

Instrument amending Ministerial Directions – Social Housing 2025

This instrument is made under section 102(2) of the Public and Community Housing Management Act 1992 (the Act) by the Minister of Finance, the Minister of Housing, and the Minister for Social Development and Employment, after consultation with the Agency appointed under section 100 of the Act and the Regulatory Authority appointed under section 159 of the Act.

	Contents	Page
1	Title.....	1
2	Commencement.....	1
3	Principal directions amended.....	1
4	Amendments to Ministerial Direction on Eligibility for Social Housing	1
5	Amendments to Ministerial Direction on Continued Eligibility for Social Housing.	3

Instrument

- 1 Title**

This instrument is the Instrument amending Ministerial Directions – Social Housing 2025.
- 2 Commencement**

This instrument comes into force on 2 March 2026.
- 3 Principal directions amended**

This instrument amends the Ministerial Direction on Eligibility for Social Housing (given on 14 April 2014)¹ and the Ministerial Direction on Continued Eligibility for Social Housing (given on 11 June 2014)² (the **principal directions**).
- 4 Amendments to Ministerial Direction on Eligibility for Social Housing**

(1) In clause 3, in the appropriate alphabetical order, insert:

accommodation income has the same meaning as in clause 7 of Part 7 of Schedule 4 of the Social Security Act 2018

accommodation supplement means accommodation supplement paid under section 65 of the Social Security Act 2018

additional resident has the same meaning as in section 2(1) of the Act

¹ New Zealand Gazette 17 April 2014, No. 41, page 1203.

² New Zealand Gazette 19 June 2014, No. 65, page 1864.

weekly qualifying accommodation costs has the same meaning as in clause 7 of Part 7 of Schedule 4 of the Social Security Act 2018.

- (2) In clause 3, in paragraph (b) of the definition of **accommodation**, delete “or lodger”.
- (3) In clause 3, replace the definition of **income** with:
- income**, in relation to a person—
- (a) means assessable income within the meaning of section 108 of the Act;
 - (b) does not include:
 - (i) accommodation income; and
 - (ii) 38% of any amount received by the person, from a boarder, for board and lodgings at the premises at which the person resides unless that amount received is for any arrears or any payments that are income from a business carried on by the person
- (4) In clause 7.2(a), replace “Affordability” with “affordability”.
- (5) Replace Schedule 1 with:

1 A reference to "person" includes any other person who would, together with the person, be an applicable person in relation to any social housing that may be allocated to the person.

Step number	Description	Total \$
Step 1	Calculate net [see Note 1 below] weekly income of the person (including the weekly rate of any Family Tax Credit received)	Total A: income including Family Tax Credit received
Step 2	Calculate lower quartile weekly rent in the area the person needs to live minus the weekly amount of accommodation supplement, calculated in accordance with Note 2 below, and the weekly accommodation income the person currently receives from any additional residents	Total B: lower quartile rent minus calculated accommodation supplement and accommodation income currently received from any additional residents
Step 3	Subtract Total B from Total A	Total C: Total A minus Total B
Step 4	Divide Total C by the weekly unabated rate	Residual income %

	of main benefit the person is receiving or would receive for that household type (including any Family Tax Credit) x 100	
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Note 1

After the deduction of income tax under the Income Tax Act 2007.

Note 2

Calculate accommodation supplement for the purposes of Total B by determining the appropriate rate of accommodation supplement for the person, as set out in Schedule 4, Part 7 of the Social Security Act 2018, using the lower quartile rent in the relevant area (in place of the person's actual weekly qualifying accommodation costs) and the current accommodation income that the person receives from additional residents.

5 Amendments to Ministerial Direction on Continued Eligibility for Social Housing

- (1) In clause 3, in the appropriate alphabetical order, insert:
- accommodation income** has the same meaning as in clause 7 of Part 7 of Schedule 4 of the Social Security Act 2018

accommodation supplement means accommodation supplement paid under section 65 of the Social Security Act 2018

additional resident has the same meaning as in section 2(1) of the Act

weekly qualifying accommodation costs has the same meaning as in clause 7 of Part 7 of Schedule 4 of the Social Security Act 2018.

- (2) In clause 3, replace the definition of **income** with:
- income**, in relation to a person—
- (a) means assessable income within the meaning of section 108 of the Act:
 - (b) does not include:
 - (i) accommodation income; and
 - (ii) 38% of any amount received by the person, from a boarder, for board and lodgings at the premises at which the person resides unless that amount received is for any arrears or any payments that are income from a business carried on by the person

(3) Replace Schedule 1 with:

1 A reference to "person" includes any other person who would, together with the person, be an applicable person in relation to any social housing that may be allocated to the person.

Step number	Description	Total \$
Step 1	Calculate net [see Note 1 below] weekly income of the person (including the weekly rate of any Family Tax Credit received)	Total A: income including Family Tax Credit received
Step 2	Calculate lower quartile weekly rent in the area the person needs to live minus the weekly amount of accommodation supplement, calculated in accordance with Note 2 below, and the weekly accommodation income the person currently receives from any additional residents	Total B: lower quartile rent minus calculated accommodation supplement and accommodation income currently received from any additional residents
Step 3	Subtract Total B from Total A	Total C: Total A minus Total B
Step 4	Divide Total C by the weekly unabated rate of main benefit the person is receiving or would receive for that household type (including any Family Tax Credit) x 100	Residual income %

Note 1

After the deduction of income tax under the Income Tax Act 2007.

Note 2

Calculate accommodation supplement for the purposes of Total B by determining the appropriate rate of accommodation supplement for the person, as set out in Schedule 4, Part 7 of the Social Security Act 2018, using the lower quartile rent in the relevant area (in place of the person's actual weekly qualifying accommodation costs) and the current accommodation income that the person receives from additional residents.



Minister of Finance

At Wellington this third day of November 2025



Minister of Housing

At Wellington this 4th day of November 2025



Minister for Social Development and Employment

At Cambridge this 28th day of October 2025

Explanatory note

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

This instrument, which comes into force on 2 March 2026, amends two Ministerial directions made under the Public and Community Housing Management Act 1992 in response to the amendments made through the Social Assistance Legislation (Accommodation Supplement and Income-related Rent) Amendment Act 2025 (the Amendment Act) which also comes into force on 2 March 2026.

This instrument amends the Ministerial directions to ensure that the amendments in the Amendment Act regarding the treatment of payments from boarders and

renters and the new process for calculating accommodation income are appropriately captured in the Ministerial directions.

To achieve this, the following amendments are required to each of the Ministerial directions:

- insertion and amendments to relevant definitions to ensure they operate as intended;
- excluding both accommodation income and 38% of any amount received by a person for board and lodging from the definition of 'income', to ensure that board and rent received is treated consistently with contributions from additional residents; and
- including weekly accommodation income in Step 2 of the Calculation of Affordability Formula, to ensure that the Affordability Formula is consistent with how accommodation income will be treated when calculating the rate of accommodation supplement from 2 March 2026.