

Instrument amending Ministerial Directions (Modernisation – Automated Decision-Making) 2026

This instrument is made under section 7 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 Instrument amending Ministerial Directions (Modernisation – Automated Decision-Making) 2026.

2 Commencement

(1) This instrument, except for as referred to in subclause (2), comes into force on 1 July 2026.

(2) The amendments to the Direction in relation to Special Benefit in Schedule 1 of this instrument come into force on 30 November 2026.

3 Principal directions amended

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

4 Amendments

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

Schedule 1

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Amendments to directions

Ministerial Direction – Disability Allowance (given on 28 March 1999)¹

Clause 2

In clause 2(2), replace “clauses 2(2)(a) to (c)” with “clause 2(2)(d)”.

In clause 2(2), insert “under clause 2(1)(e) and (f)” after “to provide verification”.

In clause 2(2), revoke “for any particular expense”.

In clause 2(2)(a), revoke “a state of local emergency or state of national emergency is in force under Part 4 of the Civil Defence Emergency Management Act 2002; or”

In clause 2(2)(b), revoke “an epidemic notice has been given, and is in force, under section 5(1) of the Epidemic Preparedness Act 2006; or”

In clause 2(2)(c), revoke “an event has occurred where it is reasonable to expect that the actions stated in clauses 2(2)(a) and (b) may be imminent.”

In clause 2(2), after paragraph (c) insert:

- (d) any of the circumstances prescribed in regulation 176G(2)(c) to (f) of the Social Security Regulations 2018 apply.

Clause 3

In clause 3(2), replace “clauses 3(2)(a) to (c)” with “clause 3(2)(d)”.

In clause 3(2)(a), revoke “a state of local emergency or state of national emergency is in force under Part 4 of the Civil Defence Emergency Management Act 2002; or”

In clause 3(2)(b), revoke “an epidemic notice has been given, and is in force, under section 5(1) of the Epidemic Preparedness Act 2006; or”

In clause 3(2)(c), revoke “an event has occurred where it is reasonable to expect that the actions stated in clauses 3(2)(a) and (b) may be imminent.”

In clause 3(2), after paragraph (c) insert:

- (d) any of the circumstances prescribed in regulation 176G(2)(c) to (f) of the Social Security Regulations 2018 apply.

Clause 5B

In clause 5B, replace the definition of **review** with:

¹ New Zealand Gazette 1 April 1999, No. 41, page 983.

review means a review under –
(a) subpart 3 of Part 6 of the Act (discretionary review of entitlement to, or rate of, benefit granted):
(b) subpart 3A of Part 6 of the Act (mandatory review of entitlement to, or rate of, specified benefit granted)
and **reviewed** and **reviewing** have corresponding meanings.

Direction in relation to Special Benefit (given on 10 February 1999)²

Clause 3

In clause 3.1, in the “Example” of the definition, replace “An” with “A”.

Clause 5

In clause 5.1(b), replace “section 304” with “subparts 3 or 3A of Part 6”.

Dated at Wellington this 14th day of JUNE 2026



Minister for Social Development and Employment

² New Zealand Gazette 16 December 1999, No. 193, page 4600.

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 1 July 2026, amends two Ministerial Directions under the Social Security Act 2018 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 amends the Ministerial Direction – Disability Allowance to align with prescribed circumstances where requirements for verification of costs can be extended as described in the Social Security Regulations 2018.

Where relevant, mandatory review powers have been added to existing powers of review in the Ministerial Direction – Disability Allowance and the Ministerial Direction in relation to Special Benefit.

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

The amendments also make minor editorial corrections to existing language in the Ministerial Directions.