



2 April 2026

Tēnā koe

Official Information Act request

Thank you for your email of 10 February 2026, requesting information relating to entitlement for Australian Age Pension.

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.

- *a copy of the publicly available guidelines on how MSD interpret the provisions to read "entitled" expansively to include persons with no entitlement*

Under sections [187 to 191](#) of the Social Security Act 2018 (SSA), the rate of New Zealand Superannuation (NZS) is reduced by the rate of any overseas pension a person receives.

If a person receiving a benefit from the Ministry may have entitlement to an overseas pension (OSP) they must take all reasonable steps to obtain it in accordance with sections [173-176](#) of the SSA. In this instance, in your brother's case it has been declared that he lived in Australia for 31 years and therefore he may have entitlement to an Australian Aged Pension (AAP). The AAP meets the definition of an overseas pension in section [187](#).

It is important to note the 'reasonable steps' do not require the person to take extra steps to receive OSP if they are initially not eligible. However, they are required to make an enquiry about their eligibility and claim their OSP entitlement if they are eligible.

As such, you (on your brother's behalf) are required to complete an application for AAP and provide official verification from Centrelink of the outcome. Only Centrelink is able confirm if your brother has entitlement as they are the agency that administer the payment under Australian Social Security legislation.

If the client has income or assets over the AAP thresholds, they can have their obligation to complete the AAP application deferred for 2-5 years. However, they must provide evidence of their income or assets to the Ministry.

You can find more information about the overseas pension testing process at the following links:

- www.workandincome.govt.nz/eligibility/moving-to-nz/overseas-pensions.html.

- www.workandincome.govt.nz/map/to-or-from-overseas/payments-from-overseas/possible-overseas-pension-entitlement.html.

If a client disagrees with the decision to suspend their New Zealand Superannuation, they can request a review of decision. You can find more on review of decision at the following link: www.workandincome.govt.nz/map/income-support/core-policy/reviews-and-appeals/reviews-and-appeals.html.

- *a copy of any additional internal policy guidelines around this issue*

I have identified the Australian Direct Deduction Guideline to be in scope of this part of your request. I have enclosed a copy of this document with this letter.

- *a copy of the underlying technical/legal analysis giving rise to MSD's policy position on "entitlement", and*

You have requested the above information in relation to sections 173-174 of the Social Security Act 2018 where applicants for a benefit who may be entitled to an overseas pension are required to take reasonable steps to obtain their overseas pension.

These provisions, alongside other administrative provisions, were introduced in 1996. The Ministry has searched our historic records and cannot locate the legal advice or analysis that led to this policy. I am refusing your request for the legal analysis under section 18(e) of the Act, on the basis that the requested information cannot be found, despite reasonable efforts to locate it.

Nonetheless, it may interest you to know more about the policy's rationale. The [Social Security Amendment Act \(No.6\) 1996](#) introduced several administrative provisions relating to the treatment of overseas pensions, including the requirement for applicants for a benefit to provide information on the steps they had taken to obtain an overseas government pension.

Leading up to the Social Security Amendment Act (No.6) 1996, the then Minister of Social Welfare Hon Peter Gresham noted in the Bill's second reading (page 138, available at: <https://hansard.parliament.nz/api/resources/volume/555>):

"Most overseas countries accept responsibility for partial social security coverage of New Zealand residents who have lived and worked in those countries. But our present welfare system does not ensure that overseas countries share in the cost of social security for New Zealand residents who have an entitlement to an overseas pension. Under our present welfare system, people are not required to apply for overseas social security pensions; nor is the Income Support Service able to take effective action if people refuse to disclose information about the rates of their pensions. However, this amendment will require beneficiaries and applicants for benefits to test their eligibility for any overseas social security pensions they may be entitled to, and to supply information on their entitlements to the Income Support Service.

The new legislation will ensure that people receive their correct entitlements to New Zealand benefits, and will ensure that other countries contribute to the cost of social security for people who have lived or worked in those countries."

Additionally, as part of the consideration of the report by the Labour Committee on the Bill, Hon Gresham noted (page 391, available at: <https://hansard.parliament.nz/api/resources/volume/557>):

"The clauses relating to compulsory application for overseas pensions are necessary in order that equity is served between persons who receive an overseas pension and recipients of a pension in this country, so that people are not advantaged unfairly one against the other."

As noted above, the requirement for all benefit applicants to take reasonable steps to obtain their overseas pension entitlement was put in place to ensure that people receive the correct amount of their New Zealand entitlement.

- *a copy of the FAQ checklist used by call centre staff as a guide to dealing with Australian aged pensions for persons with no entitlement*

I am refusing the above part of your request under section 18(e) of the Act, on the basis that the information does not exist.

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.

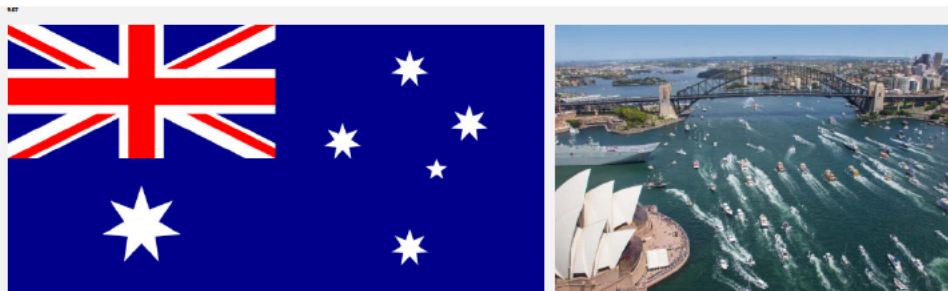
If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui

pp.



Anna Graham
General Manager
Ministerial and Executive Services



Australia

Reciprocal country

Agreement made:

Page last updated:

21/01/1944

31/08/2020

01/07/1949 (updated)

1987 (updated)

01/04/1990 (updated)

01/01/1995 (updated)

01/07/2002 (updated)

01/07/2017 (updated)

Overseas Agency Contact

Department of Human Services (DHS)

Centrelink International Services
PO Box 7809
Canberra BC ACT 2610
Australia

International.services@humanservices.gov.au

Department of Veterans' Affairs (DVA)

Department of Veterans' Affairs
GPO Box 9998
Brisbane QLD 4001
Australia

generalenquiries@dva.gov.au

Testing Criteria

AUSTRALIA AGE PENSION (AAP)

The age of eligibility for AAP entitlement started increasing from 1 July 2017. It increases by 6 months every 2 years until 1 July 2023.

A client must meet the following criteria to be entitled to an AAP in New Zealand. They must:

- Have been granted New Zealand Superannuation (NZS) or Veterans Pension (VP) commencing on or after 1 July 2002; and
- Be of applicable age:
 - Born before 1 July 1952: be 65 years of age; or
 - Born between 1 July 1952 and 31 December 1953: be 65 ½ years of age; or
 - Born between 1 January 1954 and 30 June 1955: be 66 years of age; or
 - Born between 1 July 1955 and 31 December 1956: be 66 ½ years of age; or
 - Born from 1 January 1957: be 67 years of age; and
- Have lived in Australia for at least one year between the age of 20 and Age Pension age, with at least six months being continuous

Note: The AAP is means tested. Clients who have either income or assets exceeding the thresholds set by Centrelink will not qualify for the AAP. Their application will be deferred one or two years for income and assets respectively. Rate of payments and thresholds can be found here: <https://www.humanservices.gov.au/individuals/enablers/pension-rates-payable-people-outside-australia>

For the income threshold, use the table entitled 'Allowable income while outside Australia', the 'Part pension' row.

For the asset threshold, use the table entitled 'Allowable assets while outside Australia', the 'Part pension – homeowner' and the 'Part pension – non-homeowner' rows.

Note: Claims for the AAP can be lodged no more than 13 weeks before the client reaches Age Pension age.

DISABILITY SUPPORT PENSION (DSP)

A client's medical situation is assessed by specialists in the Ministry of Social Development before determining whether they may meet the criteria to qualify for a DSP.

A client must meet the following criteria to be entitled to a DSP in New Zealand. They

- Have been granted Supported Living Payment (SLP) or Emergency Benefit (EB for medical reasons) commencing on or after 1 July 2002; and
- Are Aged between 21 and 64 ½ years; and
- Have lived in Australia for at least one year between the age of 20 and Age Pension age, with at least six months being continuous; and

- Have a permanent and diagnosed disability or medical condition; and
- Their disability occurred either in Australia or New Zealand; and

Note: Clients with temporary medical conditions are not eligible. We generally do not test clients with less than 4 years of Australian residence, unless the medical condition is serious. Also clients with a terminal illness are not asked to apply.

CARER PAYMENT

Potential eligibility for this payment is assessed by specialists in the Ministry of Social Development when the client's partner is asked to apply for the DSP. The Carer's payment application is included with the DSP claim.

A client must meet the following criteria to be entitled to a Carer Payment in New Zealand. They must:

- Be providing full time care to their partner; and
- Have lived in Australia and/or New Zealand for at least two years; and
- Their partner must be entitled to a DSP payment

Note: Both the DSP and Carer Payments are means tested.

Other deductible payments

AUSTRALIAN VETERANS PENSION (SERVICE PENSION)

The social security agreement with Australia does not cover Australian Veteran's pensions. However, in some situations, a person receiving or eligible to receive an Age Pension may be able to receive a Service pension or their Age Pension from the Australian Department of Veterans' Affairs (DVA). Centrelink will generally make the determination to transfer where appropriate.

A person living in New Zealand cannot apply for payment of a Service pension from the DVA without first being in receipt of a payment from Centrelink. They should be asked to apply for a payment from Centrelink if they meet the residence qualifications. Service pensions can be paid into New Zealand bank accounts.

BEREAVEMENT PAYMENT (CENTRELINK)

A lump sum or short term payment paid to a person when their partner, child or the person they were caring for has died.

A client may get this payment if:

- their partner dies and they were both getting:
 - a pension from Centrelink or the Department of Veterans' Affairs
- the client was caring for an adult who dies and the client was receiving Carer Payment for them

CARER SUPPLEMENT

An automatic yearly payment paid to a client who is caring for a person with a disability or serious illness.

A client may get this payment if they receive the:

- Carer Allowance; or
- Carer Payment; or
- Wife Pension and Carer Allowance; or
- Department of Veterans' Affairs Partner Service Pension and Carer Allowance; or
- Department of Veterans' Affairs Carer Service Pension

Note: Deductibility is only applied from 01/07/2016.

CLEAN ENERGY SUPPLEMENT (DVA)

The Clean Energy Supplement is part of the Household Assistance Package which provides ongoing financial assistance to certain members of the veteran and defence community. The Household Assistance Package also provides for an ongoing Essential Medical Equipment Payment.

It is an ongoing payment paid fortnightly or quarterly to eligible recipients.

A client may be eligible for this payment if they receive one or more of the following payments:

- Service pension
- Age pension paid by DVA
- War widow(er)'s pension
- Disability pension

- Military Rehabilitation Compensation Act 2004 (MRCA) wholly dependent partner payment
 - MRCA special rate disability pension
 - MRCA permanent impairment payment
 - a fortnightly Veterans' Children Education Scheme (VCES) education allowance; or
 - a fortnightly Military Rehabilitation and Compensation Act Education and Training Scheme (MRCAETS) education allowance
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DEFENCE FORCE INCOME SUPPORT ALLOWANCE (DFISA)

DFISA is an income support payment made by DVA.

It may be paid to people whose social security income support payment is reduced or not payable because of adjusted disability pension (adjusted DP).

All income support payments paid under the Social Security Act 1991 attract DFISA, as well as certain income support payments paid under other legislation or guidelines.

DVA pays the following income support payments that attract DFISA:

- Age pension
- Wife pension.

Centrelink pays the following income support payments that attract DFISA:

- Age pension
 - Wife pension
 - Disability support pension
 - Carer payment
 - Newstart allowance
 - Parenting payment
 - Sickness allowance
 - Bereavement allowance
 - Widow B pension
 - Youth allowance
 - Austudy payment
 - Widow allowance
 - Special benefit
 - Special needs pension
 - ABSTUDY Living Allowance
 - Interim income Support.
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ENERGY SUPPLEMENT (CENTRELINK)

Energy Supplement is an extra payment that a client receives to help with energy costs if they receive a certain payment from Centrelink.

Energy Supplement is automatically included in regular payments for a client who Centrelink deem is entitled to this supplement so the client does not need to lodge an application for this payment.

PENSION SUPPLEMENT (DVA)

Pension supplement is a fortnightly amount paid to help a client with the cost of prescriptions, rates, telephone and internet connections, energy, water and sewerage. It is payable to;

- Service pensioners
- Invalidation service pensioners
- Age pensioners
- Veteran payment recipients; and
- Income support supplement (ISS) recipients

Note: A client may defer a portion of the fortnightly amount and have it paid to them quarterly however this option is not available to Veteran payment recipients.

NEWSTART ALLOWANCE

A Newstart Allowance is payable to a person who meets the following criteria. They must:

- be at least 22 years of age and under age pension age (65 to 67); and
 - have lived in Australia for at least 2 years; and
 - be unemployed
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SPECIAL BENEFIT

The Special Benefit is a payment made to a client who is in financial hardship and cannot get other income support from Centrelink.

WIFE PENSION (CENTRELINK)

An income support payment previously payable to females who did not qualify for Age Pension in their own right and whose male partner received an Age Pension or Disability Support Pension.

Centrelink stopped granting this payment from 1 July 1995.

If a client received a Wife Pension before 1 July 1995 then they could continue to receive it for;

- As long as they were still eligible; or
- Until they transferred to Age Pension

Directly Deductible under NZ Law

Yes	No
<ul style="list-style-type: none"> • Australia Age Pension (AAP) • Bereavement payment (Centrelink) • Carer Payment (DSP) • Carer Supplement (deduction can be applied from 01/07/2016) • Clean Energy Supplement (DVA) • Disability Support Pension (DSP) • Defence Force Income Support Allowance (DFISA) • Energy Supplement (Centrelink) • Newstart Allowance • Pension Supplement (DVA) • Rent Assistance (Centrelink / DVA) • Special Benefit • Veterans' Pension (Service Pension) • Wife Pension (Centrelink) 	<ul style="list-style-type: none"> • Baby Bonus (treat as income) • Bereavement payment (Veterans') (proviso of Section 70(1)) • Commonwealth Superannuation Scheme (CSS) (GOP) • DVA Disability Compensation Payment (part 2 of the War Pensions Act 1954) <i>Previously known as Disability Pension</i> • DVA Incapacity Benefit (part 2 of the War Pensions Act 1954) • Defence Force Retirement and Death Benefits Scheme pensions (treat as income) • Family Tax Benefit (treat as income) • Incapacity Payment (Comcare scheme) • Low Income Superannuation Contribution (LISC) • Military Superannuation Benefit Scheme • Non-Government School Superannuation Fund (NGS) • Private Super Fund (Australian Executor Trustees Ltd)

	<ul style="list-style-type: none">• Total Disability Benefit (Australian Super Insurance – TAL Life) (treat as income)• War Widows and Widowers Pension (part 2 of the War Pensions Act 1954)• Youth Allowance• NSW State Super Scheme (administered by the SAS Trustee Corporation)• Pension Scheme (administered by SuperSA)
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External Links

[Department of Human Services \(DHS\)](#)

[Centrelink – International Services](#)

[Department of Veterans' Affairs \(DVA\)](#)

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