



19 June 2025

Tēnā koe

Official Information Act request

Thank you for your email of 8 April 2025, requesting relating to deductions to pensions, including legal challenges and communications with Ministers.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on each part of your request set out separately below.

Question 1: This is a request under the Official Information Act relating to MSD's pension direct deduction policy. I would like to know how many legal challenges MSD has received in relation to deductions to pensions under section 70 of the Social Security Act 1964, in the last five years. Can these please be broken down by type of court action, and whether the outcome was in favour of the applicant or MSD.

Between 1 July 2019 to 31 June 2024, the Ministry received 15 challenges in relation to deductions applied to pensions under section 70 of the Social Security Act 1964.¹

The other part of this question that asks for the information to be broken down by type of court action and whether the outcome was found in the Ministry's favour is more closely connected with the functions of the Ministry of Justice (MoJ). We transferred this part of your request to MoJ on 9 May 2025.

Question 2: Can I please also have copies of any communications between MSD and the Minister for Social Development in relation to this deduction policy in the last five years.

Question 3: As well as this, can I please have copies of communications from any other member of parliament relating to the deduction policy in the last five years.

Communications is a highly broad term, and substantial manual collation would be required to locate and prepare all documents within scope of your request. As

¹The data is extracted for the five fiscal years from 1 July 2019 to 30 June 2024. It includes Overseas Deductions on NZ Superannuation and Veterans Pension under section 70 of Social Security Act 1964. Please note that there is other legislation that affects overseas pension deduction (eg section 187-191 of the Social Security Act 2018, and other benefits that are affected by an overseas pension deduction), this information is not included in this data.

such, I refuse your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

Question 4: I would also like to know how the amount of money deducted from people's pensions in the past five years under this policy, broken down by whether it is a direct deduction or a spousal deduction, and broken down by year.

On 30 April 2025, you agreed to refine this part of your request the number of overseas pension deductions and the annualised excess amount of those overseas pensions that were paid to New Zealand Superannuation clients (as at 31 March each year, from 2021 to 2025), broken down by country.

Please see attached **Appendix** which provides the number of overseas pension deductions and the amounts to New Zealand Superannuation and Veteran's Pension clients as at end of March between 2021 and 2025.

Question 5: I am keen to know, too, how many people eligible to receive pensions have had their entitlement reduced to zero due to the deduction policy in the last five years, broken down by year.

This part of your request would require a search through a large number of individual files, and substantial manual collation would be required to locate and prepare all documents within scope of your request. As such, I refuse your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

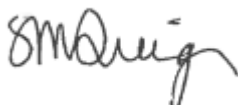
I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

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 my decision on your request, 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

pp. 

Anna Graham
General Manager
Ministerial and Executive Services