an invalid's benefit under the Act;

“Parent”, in relation to a Child and other than in the term “Sole Parent”, means—

- (a) if the Child is in the custody or care of both the child's Parents, those Parents; or
- (b) if the child is in the custody or care of only one parent, that parent; or
- (c) if the Child is not in the custody or care of either the Child's Parents, the Principal Caregiver of the child; or
- (d) in a case of joint custody, in deciding whether paragraph (a) or paragraph (b) of this definition applies and which of the Child's Parents ought to be considered as the Child's Parent, the Chief Executive may have regard to the provisions of section 70B (2) of the Act;

“Particular Immediate Need” means a particular and immediate need for an essential item or service:

"Payment" means a recoverable assistance payment under this programme.

3.2— Where in this programme (other than in any heading) a word begins with a capital letter, or the words of a phrase begin with capital letters, that word or phrase—

- (a) if defined in clause 3.1, has the meaning set out in that clause; and
- (b) if defined in section 3 (1) of the Act, has the meaning set out in that section.

4. Application of the Social Security Act 1964

4.1 Sections 3, 12, 63, 63A, 64, 66A, 71, 74, 74A, 76, 77, 78, 80A, 81, 86, and 86A to 86I of the Act are to apply, with any necessary modifications, to this programme as if a Payment under this programme were a Benefit.

5. Principles

5.1 In considering any application for a payment under Part 3—

- (a) the Chief Executive must consider—
 - (i) whether a payment would best meet the particular immediate need of the Applicant;
 - (ii) the Applicant's ability to meet that need from his or her own resources;
 - (iii) the assistance that is or might be available to the Applicant from other sources to meet that need;
 - (iv) the existing debt level of the Applicant from all sources;
 - (v) the effect on the applicant or his or her Immediate Family (if any) if that need is not met; and
 - (vi) when that effect might be expected to impact on that or those persons; and
- (b) the Chief Executive may consider the extent to which the Applicant has caused or contributed to the Particular Immediate Need or to the situation that has given rise to the Particular Immediate Need.

Part 2

Universal Entrance Criteria

6. Residence

6.1 The Applicant must be ordinarily resident in New Zealand.

7. Income Limits

7.1 An applicant may not be granted a Payment if his or her income is such that it would prevent payment of an Invalid's Benefit.

7.2 In clause 7.1, an Applicant's Income includes the income of—

- (a) his or her spouse (if any); or
- (b) if the Applicant is a Child, his or her parent.

8. Cash Asset Limits

8.1 An Applicant may not be granted a Payment if his or her Cash Assets exceed the appropriate limits in clause 8.3.

8.2 An Applicant's Cash Assets include the Cash Assets of his or her parent if the Applicant is a Child.

8.3 The Cash Assets limits referred to in clause 8.1 are—

- (a) in the case of an unmarried person, a value equivalent to 4 times the maximum weekly rate of an Invalid's Benefit for an unmarried person without a Dependent Child; and
- (b) in the case of a married person or a Sole Parent, a value equivalent to 4 times the maximum weekly rate of an Invalid's Benefit for a married couple without a Dependent Child.

9. Restrictions on Payments

9.1 Any Payment is to be the least amount required to meet the Particular Immediate Need of the Applicant up to a maximum of \$200 unless a higher maximum is stated.

9.2 Except where the Chief Executive considers exceptional circumstances exist, a Payment must not exceed the lesser of—

- (a) the equivalent of 6 weeks of the maximum rate of an Invalid's Benefit the Applicant and his or her Spouse (if any) would be entitled to receive if the Applicant were entitled to that Benefit; or
- (b) any maximum amount stated in the clause under which the Payment is granted.

9.3 The maximum available Payment for any item under this programme must be reduced by the Applicant's Departmental Debt Balance unless the Chief Executive considers exceptional circumstances exist.

9.4 In determining whether exceptional circumstances exist, the Chief Executive must have regard to—

- (a) the Applicant's ability to repay;
- (b) whether the Applicant could reasonably have been expected to make provision for the Particular Immediate Need;
- (c) the extent to which not granting a Payment would—
 - (i) worsen the Applicant's position; or
 - (ii) increase or create any risk to the life or welfare of the Applicant, the Applicant's Spouse, or any Dependent Child; or
 - (iii) cause serious hardship to the Applicant, the Applicant's Spouse, or any Dependent Child; and
- (d) any other matters relevant to the circumstances of the particular case.

Part 3

Essential Needs

10 Need to be both Immediate and Essential

10.1 Payments under this Part may be granted only for a particular need which is immediate and essential.

11. Payments for Essential Needs

11.1 Dentures, Spectacles etc., and Hearing Aids

11.1.1 The Chief Executive may grant a Payment of up to \$1,000 to an Applicant towards the cost of dentures, spectacles, or contact lens, or a hearing aid.

11.1.2 A Payment under clause 11.1.1 may be granted only in respect of that part of the fees or charges the Applicant is required to pay, after the deduction of—

- (a) any subsidy or payment to which the Applicant may be entitled, including subsidies or payments—
 - (i) available to a holder of a community services card;
 - (ii) made available under the Health and Disability Services Act 1993;
 - (iii) provided by a health agency;
- (b) any Health Or Disability Insurance Payment to which the Applicant is entitled; and
- (c) any disability allowance paid under section 69C of the Act in respect of the disability that led to the need for that item.

11.1.3 A payment must not be granted for medical, health, and disability related costs if a Health Agency provides, without cost to the Applicant, goods or services which meet the need.

11.1.4 If an Applicant receives any health or Disability

Services arising out of personal injury by accident, a Payment must not be granted for that part of any fees or charges for the services that is not paid by the Accident Rehabilitation Compensation and Insurance Corporation or, as the case requires, an insurer within the meaning of the Accident Insurance Act 1998, except—

- (a) where otherwise provided in this programme; or
- (b) if the applicant satisfies the Chief Executive that he or she has no cover in respect of that injury under the Accident Rehabilitation Compensation and Insurance Act 1992 or (as the case requires) the Accident Insurance Act 1998.

11.2 School Uniforms

11.2.1 The Chief Executive may grant a Payment of up to \$300 for the purchase of a school uniform if there is an Immediate Need for the purchase of a school uniform for an Applicant's Dependent Child.

11.2.2 The Chief Executive may grant more than one Payment under clause 11.2.1 in a 52 Week Period, but the maximum amount of such Payments during a 52 Week Period for each such Child must not exceed \$300.

11.2.3 Payments under clause 11.2.1 may be granted in respect of more than one Dependant Child of an Immediate Family.

11.3 Car Seat Restraints and Safety Helmets

11.3.1 The Chief Executive may grant a Payment of up to \$200 for the following purposes:

- (a) the purchase of a new Child car seat restraint for a pre-school Dependent Child of the Applicant;
- (b) the hire from a reputable agency of a Child car seat restraint for a pre-school aged Dependent Child of the Applicant;
- (c) the purchase of a new cycle safety helmet for each school aged Dependent Child of the Applicant.

11.3.2 The Chief Executive may grant more than one payment under clause 11.3.1 during a 52 Week Period.

11.3.3 Payments under clause 11.3.1 may be granted in respect of more than one Dependent Child of an Immediate Family.

11.4 School and Education

11.4.1 The Chief Executive may grant a Payment of up to \$200 for the following purposes:

- (a) administration fees in respect of examinations for an Applicant's Dependent Child who is attending school;
- (b) the purchase of school stationery for any such Child.

11.4.2 The Chief Executive may grant more than one Payment under clause 11.4.1 for a similar purpose in a 52 Week Period.

11.4.3 Payments under clause 11.4.1 may be granted in respect of more than one Dependent Child of an Immediate Family.

11.5 Attendance at Funerals and Tangihanga

11.5.1 If a person dies, the Chief Executive may grant a Payment of up to \$200 towards the expenses of attending a funeral or tangihanga, to an Applicant who is any of the following relatives of the deceased person:

- (a) a parent (including a step or foster parent);
- (b) a Spouse who was living together with the deceased at the time of death;
- (c) a grandparent;
- (d) a son, daughter, grandchild, mokopuna, stepchild, foster child or whangai;

(e) a sibling (including a half brother or sister or a step brother or sister).

11.5.2 For the purposes of clause 11.5.1, where the Applicant is a Child, the Chief Executive may include as expenses of the Child the Expenses of an adult who is accompanying that Child to the funeral or tangihanga.

11.6 Loss of Property from Fire or Burglary

11.6.1 The Chief Executive may grant a Payment of up to \$1,000 towards the replacement of items an Applicant has lost due to fire or burglary, if the Applicant—

- (a) is not insured for the lost items; and
- (b) cannot obtain assistance or sufficient assistance from relatives; and
- (c) in the case of burglary, has reported the incident to the police.

11.7 Telephone Installation

11.7.1 The Chief Executive may grant an Applicant a Payment of up to \$200 towards the cost of a telephone installation, if the Chief Executive is satisfied a telephone is essential—

- (a) to maintain the health of the Applicant, or the Applicant's Spouse or any Dependent Child; or
- (b) to enable the Applicant to access emergency assistance; or
- (c) because of geographical isolation, or the age or psychological condition of the Applicant, his or her Spouse, or a Dependent Child.

11.8 Clothing

11.8.1 The Chief Executive may grant an Applicant one or more Payments for the purchase of essential clothing (excluding school uniforms).

11.8.2 The maximum amount of the Payment or the total of the Payments under clause 11.8.1 during a 52 Week Period must not exceed—

- (a) \$150 for an unmarried person with no Dependent Child; and
- (b) \$300 for a married couple with no Dependent Child; and
- (c) \$400 for a married couple with at least one dependent Child, or a Sole Parent.

11.9 Emergency Household Needs

11.9.1 The Chief Executive may grant an Applicant a Payment of up to \$200 for each of the following purposes:

- (a) outstanding electricity, gas, or water bills, or reconnection charges for emergency gas or water (but, if for more than one, the maximum Payment is \$200);
- (b) purchase of the most economical items of essential beds, chairs and tables.

11.9.2 The Chief Executive may grant an Applicant Payments of up to the following amounts for the following purposes:

- (a) \$600 for tenancy bonds, rent arrears (other than arrears incurred while the Applicant was in receipt of accommodation benefit, accommodation supplement, rent rebate allowance, or tenure protection allowance under the Act), and advances of rent (but if for more than one, the maximum Payment is \$600);
- (b) \$400 for the most economical item of a washing machine or refrigerator, or both (but if for both, the maximum Payment is \$400).

11.10 Car Repairs

The Chief Executive may grant a Payment of up to \$400 towards the cost of essential car repairs where the Chief Executive considers the use of a car is essential for the Applicant or the Applicant's Spouse or any Dependent Child.

Other Payments

12. Other Emergency Payments

12.1 If the Chief Executive considers that special circumstances exist, the Chief Executive may grant a payment of up to \$200 towards the cost of any item or any service if the Chief Executive considers that without that item or service, the Applicant, the Applicant's Spouse, or any Dependent Child, would suffer serious hardship.

Part 4

Administration

13. Applications

13.1 An application for a Payment must be made on a form provided by the Department.

13.2 An application for a Payment must be made by the Applicant, except where—

- (a) the application is made in respect of a Child; or
- (b) the application is made by a person on behalf of another person if the person who would otherwise make the application is unable to do so because of sickness or disability.

14. Payments of Recoverable Assistance

14.1 Every Payment for goods or services under this programme is to be paid—

- (a) to the person providing the goods or services; or
- (b) at the discretion of the Chief Executive, where there are exceptional circumstances—
 - (i) to the Applicant (being the person in respect of whom the Payment is granted); or
 - (ii) if the Applicant is a Child, to the Child's Parent.

14.2 Every other Payment is to be paid—

- (a) to the Applicant (being the person in respect of whom the Payment is granted); or
- (b) if the Applicant is a Child, to the Child's Parent.

15. Rules as to Recovery

15.1 The amount of the Payment is a debt to the Crown payable by the following person or persons (in these rules, "the debtor"):

- (a) where the Applicant is a Child, the Child's Parent; or
- (b) in any other case, the Applicant (being the person to whom or in respect of whom the Payment is granted).

15.2 Before granting a Payment under this Programme, the Chief Executive must negotiate a repayment plan with the debtor.

15.3 The Chief Executive must set a rate of recovery that ensures the amount of the Payment is repaid within 24 months after the Payment is granted unless, having regard to clause 9.4, exceptional circumstances exist.

15.4 In determining the rate of repayment by instalments, the Chief Executive must have regard to—

- (a) whether the instalment reductions will leave enough for the debtor's living expenses and any other debt repayments; and
- (b) the likelihood that it would cause the debtor to seek further Payments or other supplementary assistance under the Act.

15.5 The Chief Executive may, from time to time, review the rate of recovery of a Payment and may increase or decrease or make no alteration to the rate.

g01349

The Treasury

Land Transfer Act 1952

Notice of Disclaimer Under Section 338 of the Companies Act 1955

In the matter of the Land Transfer Act 1952, and in the matter of section 338 of the Companies Act 1955, and in the matter of **RO Sandstad Limited**:

Take notice that I, Alan Esmond Bollard, Secretary to the Treasury, pursuant to section 338 of the Companies Act 1955, hereby disclaim for and on behalf of Her Majesty the Queen, all right, title and interest of Her Majesty the Queen in lease C. 499384.3 dated 22 June 1993 between Keiko Osaki of Japan, married woman, as lessor and RO Sandstad Limited, as lessee, in respect of a stratum estate in freehold within the meaning of the Unit Titles Act 1972 in Principal Unit No. O on Unit Plan 154558 together with Accessory Unit No. AU11 and AU88, registered on 20 July 1993, at the North Auckland Land Registry against certificate of title 92B/627, subject to Supplementary Record Sheet: 92B/537 being a lease formerly held by RO Sandstad Limited, a company removed from the Companies Register on 1 June 1995.

And I certify that the vesting of the said lease did not come to my notice until the 16th day of February 1999.

Dated at Wellington this 19th day of February 1999.

Signed by the Secretary to the Treasury, the said Dr Alan Esmond Bollard, for and on behalf of Her Majesty the Queen in the presence of:

ADELE WANSTALL, Personal Assistant.

Lower Hutt.

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