

Social Welfare

Social Security Act 1964

Special Needs Grant Programme

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.

I revoke my approval of the special needs grant programme dated 8 January 1996 and the amendments to that programme approved on 26 March 1996, 17 June 1996, 10 September 1996, 23 September 1996, 23 January 1997, 11 April 1997, 30 March 1998, 24 April 1998, 7 May 1998, 27 July 1998, and 14 September 1998, except for so much of that programme as relates to the recovery of any recoverable special needs grants made under that programme.

Dated this 18th day of December 1998.

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

Special Needs Grant Programme

Analysis

1. Title and commencement
2. Objectives of the Programme

Part 1

General Provisions

3. Definitions
4. Application of the Social Security Act
5. Principles

Part 2

Universal Entrance Criteria

6. Residence
7. Income Limits
8. Cash Asset Limits
9. Restriction on Payments

Part 3

Essential Needs

10. Need to be both Immediate and Essential
11. Non-recoverable Grants for Essential Needs
 - 11.2 Food
 - 11.3 Transition to Work for beneficiaries
 - 11.4 Medical
 - 11.4.2 Vasectomies and Termination of Pregnancies
 - 11.4.4 Laser Therapy for the Removal of Birthmarks
 - 11.4.5 Wigs and Hairpieces
 - 11.4.6 Health Travel Costs
 - 11.5 Occupational Training Course
 - 11.6 Travel for Stranded Persons
 - 11.7 Bedding

Part 4

Emergency Needs

12. Requirement for Emergency Situation
13. Non-recoverable Grants for Emergency Needs

- 13.2 Emergency Dental Treatment
- 13.3 Emergency Medical Treatment
- 13.4 Accompanying Medical Treatment Overseas
14. Other Emergency Grants

Part 5

Payments to People in Specific Circumstances

15. Re-establishment Costs
 - 15.1 Refugees
 - 15.2 Sole Parents
 - 15.3 Long Term Patients Resettling in the Community
 - 15.4 Steps to Freedom Payments for Released, Sentenced and Remand Prisoners
16. Beneficiaries Transferring Between Benefits
17. Benefit Stand downs
 - 17.1 Disqualified Spouse
 - 17.2 Sole Parent
 - 17.3 Serious Hardship

Part 6

Special Assistance to the Rural Sector

18. Grants to Farmers, Orchardists etc.

Part 7

Administration

19. Applications
20. Payment of Grants
21. Rules as to Recovery
22. Transitional provisions

Schedule

1. Title and commencement

1.1 This welfare programme is to be known as the Special Needs Grant Programme and any grant made under it is to be called a Special Needs Grant.

1.2 This programme is to come into effect on the date the Minister has given his approval to it.

2. Objectives of the Programme

The objectives of this programme are to—

- (a) provide non recoverable financial assistance—
 - (i) for the stated essential and immediate needs set out in Part 3 of this programme (except in relation to clause 11.4.6.4);
 - (ii) to meet the immediate needs in the emergency situations set out in Part 4 of this programme;
 - (iii) to the people in the rural sector as set out in Part 6 of this programme;
- (b) provide recoverable or non-recoverable financial assistance to people in the specific circumstances set out in Part 5 of this programme;
- (c) to provide such assistance complementary to the advance payments of benefit available to beneficiaries under the Act and the recoverable assistance payments available to non-beneficiaries under the Recoverable Assistance Program;
- (d) ensure that the financial assistance set out in paragraph (a) and (b) is provided within the limits and for the reasons prescribed.

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

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

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

“Act” means the Social Security Act 1964;

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

“Cash Assets”, in relation to any person, means (except in clause 18.4) 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 immediate family for day to day accommodation;
- (k) the personal effects of the person and his or her spouse (if any);

“District” has the meaning in clause 18.5;

“Farmer” has the meaning in clause 18.5;

“Former Programme” has the meaning in clause 22.1;

“Funder” has the same meaning as in section 20 of the Health and Disability Services Act 1993;

“Grant” means a special needs grant under this programme;

“Health Agency” means any of the Minister of Health, the Ministry of Health, the Accident Rehabilitation Compensation and Insurance Corporation, an insurer within the meaning of the Accident Insurance Act 1998, a funder, or a hospital and health service;

“Hospital and Health Service” has the same meaning as in section 2 of the Health and Disability Services Act 1993;

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

- (a) in the case of a married person, that person and his or her spouse and dependent children (if any); and
- (b) in the case of a sole parent, means that person and his or her dependent children; and

(c) in the case of a dependent child, means the child and his or her parent and any other dependent children of that parent;

“Income” means income within the meaning of section 3 (1) of the Act modified in accordance with clause 7.2 or clause 18.5;

“Land Based Industry” has the meaning in clause 18.5;

“Non-entitlement Period” means a period of 13 weeks when a person is not entitled to a benefit or part of a benefit under any of sections 60H, 115, or 116 of the Act;

“Parent”, in relation to a dependent child, means—

- (a) if the child is in the custody or care of both of 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 of the child's parents, the principal caregiver of the child, and 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 of the Act to assign responsibility for the care of the child to one or other of the child's parents;

“Refugee” has the meaning in clause 15.1.4;

“Region” has the meaning in clause 18.5;

“Secondary Health Service” has the meaning in clause 11.4.6.5;

“Stand Down” means a stand down period under section 80BA of the Act.

3.2 Expressions otherwise defined in section 3 (1) of the Act are to have the meanings so defined unless the context otherwise requires.

Definitions child, dependent child, chief executive, principal caregiver, sole parent, spouse, Social Security Act 1964, s. 3

4. Application of the Social Security Act

4.1 Sections 3, 12, 62, 63, 63A, 64, 66, 66A, 66B, 68, 68A, 70, 71, 73, 74, 74A, 76, 77, 78, 80A, 81, 82, 82A, 83, 84, and 86i of the Act are to apply, with any necessary modifications, to this programme as if a grant under this programme were a benefit.

4.2 Nothing in clause 4.1 limits any other provision of the Act.

Definitions benefit, Social Security Act 1964, s. 3

5. Principles

In considering any application for a grant under any of Parts 3, 4, 5, or 6—

- (a) the chief executive must consider—
 - (i) the applicant's ability to meet the need from his or her own resources; and
 - (ii) the assistance that is or might be available to the applicant from other sources to meet the need; and
- (b) the chief executive may consider the extent to which the applicant has caused or contributed to the immediate need or to the situation that has given rise to the immediate need.

Definitions chief executive, Social Security Act 1964, s. 3

Part 2**Universal Entrance Criteria****6. Residence**

The applicant must be ordinarily resident in New Zealand.

Definitions **ordinarily resident**, Social Security Act 1964, s. 3

7. Income Limits

7.1 An applicant is not entitled to a grant if his or her income is such that it would prevent the payment of an invalid's benefit under the Act.

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 dependent child, his or her parent.

Definitions **dependent child, income, spouse**, Social Security Act 1964, s. 3

8. Cash Asset Limits

8.1 An applicant is not entitled to a grant if his or her cash assets exceed the appropriate limit in clause 8.3.

8.2 An applicant's cash assets include the cash assets of—

- (a) his or her spouse (if any); or
- (b) if the applicant is a dependent child, his or her parent.

8.3 The cash assets limits referred to in clause 8.1 are—

(a) in the case of a single person, a value equivalent to four times the maximum weekly invalid's benefit rate for a single person under the Act; and

(b) in the case of a married couple or a sole parent, a value equivalent to four times the maximum weekly invalid's benefit rate for a married couple.

8.4 An applicant is not entitled to a grant for food or transition to work expenses unless the applicant and his or her spouse (if any) has no cash assets.

Definitions **dependent child, sole parent, spouse**, Social Security Act 1964, s. 3

9. Restriction on Payments

9.1 Only one grant may be paid to an applicant or any other person for the same item or for the same or a similar purpose within a 52 week period, except where otherwise stated in this programme or if the chief executive considers exceptional circumstances exist.

9.2 An applicant is not entitled to a grant if another member of the applicant's immediate family has received a grant of the same type within a 52 week period unless the clause under which the application is made (or its context) otherwise provides.

9.3 If more than one grant may be made under clause 9.1, the maximum amount of each grant is to be \$200 unless otherwise stated.

9.4 A grant must not exceed \$200 (or any lesser amount stated in the clause under which the grant is made) except where otherwise stated in this programme or if the chief executive considers exceptional circumstances exist.

9.5 A recoverable grant must not be made—

(a) to a beneficiary in receipt of a widow's benefit, a domestic purposes benefit, an invalid's benefit, a community wage, an independent youth benefit, an emergency benefit, New Zealand superannuation, a veteran's pension, or a transitional retirement benefit, or to the spouse or dependent child of any such beneficiary; or

(b) for a child for whom an orphan's benefit or an unsupported child's benefit is payable.

9.6 Despite clause 9.5, a recoverable grant may be made to a beneficiary if that person qualifies for it under clause 17.

9.7 A grant under clause 11.4 or clauses 13.2 to 13.4 or clause 14 for medical, health, and disability related costs is to be made only in respect of that part of the fees or charges the applicant is required to pay, after the deduction of—

(a) any subsidy to which the applicant may be entitled, including subsidies—

- (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; and

(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.

9.8 A grant must not be made for medical, health, and disability related costs if a Health Agency provides, without cost to the applicant, goods or services which meet the need.

9.9 If an applicant receives any health or disability services arising out of personal injury by accident, a grant must not be made for that part of any fees or charges for the services that is not paid by the Accident Rehabilitation Compensation and Insurance Corporation or 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 the Accident Insurance Act 1998.

9.10 A grant under clause 11.3 may be made only to a person who—

(a) is a beneficiary; or

(b) would continue to be a beneficiary but for the cancellation or suspension of benefit upon the person taking up the position referred to in that clause.

9.11 An applicant is not entitled to a grant if the benefit being paid to him or her is suspended or reduced under any of sections 115, 116, 117, or 118 of the Act.

Definitions **beneficiary, benefit, chief executive, disability services, health or disability insurance payment, New Zealand superannuation, transitional retirement benefit, veteran's pension**, Social Security Act 1964, s. 3

Part 3**Essential Needs****10. Need to be both Immediate and Essential**

Grants made under this Part may be made only for a need which is immediate and essential.

Non-Recoverable Grants**11. Non-Recoverable Grants For Essential Needs**

11.1 Grants made under clause 11 are non-recoverable, unless otherwise stated.

11.2 Food

11.2.1 The chief executive may make a grant to purchase food for a person and his or her immediate family if—

(a) the person or the immediate family has an immediate need to purchase food; and

(b) the person and his or her spouse has no resources to meet the need; and

(c) the person and his or her spouse would otherwise have to rely upon a food bank to meet the need; and

(d) the need, or the lack of resources to meet it, was

caused by an essential expense which had to be met and which left insufficient money to buy food.

11.2.2 The chief executive may make more than one grant under clause 11.2.1 in a 52 week period, but unless the chief executive considers exceptional circumstances exist, the maximum amount of such grants during a 52 week period must not exceed—

(a) \$200 for a single person with no dependent children; and

(b) \$300 for a married couple with no dependent children; and

(c) \$450 for a married couple or a sole parent with one or two dependent children; and

(d) \$550 for a married couple or a sole parent with three or more dependent children.

11.3 Transition To Work Expenses for beneficiaries

11.3.1 The chief executive may make a grant for transition to work expenses if—

(a) The applicant is, or was immediately before the cancellation, or suspension under section 80 (6) of the Act, of the benefit to take up employment, a beneficiary; and

(b) The applicant —

(i) is, or as the case requires, was before that cancellation or suspension of benefit not a work-tested beneficiary; and

(ii) is not moving into self employment; and

(iii) has found employment through his or her own initiative; and

(c) The applicant has an immediate need for financial assistance for—

(i) bridging finance between the cessation of benefit and the start of wages; or

(ii) other transition to work expenses; and

(d) The applicant has no cash assets.

11.3.2 A grant under clause 11.3.1 may be made only where the chief executive is satisfied that—

(a) The applicant has a confirmed position; and

(b) That employment is for a minimum of 15 hours per week; and

(c) The applicant is unable to meet the expenses or need for bridging finance himself or herself or from any other source; and

(d) The applicant cannot take up or continue in that position unless the grant is made.

11.3.3 The chief executive may make more than one grant under clause 11.3.1 in a 52 week period, but the maximum amount of such grants in a 52 week period must not exceed \$250.

11.3.4 Grants under clause 11.3.1 may be made to each member of an immediate family who is a beneficiary.

11.3.5 In clause 11.3.1 and 11.3.2, **transition to work expenses** includes, but is not limited to—

(a) job related clothing or equipment;

(b) initial child care costs;

(c) initial transport costs;

(d) tattoo removal on referral by a registered medical practitioner to a tattoo removal service;

(e) relocation costs, if relocation is necessary for the applicant to take up the position;

(f) living costs between the last benefit payment and the first payment of wages or salary.

11.4 Medical

11.4.1 Grants under clauses 11.4.2 to 11.4.6 may be made in respect of each member of an immediate family.

11.4.2 Vasectomies and Termination of Pregnancies

11.4.2.1 The chief executive may make a grant of not more than \$300 towards the costs of travel, accommodation and surgery of an applicant requiring a termination of pregnancy or a vasectomy.

11.4.4 Laser Therapy for the Removal of Birthmarks

11.4.4.1 If a registered medical practitioner certifies that an applicant has a birthmark that is disfiguring and visible in normal clothing, the chief executive may make a grant of not more than \$300 for the costs, including travel costs, associated with laser treatment for the removal of the birthmark.

11.4.5 Wigs and Hairpieces

11.4.5.1 The chief executive may make a grant of not more than \$300 towards the cost of a wig or hairpiece to an applicant who—

(a) suffers from a medical condition or is undergoing medical treatment which makes it desirable for the applicant to wear a wig or hairpiece on cosmetic grounds; and

(b) has been provided with financial assistance towards the purchase of a wig or hairpiece by a Health Agency; and

(c) is unable to meet the remaining cost of the wig or hairpiece because he or she suffers from financial hardship.

11.4.6 Health Travel Costs

11.4.6.1 Clause 11.4.6.2 applies to a person who—

(a) is referred by a registered medical practitioner to a secondary health service for medical treatment, assessment, or services; and

(b) is not receiving assistance for travel or accommodation for that treatment, assessment, or services from any Health Agency (other than the Accident Rehabilitation Compensation and Insurance Corporation or an insurer within the meaning of the Accident Insurance Act 1998); and

(c) is not eligible for a disability allowance under the Act for that travel or accommodation.

11.4.6.2 The chief executive may—

(a) make to a person referred to in clause 11.4.6.1, a non-recoverable grant (subject to clause 11.4.6.4) of not more than \$300 for—

(i) the actual and reasonable travel expenses for a return journey of at least 8 kilometres to the place of treatment, assessment, or services; and

(ii) the actual and reasonable cost of accommodation and meals if overnight stay away from home is necessary to attend the treatment, assessment, or services; and

(b) extend that grant to not more than a maximum of \$400 for the cost of one attendant if—

(i) the person needing the treatment, assessment, or services is a child, or

(ii) whanau support is required, or

(iii) an attendant is recommended by a registered medical practitioner.

11.4.6.3 The chief executive may make more than one such grant in a 52 week period.

11.4.6.4 The chief executive may decide that a grant under clause 11.4.6.2 is recoverable, if—

(a) the chief executive considers that the person is likely to have cover under the Accident Rehabilitation

Compensation and Insurance Act 1992 or the Accident Insurance Act 1998 in respect of the treatment, assessment or services; and

(b) the applicant is not able to show to the satisfaction of the chief executive that he or she has no entitlement to travel costs under the applicable Act.

11.4.6.5 For the purposes of clause 11.4.6.1—

“Secondary Health Service” means any health service (within the meaning of the Health and Disability Services Act 1993) provided or purchased by a Health Agency—

(a) to which a registered medical practitioner has referred the applicant for treatment, assessment or a service; and

(b) that is not solely for the supply of pharmaceutical goods.

11.5 Occupational Training Course

11.5.1 The chief executive may make a grant of not more than \$200 for the cost of occupational training course fees for a person in receipt of a community wage, an independent youth benefit, or a related emergency benefit under the Act.

11.5.2 A grant is not payable under clause 11.5.1 where the person is participating in the occupational training course as an organised activity under section 111 or section 123B of the Act.

11.5.3 The chief executive may make one such grant to each of the applicant and his or her spouse during a 52 week period.

11.6 Travel for Stranded Persons

11.6.1 For the purpose of enabling the person to return to his or her usual place of residence, the chief executive may make a grant of not more than \$200 for travel to a person who is—

(a) stranded away from his or her usual place of residence; and

(b) unable to pay for that travel due to circumstances which could not reasonably be foreseen.

11.6.2 Grants under clause 11.6.1 may be made to each member of an immediate family.

11.7 Bedding

11.7.1 The chief executive may make a grant of not more than \$200 for bedding if—

(a) there is a long term sickness, or disability in the applicant's immediate family causing extraordinary wear and tear on bed linen; or

(b) an additional child has been incorporated into the immediate family by way of birth or adoption.

Definitions child, dependent child, chief executive, organised activity, sole parent, spouse, work-tested beneficiary, Social Security Act 1964, s. 3

Part 4

Emergency Needs

12. Requirement for emergency situation

12.1 Grants under this Part may be made only if the chief executive is satisfied that an emergency situation exists, which has given rise to an immediate need.

12.2 In deciding if an emergency situation exists, the chief executive must have regard to the following matters—

(a) whether the situation was unforeseen;

(b) if the situation could have been foreseen or predicted, whether the applicant could reasonably have been expected

to have made provision in advance in order to meet the need;

(c) the extent to which not making a grant would—

(i) worsen the applicant's position; or

(ii) increase or create any risk to the life or welfare of the applicant or the applicant's spouse or dependent children; or

(iii) cause serious hardship to the applicant, or the applicant's spouse or dependent children.

Definitions dependent child, chief executive, spouse, Social Security Act 1964, s. 3

Non-Recoverable Grants

13. Non-Recoverable Grants For Emergency Needs

13.1 Grants made under clause 13 are non-recoverable.

13.2 Emergency Dental Treatment

13.2.1 The chief executive may make a grant of not more than \$300 to an applicant towards the costs of emergency dental treatment—

(a) if the treatment is provided for a fee by a Health Agency; or

(b) by a registered dental practitioner if a Health Agency does not provide such treatment in the area where the applicant resides.

13.2.2 Grants under clause 13.2.1 may be made in respect of each member of an immediate family.

13.3 Emergency Medical Treatment

13.3.1 The chief executive may make a grant of not more than \$300 towards the costs of emergency medical treatment (including doctors' fees, prescription charges or hospital care).

13.3.2 The chief executive may make more than one grant under clause 13.3.1 for a similar purpose in any 52 week period.

13.3.3 Grants under clause 13.3.1 may be made in respect of each member of an immediate family.

13.4 Accompanying Medical Treatment Overseas

13.4.1 If a person needs medical treatment overseas, the chief executive may make a grant towards the costs of the overseas air fares, accommodation and living expenses of another person accompanying the person for that treatment, if that other person is—

(a) the spouse of the person needing the treatment, or

(b) one of the child's parents, if the person needing the treatment is a child.

13.4.2 A grant under clause 13.4.1 may be made only if—

(a) a Health Agency grants assistance to the person to receive medical treatment overseas; and

(b) the assistance received from the Health Agency and any other source, is insufficient to enable that spouse or that parent to accompany the person requiring medical treatment; and

(c) the cash assets of the person and the spouse or, as the case may be, both the child's parents, do not exceed \$5,000.

13.4.3 A grant made under clause 13.4.1 must not exceed the total costs of that spouse's or that parent's reasonable overseas air fares, accommodation and living expenses reduced by—

(a) any amount of the assistance referred to in clause 13.4.2 (b) available for that spouse's or that parent's travel; and

(b) the amount of the cash assets referred to in clause 13.4.2 (c).

13.4.4 Grants under clause 13.4.1 may be made in respect of the medical treatment overseas of more than one member of an immediate family.

Other Grants

14. Other Emergency Grants

14.1 If the chief executive considers that special circumstances exist, the chief executive may make a recoverable or non-recoverable grant of not more than \$200 towards the cost of any item or any service if the chief executive considers that without that item or service, the applicant, or the applicant's spouse or a dependent child, would suffer serious hardship.

14.2 Grants under clause 14.1 may be made in respect of each member of an immediate family.

14.3 In deciding whether a grant made under clause 14.1 will be recoverable or non-recoverable, the chief executive must have regard to the following matters—

- (a) the purpose of the grant;
- (b) the nature of the need;
- (c) whether it would be equitable with other applicants to require or not to require repayment; and
- (d) the effect on the applicant of requiring or not requiring repayment of the grant.

Definitions dependent child, chief executive, spouse, Social Security Act 1964, s. 3

Part 5

Payments to People in Specific Circumstances

15. Re-establishment Costs

15.1 Refugees

15.1.1 If a refugee has ceased to be entitled to other forms of government assistance accorded to refugees, the chief executive may make—

(a) recoverable grants not exceeding \$800 in total for accommodation, bond or rent in advance; or

(b) non-recoverable grants not exceeding \$1,200 in total, (the total amount to be increased by \$100 for every dependent child of the applicant after the second such child) for one or more of the following purposes—

- (i) to purchase beds, bedding and essential appliances;
- (ii) the cost of connecting telephone, electricity and gas;
- (iii) clothing requirements;
- (iv) the cost of, including the transport costs of, attending English language classes;
- (v) translation costs for work related documents; or
- (c) any combination of grants under (a) and (b).

15.1.2 A grant under clause 15.1.1 may be made only if the application is lodged within 1 year of the refugee's first arrival in New Zealand except that a grant for the purpose stated in clause 15.1.1 (b) (iv) may be made if the application is lodged within 2 years of the refugee's first arrival in New Zealand.

15.1.3 The chief executive may make more than one grant for the purposes stated in clause 15.1.1 within the appropriate time period stated in clause 15.1.2, but the total amount of the grants are not to exceed the total of the amounts stated in clause 15.1.1.

15.1.4 For the purposes of clauses 15.1.1 and 15.1.2, **Refugee** means a person lawfully in New Zealand whose refugee status has been recognised by—

- (a) the Minister of Immigration or an immigration officer appointed under the Immigration Act 1987, or
- (b) the Refugee Status Appeal Authority, or

(c) a Court on appeal or by way of judicial review from the decision of that Minister or an immigration officer or that authority.

15.2 Sole Parents

15.2.1 If a sole parent—

- (a) is the victim of family violence; and
- (b) is being assisted by a social service agency to relocate after initial separation; and
- (c) has no other resources,

the chief executive may make the following grants—

(d) a recoverable grant of not more than \$800 for accommodation, bond or rent in advance; or

(e) a non-recoverable grant of not more than \$600 for beds, bedding and essential appliances, and for the costs of connecting telephone, electricity and gas; or

(f) any combination of grants under (d) and (e).

15.2.2 The chief executive may make more than one grant for the purposes stated in clause 15.2.1 during a 52 week period.

15.3 Long Term Patients Resettling in the Community

15.3.1 If a person has lived in a hospital, hospital unit or residential home as a patient for the preceding 6 months or more, and is resettling into the community, the chief executive may make—

(a) a recoverable grant of not more than \$800 for accommodation, bond or rent in advance; or

(b) a non-recoverable grant of not more than \$1,200 for beds, bedding and essential appliances, the cost of connecting the telephone, electricity or gas, clothing and toiletry items; or

(c) any combination of grants under (a) and (b).

15.3.3 The chief executive may make more than one grant under clause 15.3.1 in a 52 week period but the total of such grants may not exceed \$2,000.

15.4 Steps to Freedom Payments for Released, Sentenced and Remand Prisoners

15.4.1 The chief executive may, on the applicant's release, make a non-recoverable grant of \$350 to an applicant who has been imprisoned or held in custody on remand for 31 days or more, the amount of the grant to be reduced by any amount held by the prison or other custodian on the applicant's behalf (including any amount held in the prisoner's trust account, canteen account or earnings account).

15.4.2 Grants under clause 15.4.1 may be made in respect of more than one member of an immediate family.

Definitions dependent child, chief executive, sole parent, Social Security Act 1964, s. 3

16. Beneficiaries Transferring Between Benefits

16.1 The chief executive may make a non-recoverable grant to an applicant who—

- (a) is in receipt of a benefit under the Act; and
- (b) is transferring to New Zealand Superannuation; and
- (c) requires assistance to make that transfer.

16.2 The amount of a grant made under clause 16.1 is to be no more than the total of—

(a) the equivalent of one week's amount of the benefit that applicant was entitled to receive immediately before transferring to New Zealand Superannuation; and

(b) one week's accommodation supplement or other supplementary assistance under the Act that he or she was entitled to receive before the transfer.

16.3 Where on or after 18 November 1996 the chief executive decides at the request of a beneficiary to alter the pay day of the benefit payable to that beneficiary from a fortnightly pay day to a weekly pay day, the chief executive may make one non-recoverable grant of not more than two days benefit entitlement to the beneficiary to cover the shortfall during the transition.

Definitions benefit, chief executive, New Zealand Superannuation, Social Security Act 1964, s. 3

17. Benefit Non-entitlement Periods and Stand Downs, etc.

17.1 Disqualified spouse

17.1.1 The chief executive may make a recoverable grant to an applicant whose spouse would otherwise qualify for a benefit but is not entitled to that benefit because—

(a) he or she is subject to a non-entitlement period or a stand down; or

(b) section 91 (1) (b) of the Act applies to the applicant's spouse.

17.1.2 A grant under clause 17.1.1, in relation to an applicant whose spouse is subject to a non-entitlement period, may be made only in respect of the first 4 weeks after the date the non-entitlement period took effect in relation to that spouse.

17.1.3 A grant must not be made under clause 17.1.1 unless—

(a) the applicant is not entitled to a benefit in his or her own right (whether because of the application of section 80C of the Act or otherwise) and has one or more dependent children; and

(b) the immediate family has no cash assets and cannot obtain credit facilities; and

(c) the immediate family has taken all reasonable steps to reduce its fixed commitments; and

(d) if the non-entitlement was because of the receipt of any redundancy payment (as defined in section 80B of the Act), the redundancy payment was used to meet ongoing costs and not to reduce capital debts; and

(e) in the case where the applicant's spouse is a striking worker, the immediate family is not receiving assistance, or sufficient assistance to meet the immediate family's basic needs, from any other source.

17.1.4 An applicant is not entitled to a grant under clause 17.1.1 where he or she is entitled to receive a benefit or part of a benefit under section 99 (4) or section 120 of the Act.

17.2 Sole Parent High Income

17.2.1 The chief executive may make a recoverable grant to a sole parent who—

(a) would otherwise qualify for a benefit but is not entitled to receive that benefit because he or she is subject to a Stand Down; and

(b) has no cash assets and cannot obtain credit facilities; and

(c) has taken all reasonable steps to reduce his or her fixed commitments.

17.3 Serious hardship

17.3.1 If the chief executive considers exceptional circumstances exist, the chief executive may make a recoverable grant to an unmarried applicant who—

(a) has no dependent children; and

(b) is otherwise qualified for a benefit but is not entitled to receive that benefit because he or she is subject to—

(i) a non-entitlement period; or

(ii) a stand down; and

(c) is suffering serious hardship; and

(d) in the case of an applicant for a widow's benefit, a domestic purposes benefit, an independent youth benefit, or a community wage—

(i) who is a work-tested beneficiary; and

(ii) has agreed in writing that if:

(A) offered suitable employment; or

(B) the department proposes participation in an organised activity of a kind approved under section 123B of the Act—

he or she will accept that offer or proposal.

17.3.2 A grant under clause 17.3.1, to a person who is subject to a non-entitlement period, may only be made in respect of the first 4 weeks of that non-entitlement period.

17.4 More than one Grant may be made

17.4.1 More than one grant may be made to an applicant for the same purpose under clause 17.1.1 or clause 17.2.1 or clause 17.3.1, but in no case must the amount granted in any one week exceed the equivalent of—

(a) in the case of a married person, the maximum weekly rate of a community wage that would be payable to the applicant if he or she was—

(i) unmarried and under the age of 25 years; and

(ii) entitled to receive that benefit; or

(b) in the case of an unmarried person, half the maximum weekly rate of a community wage that would be payable to that person if he or she was entitled to receive that benefit.

17.5 Persons becoming sick during non-entitlement period

17.5.1 The chief executive may make a non-recoverable grant to an applicant who—

(a) is subject to a non-entitlement period; and

(b) is, by reason of sickness or injury, incapable of participating in employment, or in an organised activity for the purpose of section 123B of the Act.

17.5.2 More than one grant may be made to an applicant for the same purpose under clause 17.5.1, but in no case must the amount granted in any one week exceed the combined total of—

(a) the rate in the Ninth Schedule of the Act which would have applied, had the applicant been entitled in that week to receive the community wage; and

(b) except where section 80C (1A) of the Act applies, the rate of Accommodation Supplement which the applicant would have received, had the applicant been entitled in that week to receive the Accommodation Supplement.

Definitions benefit, dependent child, chief executive, organised activity, sole parent, spouse, suitable employment, work-tested beneficiary, Social Security Act 1964, s. 3

Part 6

Special Assistance to the Rural Sector

18. Grants to Farmers, Orchardists etc.

18.1 The object of this Part is to provide financial assistance for farmers.

18.2 The chief executive may make non-recoverable grants to a farmer who—

(a) has a land based industry of a type or condition approved by the Minister from time to time, which is located in a region, district, or area approved by the Minister from time to time, and that land based industry is in financial difficulty and is not producing sufficient income to meet essential living expenses, and

(b) has no significant income other than from the land based industry, and

(c) either—

(i) has made a decision to sell the land based industry at a price the chief executive considers to be realistic; or

(ii) is in the process of actively evaluating the ongoing viability of the land based industry; and

(d) has no assets unconnected with the land based industry which it would be practicable to realise.

18.3 The approvals of the Minister for the purposes of clause 18.2 (a) and clause 18.6 in force at the commencement of this programme are set out in Schedule 1.

18.4 For the purposes of this Part the definition of **Cash Assets** in clause 3.1 does not apply and the following definition is substituted:

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

(a) shares, 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 (except that the net equity in the land based industry, as defined in this clause, is not to be included in the applicant's cash assets in relation to an application for a grant under this Part);

(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 immediate family for day to day accommodation;

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

(l) the proceeds from the sale of capital pastoral stock (whether held or not held in any of the assets in paragraphs (b), (c), (f) or (g) of this definition);

18.5 For the purposes of this Part—

"District", unless otherwise stated, has the meaning in the Local Government Act 1974;

"Farmer" means—

(a) a person who derives his or her principal income directly or indirectly from a land based industry and has a history of so doing; or

(b) a person who intends to so derive his or her income but the land based industry is in the developmental stage;

"Income", in relation to a married person, includes the income of his or her spouse;

"Land Based Industry" includes, but is not limited to, the primary production of meat, wool, or dairy

products, arable farming, sharemilking, an orchard, bee-keeping, herb or flower growing, a market garden, and poultry farming but does not include hobby farming;

"Region", unless otherwise stated, has the meaning in the Local Government Act 1974.

18.6 Grants may not be made under clause 18.2 for more than a period of 1 year or the appropriate period approved by the Minister, whichever is the lesser.

18.7 If the Minister has extended the application of this Part in relation to a district, region, or an area for a further period, on application made by the farmer the chief executive may, in his or her discretion, make grants under clause 18.2 for up to that extended period if, after conducting a review of the farmer's circumstances, the chief executive considers the personal circumstances of the farmer justify such grants being made.

18.8 The maximum amount of grants under clause 18.2 are—

To a married person with one dependent child	75 per cent of the applicable rate of community wage diminished by \$1 a week for every \$1 a week of that person's income.
To a married person with 2 or more dependent children	75 per cent of the applicable rate of community wage diminished by \$1 a week for every \$1 a week of that person's income.
To a married person without dependent children	75 per cent of the applicable rate of community wage diminished by \$1 a week for every \$1 a week of that person's income.
To a sole parent with one dependent child	75 per cent of the applicable rate of community wage diminished by \$1 a week for every \$1 a week of that person's income.
To a sole parent with 2 or more dependent children	75 per cent of the applicable rate of community wage diminished by \$1 a week for every \$1 a week of that person's income.
To an unmarried person with no dependent children	75 per cent of the applicable rate of community wage diminished by \$1 a week for every \$1 a week of that person's income.

Definitions dependent child, chief executive, income, sole parent, spouse, Social Security Act 1964, s. 3

Part VII

Administration

19. Applications

19.1 An application for a grant under this programme is to be made to the department in such form as the chief executive from time to time prescribes.

19.2 An application for a grant must be made by the

applicant, except where the application is made in respect of a dependent child.

19.3 An application for a grant in respect of a dependent child must be made by the child's parent.

19.4 The chief executive may receive an application for a grant 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.

Definitions Department, dependent child, chief executive, Social Security Act 1964, s. 3

20. Payment of Grants

20.1 Every grant made in relation to the purchase of goods and services is to be paid—

(a) to the person providing the goods or services for which the grant was made; or

(b) at the discretion of the chief executive in exceptional circumstances—

(i) to the applicant (being the person in respect of whom the application is made); or

(ii) if the applicant is a dependent child, to the child's parent.

20.2 Every other grant is to be paid—

(a) to the applicant (being the person in respect of whom the application is made); or

(b) if the applicant is a dependent child, to the child's parent.

Definitions dependent child, chief executive, Social Security Act 1964, s. 3

21. Rules as to recovery

21.1 If under this programme any grant is recoverable, the amount of the grant is to be a debt to the Crown payable by—

(a) in the case where the applicant is a dependent child, that child's parent; or

(b) in any other case, the person to whom or at whose direction the grant was paid.

21.2 The chief executive in his or her discretion is to decide whether repayment is to be made—

(a) as a lump sum; or

(b) by instalments; or

(c) by payment from any benefit to which that person is, or may become, entitled.

21.3 The chief executive must set a rate of recovery of not less than \$4.00 a week for any recoverable grant.

21.4 In exceptional circumstances, the chief executive may set a rate of recovery of less than \$4.00 a week.

21.5 The chief executive may, from time to time, review the rate of recovery of a recoverable grant and may increase or decrease or make no alteration to the rate.

Definitions beneficiary, benefit, dependent child, chief executive, Social Security Act 1964, s. 3

22. Transitional provisions

22.1 If, under the Special Needs Grant Programme approved by the Minister on 8 January 1996 (the **Former Programme**), a person had been assessed as eligible to receive special needs grants on a continuing basis for a specified period that ends after the commencement of this programme, and this programme contains provisions substantially corresponding with the provisions of the Former Programme under which that eligibility had been assessed,—

(a) the chief executive may continue to make grants under the corresponding provisions of this programme until

the end of the specified period as if the person's eligibility for those grants were assessed under this programme; and

(b) the provisions of this programme apply to such grants instead of the provisions of the Former Programme.

Schedule 1

Clause 18.3

Farmers Eligible for Financial Assistance Under Part 6 of Special Needs Grant Programme at the Commencement of the Programme

1. Grants to Farmers in Marlborough and North Canterbury regions

1.1 Farmers in the Marlborough and North Canterbury regions whose land based industries are drought affected are eligible to be considered for financial assistance under Part 6 of the Special Needs Grant Programme.

1.2 In relation to such farmers, Part 6 begins to apply on 1 April 1998 and ceases to apply on 1 April 1999 unless extended by the Minister.

2. Grants to Farmers in the Hawke's Bay region

2.1 Farmers in the Hawke's Bay region whose land based industries are drought affected are eligible to be considered for financial assistance under Part 6 of the Special Needs Grant Programme.

2.2 In relation to such farmers, Part 6 begins to apply on 27 April 1998 and ceases to apply on 27 April 1999, unless extended by the Minister.

3. Grants to Farmers in the Wairarapa and Tararua regions

3.1 Farmers in the Wairarapa and Tararua regions whose land based industries are drought affected are eligible to be considered for financial assistance under Part 6 of the Special Needs Grant Programme.

3.2 In relation to such farmers, Part 6 begins to apply on 11 May 1998 and ceases to apply on 27 April 1999, unless extended by the Minister.

4. Grants to Farmers in South Canterbury, North Otago and Gisborne

4.1 Farmers in South Canterbury, North Otago and Gisborne, as defined in clause 4.3, whose land based industries are drought affected are eligible to be considered for financial assistance under Part 6 of the Special Needs Grant Programme.

4.2 In relation to such farmers, Part 6 begins to apply on 3 August 1998 and ceases to apply on 31 March 1999, unless extended by the Minister.

4.3 For the purposes of clause 4.1,—

"South Canterbury" means the areas within the Timaru District, the Waimate District and the MacKenzie District being—

(a) The relevant area within Timaru District is the area from the Opihi River south to the Timaru District boundary;

(b) The relevant area within Waimate District is the coastal plains and the area inland between the Waihao and Waitaki rivers including the Hakataramea Valley; and

(c) The relevant area within MacKenzie District is the area to the north and west of the Te Ngawai river, leading to and including the Fairlie basin;

"North Otago" means the Waitaki District, and the areas within the Central Otago District and Dunedin City being—

(a) The relevant area within Central Otago District is

the Maniototo Basin, the Ida Valley and the Manuherikia Valley; and

(b) The relevant area within Dunedin City is Strath Taieri and the Waikouaiti Coast:

"Gisborne" means an area within the Gisborne District being south of a line from Tolaga Bay, west to the District boundary.

5. Grants to Farmers in the Whakatane and Opotiki Districts

5.1 Farmers in the Whakatane and Opotiki Districts whose land based industries are affected by the floods in July 1998 are eligible to be considered for financial assistance under Part 6 of the Special Needs Grant Programme.

5.2 In relation to such farmers, Part 6 begins to apply on 14 September 1998 and ceases to apply on 31 March 1999, unless extended by the Minister.

6. Grants to Farmers in the Buller, Grey and Westland Districts, and the Waikato and Franklin Districts

6.1 Farmers—

(a) in the Buller, Grey, and Westland Districts, whose land based industries are directly affected by the prolonged period of rainfall that started in September 1997; and

(b) in the Waikato and Franklin Districts, whose land based industries are directly affected by the floods in July 1998,—

are eligible to be considered for financial assistance under Part 6 of the Special Needs Grant Programme.

6.2 In relation to such farmers, Part 6 begins to apply on 2 November 1998 and ceases to apply on 2 November 1999, unless extended by the Minister.

7. Interpretation

7.1 In this Schedule, terms defined in Part 6 of the Special Needs Grant Programme have the meanings so defined.

go563

The Treasury

Public Finance Act 1989

Notice of Publication of Financial Statements of the Crown

Pursuant to section 31B of the Public Finance Act 1989, the Minister of Finance gives notice of the publication of the financial statements of the Crown for:

- the 3 months ended **30 September 1998**, on 6 November 1998.

Copies of these financial statements are available:

- for inspection free of charge at the National Library of New Zealand, Auckland City Library, Wellington Public Library and Canterbury Public Library;
- for purchase at branches of Bennetts Bookshops; and
- through the internet
(address: <http://www.treasury.govt.nz>).

Dated at Wellington this 6th day of November 1998.

RIGHT HON. W. F. BIRCH, Minister of Finance.

go571

Notice of Publication of Financial Statements of the Crown

Pursuant to section 31B of the Public Finance Act 1989, the Minister of Finance gives notice of the publication of the financial statements of the Crown for:

- the 4 months ended **31 October 1998**, on 9 December 1998.

Copies of these financial statements are available:

- for inspection free of charge at the National Library of New Zealand, Auckland City Library, Wellington Public Library and Canterbury Public Library;
- for purchase at branches of Bennetts Bookshops; and
- through the internet
(address: <http://www.treasury.govt.nz>).

Dated at Wellington this 9th day of December 1998.

RIGHT HON. W. F. BIRCH, Minister of Finance.

go572

Notice of Publication of Financial Statements of the Crown

Pursuant to section 31B of the Public Finance Act 1989, the Minister of Finance gives notice of the publication of the financial statements of the Crown for:

- the 5 months ended **30 November 1998**, on 15 January 1999.

Copies of these financial statements are available:

- for inspection free of charge at the National Library of New Zealand, Auckland City Library, Wellington Public Library and Canterbury Public Library;
- for purchase at branches of Bennetts Bookshops; and
- through the internet
(address: <http://www.treasury.govt.nz>).

Dated at Wellington this 15th day of January 1999.

RIGHT HON. W. F. BIRCH, Minister of Finance.

go574

Authorities and Other Agencies of State Notices

Animal Health Board

Biosecurity Act 1993

Levy on Rural Land in the Otago Region

Pursuant to the Biosecurity (Bovine Tuberculosis – Otago Land Levy) Order 1998 made under the Biosecurity Act 1993, a levy is payable to the Animal Health Board (Inc) by

the occupiers of all rural landholdings 4 hectares or more in area in the Otago Region.

The purpose of the levy is to partially fund Tb vector control operations in Otago under the National Bovine Tuberculosis Pest Management Strategy.

The levy is payable at the following rates (G.S.T. exclusive):

- 0.094% of capital value for property within a Regional Vector Control zone.