

Instrument amending Welfare Programmes (Modernisation – Automated Decision-Making – End of School Year) 2026

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 Instrument amending Welfare Programmes (Modernisation – Automated Decision-Making – End of School Year) 2026.

2 Commencement

This instrument comes into force on 4 September 2026.

3 Principal welfare programmes amended

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

4 Amendments

Amend the principal welfare programmes in the manner set out in Schedule 1.

Schedule 1

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Amendments to welfare programmes

Community Costs Programme (as established and approved on 15 March 2006)

Clause 5 amended (Application of the Social Security Act)

In clause 5(1), between “19,” and “110,” insert “subpart 18 of Part 2”.

Clause 7 amended (Ineligibility)

In clause 7(1)(e)(ii), replace “married or in a civil union” with “in a relationship”.

Emergency Housing Grants Programme (as established and approved on 22 July 2024)¹

Clause 4 amended (Interpretation)

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

dependent child in relation to an applicant, has the same meaning as in Schedule 2 of the Act, and also means—

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

Clause 5 amended (Application of the Act)

In clause 5(1), delete “103,”.

Employment and Work Readiness Assistance Programme (as established and approved on 6 March 2014)²

Clause 2 amended (Commencement)

In clause 2, delete “on”.

¹ New Zealand Gazette 24 July 2024, No. 2024-sl3594.

² New Zealand Gazette 13 March 2014, No. 29, page 837.

Clause 4 amended (Interpretation)

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

dependent child in relation to an applicant, has the same meaning as in Schedule 2 of the Act, and also means—

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

Flexible Funding Programme (as established and approved on 3 August 2020)³

Clause 5 amended (Interpretation)

In clause 5(1), in the appropriate alphabetical order, insert:

dependent child in relation to an applicant, has the same meaning as in Schedule 2 of the Act, and also means—

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

Clause 6 amended (Application of the Social Security Act 2018)

In clause 6(1), delete "103,".

Orphan's and Unsupported Child's Benefit (Additional Assistance) Programme (as established and approved on 16 December 2013)⁴

Clause 5 amended (Application of the Social Security Act)

In clause 5(1), delete "103," and replace with "subpart 18 of Part 2,".

³ New Zealand Gazette 6 August 2020, No 3537.

⁴ New Zealand Gazette 9 January 2014, No. 1, page 37.

Recoverable Assistance Programme (as established and approved on 15 February 1999)⁵

Clause 3 amended (Definitions)

In clause 3.1, in the appropriate alphabetical order, insert:

dependent child in relation to an applicant, has the same meaning as in Schedule 2 of the Act, and also means—

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

Clause 4 amended (Application of the Social Security Act)

In clause 4.1, delete "103,".

Seasonal Work Assistance Programme (as established and approved on 7 July 2002)⁶

Clause 4 amended (Interpretation)

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

dependent child in relation to an applicant, has the same meaning as in Schedule 2 of the Act, and also means—

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

Clause 5 amended (Application of the Social Security Act)

In clause 5(1), delete "103,".

⁵ New Zealand Gazette 25 February 1999, No. 23, page 567.

⁶ New Zealand Gazette 11 July 2002, No. 78, page 2079.

Special Needs Grants Programme (as established and approved on 18 December 1998)⁷

Clause 3 amended (Definitions)

In clause 3.1, in the appropriate alphabetical order, insert:

dependent child in relation to an applicant, has the same meaning as in Schedule 2 of the Act, and also means—

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

In clause 3.2, delete "dependent child," from the definitions.

Clause 4 amended (Application of the Social Security Act)

In clause 4.1, delete "103,".

Clause 7 amended (Income Limits)

In clause 7, delete "dependent child," from the definitions.

Clause 8 amended (Cash Asset Limits)

In clause 8, delete "dependent child," from the definitions.

Clause 11.8 amended (Repair and maintenance of on-site effluent treatment systems)

In clause 11.8, delete "dependent child," from the definitions.

Clause 12 amended (Requirement for Emergency Situation)

In clause 12, delete "dependent child," from the definitions.

Clause 14 amended (Other Emergency Grants)

In clause 14, delete "dependent child," from the definitions.

Clause 15.4 amended (Steps to Freedom Re-establishment Payments for Released, Sentenced and Remand Prisoners)

In clause 15.4, delete "dependent child," from the definitions.

Clause 15B amended (Applicants applying for a residence class visa in New Zealand who have lost the financial support of their sponsors)

In clause 15B, delete "dependent child," from the definitions.

⁷ New Zealand Gazette 28 January 1999, No. 8, page 202.

Clause 15C amended (Applicants awaiting the outcome of an international child custody and access dispute)

In clause 15C, delete “dependent child,” from the definitions.

Clause 15D amended (Applicants in New Zealand under relocation arrangement)

In clause 15D, delete “dependent child,” from the definitions.

Clause 15E amended (Victims of people trafficking)

In clause 15E, delete “dependent child,” from the definitions.

Clause 17.5 amended (Persons becoming sick during Non-entitlement Period)

In clause 17.5, delete “dependent child,” from the definitions.

Clause 17A.3 amended (Reinstating driver licences)

In clause 17A.3, delete “dependent child,” from the definitions.

Clause 18 amended (Grants to Farmers, Orchardists etc.)

In clause 18, delete “dependent child,” from the definitions.

Clause 19 amended (Applications)

In clause 19, delete “dependent child,” from the definitions.

Clause 20 amended (Payment of Grants)

In clause 20, delete “dependent child,” from the definitions.

Clause 21 amended (Rules as to Recovery)

In clause 21, delete “dependent child,” from the definitions.

Student Allowance Transfer Grant Programme (as established and approved on 23 July 2002)⁸

Clause 4 amended (Interpretation)

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

dependent child in relation to an applicant, has the same meaning as in Schedule 2 of the Act, and also means—

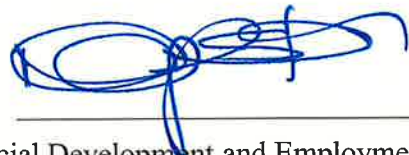
- (a) a child who, on or after the child’s 18th birthday, is included as a dependent child in the applicant’s dependent child rate benefit or specified children’s benefit under sections 103B to 103F of the Act, until the end of a determined period under section 103F(2) of the Act;
- (b) a child who,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

⁸ New Zealand Gazette 1 August 2002, No. 90, page 2435.

Clause 5 amended (Application of the Social Security Act)

In clause 5(1), delete “103,”.

Dated at Wellington this 5th day of August 2026



Minister for Social Development and Employment

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 nine welfare programmes under the Social Security Act 2018 in response to the amendments made through the Social Security (Modernisation) Amendment Act 2026 (**Modernisation Act**). The welfare programmes that are being amended are set out in Schedule 1 of this instrument.

The instrument inserts provisions into the specified welfare programmes 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 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 seven of the specified welfare programmes by inserting a new definition of dependent child in each programme. Under the new definition, the Ministry can include an 18 year old child as a dependent child for the purposes of an application for special assistance under each of the programmes, if either of the following circumstances apply:

- the applicant 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 applicant 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.

The instrument also makes consequential amendments and minor editorial corrections to existing language in the welfare programmes.

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