

Instrument amending Ministerial Directions (Modernisation – Automated Decision-Making – End of School Year) 2026

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.....	1
	Schedule 1.....	2

Instrument

1 Title

This instrument is the Instrument amending Ministerial Directions (Modernisation – Automated Decision-Making – End of School Year) 2026.

2 Commencement

This instrument comes into force on 4 September 2026.

3 Principal directions amended

This instrument amends the Ministerial directions specified in Schedule 1 (the principal directions).

4 Amendments

Amend the principal directions in the manner set out in Schedule 1.

Schedule 1

cl 4

Amendments to directions

Ministerial Direction on Eligibility for Social Housing (given on 14 April 2014)¹

Clause 3 amended (Interpretation)

In clause 3, replace the definition of “dependent child” with:

dependent child in relation to a person, has the same meaning as in Schedule 2 of the Social Security Act 2018, and also means—

- (a) a child who, on or after the child’s 18th birthday, is included as a dependent child in the person’s dependent child rate benefit or specified children’s benefit under sections 103B to 103F of the Social Security Act 2018, until the end of a determined period under section 103F(2) of that Act:
- (b) a child who, the agency is satisfied based on all relevant information available to the agency, on or after the child’s 18th birthday, meets the criteria in (a) to (c) of section 103F(1) of the Social Security Act 2018 for a period the agency determines, but ending no later than the start of the week after 31 December in the year the child turns 18.

Clause 5 amended (Age and residential qualification)

In clause 5(2), replace 5.2(e) with: “is eligible for and receiving a payment under clause 15B of the Special Needs Grants Programme”.

Ministerial Direction on Continued Eligibility for Social Housing (given on 11 June 2014)²

Clause 3 amended (Interpretation)

In clause 3, in the appropriate alphabetical order, insert:

dependent child in relation to a person, has the same meaning as in Schedule 2 of the Social Security Act 2018, and also means—

- (a) a child who, on or after the child’s 18th birthday, is included as a dependent child in the person’s dependent child rate benefit or specified children’s benefit under sections 103B to 103F of the Social Security Act 2018, until the end of a determined period under section 103F(2) of that Act:
- (b) a child who, the agency is satisfied based on all relevant information available to the agency, on or after the child’s 18th birthday, meets the criteria in (a) to (c) of section 103F(1) of the Social Security Act 2018 for a period the agency determines, but ending no later than the start of the week after 31 December in the year the child turns 18.

¹ New Zealand Gazette, 17 April 2014, No. 41 page 2461.

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

Clause 5 amended (Residential Qualifications)

In clause 5.1, replace clause 5.1(e) with: “is eligible for and receiving a payment under clause 15B of the Special Needs Grants Programme”.

Clause 7 amended (Housing Need)

In clause 7.8(b), delete “(within the meaning of Schedule 2 of the Social Security Act 2018 read in the light of section 103 of that Act)”.

Ministerial Direction on Application of Reviews of Continued Eligibility for Social Housing (given on 18 October 2018)³

Clause 4 amended (Interpretation)

In clause 4, in the definition of dependent child, replace paragraph (a) and insert:

- (a) has the same meaning as in Schedule 2 of the Social Security Act 2018, and also means—
- (i) a child who, on or after the child’s 18th birthday, is included as a dependent child in the person’s dependent child rate benefit or specified children’s benefit under sections 103B to 103F of the Social Security Act 2018, until the end of a determined period under section 103F(2) of that Act;
 - (ii) a child who, the agency is satisfied based on all relevant information available to the agency, on or after the child’s 18th birthday, meets the criteria in (a) to (c) of section 103F(1) of the Social Security Act 2018 for a period the agency determines, but ending no later than the start of the week after 31 December in the year the child turns 18.



Minister of Finance

Dated at Wellington this 2nd day of August 2026



Minister of Housing

Dated at Wellington this 2th day of July



Minister for Social Development and Employment

Dated at Wellington this 5th day of August 2026

³ New Zealand Gazette 1 November 2018, No. 2018-go5461.

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 4 September 2026, amends three Ministerial directions under the Public and Community Housing Management Act 1992 in response to the amendments made through the Social Security (Modernisation) Amendment Act 2026 (**Modernisation Act**). The Ministerial Directions that are being amended are set out in Schedule 1 of this instrument.

The instrument inserts a new definition of dependent child into the specified Ministerial Directions to reflect policy changes for the end of school year review process under the Modernisation Act. Under this process, a dependent child is excluded from being included in a caregiver's benefit or special assistance once the child turns 18, unless the caregiver confirms (and the Ministry of Social Development is satisfied) that the child is not financially independent and is in school or tertiary education. The child will then continue to be included in the caregiver's benefit or special assistance until the earlier of the child being financially independent, leaving school or tertiary education, or until 31 December following the child's 18th birthday.

The instrument incorporates the above policy changes into the specified Ministerial Directions by amending the definition of dependent child in each Direction. Under the new definition, the agency can include an 18 year old child as a dependent child for the purposes of a person's eligibility or continued eligibility to social housing, if either of the following circumstances apply:

- the person has an 18 year old child included in their benefit or special assistance as a dependent child under the relevant end of school year provisions of the Social Security Act 2018, or
- the person does not receive a benefit or special assistance under the Social Security Act to which the relevant end of school year provisions apply, but they have an 18 year old child who would meet the same criteria to be included as a dependent child in a benefit or special assistance (if those provisions did apply), in that the child is not financially independent and is in school or tertiary education.

These amendments ensure that the Ministerial Directions continue to operate as intended following the changes made by the Modernisation Act.

The instrument also amends the residential qualification for social housing, by removing a person's ability to meet this qualification because they are eligible for, and receiving a payment under, the Christchurch Mosques Attack Welfare Programme. This residential qualification is no longer available, as the Christchurch Mosques Welfare Programme expired on 30 June 2024.