



24 July 2023

Tēnā koe

On 23 June 2023, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

Whilst browsing eligibility info on <https://www.workandincome.govt.nz/pensions/travelling-or-moving/social-security-agreements/uk-pensions-paid-in-nz-faqs.html> I was presented with a link to the Social Security Act 2018 –

As far as I understand, expatriation of residence means you would receive more state retirement pension than lifelong New Zealand residents, who have contributed through their taxes to the funding of New Zealand Superannuation for a longer period of time.

Changes in New Zealand from 9 November 2020 mean any part of an overseas pension which has been gained from making voluntary contributions is not deducted from New Zealand Superannuation, Veteran's Pension or any other New Zealand main benefits. However the voluntary portion is treated as income for any other income tested benefits in New Zealand.

[Social Security Act 2018](#)

**Are there any instances where the State Pension does not affect ✓
the rate of New Zealand Superannuation and Veteran's**

I expected to be taken to [legislation.govt.nz](https://www.legislation.govt.nz/act/public/2018/0032/latest/whole.html#DLM6783495) here - <https://www.legislation.govt.nz/act/public/2018/0032/latest/whole.html#DLM6783495>

However, instead I was taken to a 12 November 2018 reprint of the Social Security Act 1964 - http://www.nzlii.org/nz/legis/consol_act/ssa1964186/ hosted by the New Zealand Legal Information Institute – an underfunded legal resource.

This raises some questions:

- 1. Why doesn't WINZ provide links to statutory instruments on [legislation.govt.nz](https://www.legislation.govt.nz/)? That is the official source of NZ legislation and*

unliked PDF copies of statutory instruments on NZLII, are annotated as and when amending legislation is enacted and comes into operation. Am I to take it that WINZ lawyers and decision makers rely on NZLII for statutory instruments? Or rather is this an opaque ploy to befuddle and confuse tech illiterate baby boomers?

- 2. Does MSD / WINZ agree that it is inappropriate to provide links to statutory instruments that link to sources other than legislation.govt.nz? If not, why not?*
- 3. Has MSD / WINZ audited its websites for URL links to NZLII? If so, how many other links to NZLII pages does MSD / WINZ provide on its websites?*
- 4. When will MSD / WINZ replace all URL links on its websites which point to broken or incorrect URLs for statutory instruments which do not result in a click of the link leading to the correct URL?*
- 5. How much has MSD paid or donated to NZLII per year for the last 10 years? Please provide details of total donations or payments per year for the last 10 years.*
- 6. Will MSD / WINZ replace all URL links to NZLII with links to the latest version of the relevant statutory instrument on legislation.govt.nz?*
- 7. If the answer to (6) is yes, when?*
- 8. If the answer to (6) is no, why?*

If there is any inclination not to provide fulsome responses to the foregoing questions then please treat this as a request for information made under the OIA.

I am more than happy to consult over the terms of the foregoing enquiries with a view to amending their terms for the purpose of avoiding excessive time spent preparing a response.

In the interest of clarity, I will respond to each question from your request in turn.

1. *Why doesn't WINZ provide links to statutory instruments on legislation.govt.nz? That is the official source of NZ legislation and unlinked PDF copies of statutory instruments on NZLII, are annotated as and when amending legislation is enacted and comes into operation. Am I to take it that WINZ lawyers and decision makers rely on NZLII for statutory instruments? Or rather is this an opaque ploy to befuddle and confuse tech illiterate baby boomers?*

The Ministry links extensively to legislation available online from the Manual and Procedures (MAP) part of the Work and Income website:

<https://www.workandincome.govt.nz/map/index.html>

The Ministry does not provide links to legislation on the main part of the Work and Income website, except for a few instances regarding overseas pensions.

2. *Does MSD / WINZ agree that it is inappropriate to provide links to statutory instruments that link to sources other than legislation.govt.nz? If not, why not?*

The link to the NZLII website you mentioned was made in error. The Ministry provides links to legislation and regulations at www.legislation.govt.nz.

3. *Has MSD / WINZ audited its websites for URL links to NZLII? If so, how many other links to NZLII pages does MSD / WINZ provide on its websites?*

We audited our website(s), including Work and Income (MAP and Seniors), Ministry of Social Development, StudyLink, and Youth Service:

- <https://www.workandincome.govt.nz/>
- <https://www.workandincome.govt.nz/map/index.html>
- <https://www.workandincome.govt.nz/eligibility/seniors/index.html>
- <https://www.msd.govt.nz/>
- <https://www.studylink.govt.nz/>
- <https://www.youthservice.govt.nz/>

The link you refer to is the only link to NZLII and it was removed.

4. *When will MSD / WINZ replace all URL links on its websites which point to broken or incorrect URLs for statutory instruments which do not result in a click of the link leading to the correct URL?*

There are over four thousand links to legislation on MAP. The Ministry believes all the links are correct. If the Ministry is notified about an incorrect link, we will fix it.

5. How much has MSD paid or donated to NZLII per year for the last 10 years? Please provide details of total donations or payments per year for the last 10 years.

We can confirm that the Ministry has not made payments or donations to the New Zealand Legal Information Institute (NZLII).

6. Will MSD / WINZ replace all URL links to NZLII with links to the latest version of the relevant statutory instrument on legislation.govt.nz?

The Ministry replaced the link referred to in your request. The Ministry is not aware of any other NZLII links.

7. If the answer to (6) is yes, when?

The NZLII link was removed on Tuesday 4 July 2023.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public. The Ministry will do this by publishing this letter on the Ministry's website. Your personal details will be deleted, and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response regarding links to legislation on Ministry websites, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui

A handwritten signature in blue ink, appearing to read 'F. Drader', written in a cursive style.

Felicity Drader
General Manager
Service Delivery Communications