

Benefit Rate Increase (Transitional Assistance) Amendment 2021

This instrument is made under section 101 of the Social Security Act 2018 by the Minister for Social Development and Employment.

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Instrument

1 Title

This instrument is the Benefit Rate Increase (Transitional Assistance) Amendment 2021.

2 Commencement

This instrument comes into effect immediately after the principal programme comes into effect on 1 July 2021.

3 Programme amended

This instrument amends the Benefit Rate Increase (Transitional Assistance) Programme 2021¹ (as established and approved on 23 May 2021) (the **principal programme**).

4 Clause 4 amended (Interpretation)

(1) In clause 4(1), in their appropriate alphabetical order, insert:

accommodation benefit means an accommodation benefit, eligibility for which is set out in regulation 9 of the Student Allowances Regulations 1998, and paid under regulation 18

sole parent accommodation benefit means the payment of an accommodation benefit, paid at a rate determined in

¹ New Zealand Gazette, 23 May 2021, notice 2021-go2015.

accordance with regulation 24A of the Student Allowances Regulations 1998

- (2) In clause 4(1), in paragraph (b) of the definition of **specified amendment** replace “clause” with “regulation”.
- (3) In clause 4(1), in the definition of **specified enactment** replace “(c)” with “(a)”, “(d)” with “(b)”, “(e)” with “(c)”, “(f)” with “(d)” and “2014” with “2014:”.
- (4) In clause 4(1), after paragraph (d) in the definition of **specified enactment** insert:

(e) the Student Allowances Regulations 1998

- (5) In clause 4(1), in paragraph (b) in the definition of **specified payment** replace “assistance” with “assistance:”.
- (6) In clause 4(1), after paragraph (b) in the definition of **specified payment** insert:

(c) sole parent accommodation benefit

5 New clause 8A inserted

After clause 8, insert:

8A Eligibility for transitional assistance for recipients of sole parent accommodation benefit

- (1) MSD may grant transitional assistance to an applicant if–
 - (a) the applicant receives payment of sole parent accommodation benefit in respect of the week beginning 28 June 2021; and
 - (b) on 1 July 2021, the applicant’s net payment is reduced; and
 - (c) on 1 July 2021, the applicant’s sole parent accommodation benefit is reduced; and
 - (d) MSD is satisfied that–
 - (i) the reason why the applicant’s sole parent accommodation benefit is reduced, is or includes the effect of a specified amendment; and
 - (ii) none of the matters specified in subclause (2) contributed to the reduction of that sole parent accommodation benefit.
- (2) The matters referred to in subclause (1)(d)(ii) are–
 - (a) a change of circumstances that took place on or before 1 July 2021; or
 - (b) the ineligibility of the applicant to receive sole parent accommodation benefit or the rate of sole parent

accommodation benefit (other than an ineligibility that arises from a specified amendment); or

- (c) the suspension, cancellation, or reduction of sole parent accommodation benefit resulting from a failure or omission of the applicant.

6 Clause 10 amended (Calculation of the rate of transitional assistance payable)

- (1) In clause 10(1)(a), after “reduced”, insert “, not including any reduction in sole parent accommodation benefit payable”
- (2) In clause 10(1)(b) replace “that clause” with “that clause;”.
- (3) In clause 10(1), after paragraph (b), insert:
 - (c) in the case of transitional assistance payable to an applicant under clause 8A, the amount by which the applicant’s net payment is reduced, not including any reduction in temporary additional support.
- (4) After clause 10(1) insert:
 - (1A) MSD may grant transitional assistance under clause 7 and 8A if the applicant is eligible under both of those clauses.
- (5) In clause 10(2), after “transitional assistance”, insert “payable under clause 7 and 8”.
- (6) In clause 10(4), replace “clause 7 and 8” with “clauses 7, 8 and 8A”.

7 Clause 11 amended (Commencement and duration of transitional assistance)

- (1) In clause 11(2), after “Transitional assistance” insert “under clauses 7 and 8”.
- (2) In clause 11, after subclause (2), insert:
- (3) Transitional assistance granted under clause 8A continues until the first of the following events occurs:
 - (a) subject to subclause 4, because of a change of circumstances, the applicant is no longer eligible for or entitled to receive a payment of sole parent accommodation benefit: or
 - (b) because of a change of circumstances, the applicant receives the maximum rate of sole parent accommodation benefit payable to the applicant under Schedule 4, Part 7 of the Act: or
 - (c) when combined, the rate of transitional assistance payable under clause 10(1)(c) and the rate of sole

parent accommodation benefit the applicant is entitled to exceeds the maximum rate of sole parent accommodation benefit payable to the applicant under Schedule 4, Part 7 of the Act: or

(d) close of 3 April 2022.

(4) Despite clause 11(3)(a), if an applicant who ceases to be eligible for or entitled to a payment of sole parent accommodation benefit becomes eligible and entitled again, a payment of transitional assistance under clause 8A may resume until the first of the events referred to in clause 11(3) subsequently occurs.

8 Clause 12 amended (Entitlement if new or increased payment available but not sought)

(1) In clause 12(1), replace “the Act” with “a specified enactment”.

Minister for Social Development and Employment

At this day of 2021

Explanatory Note

This note is not part of the instrument, but is intended to indicate its general effect.

This instrument, which comes into effect immediately after the principal programme comes into force, amends the principal programme to provide for the grant of transitional financial assistance to students who are sole parents who experience a reduction of their sole parent accommodation benefit if the reason for that reduction is or includes the effect of the 1 July 2021 changes to benefit rates, and no specified matters contributed to that reduction. Payment of transitional assistance to students who are sole parents is subject to conditions specified in the programme and is available up to 3 April 2022 at the latest.