



5 February 2024

Tēnā koe

**Official Information Act request**

Thank you for your email of 5 January 2024, requesting information about operational manuals and guidance used in 2006 when assessing applications for New Zealand Superannuation.

I have considered your request under the Official Information Act 1982 (the Act).

Please find attached the archived Map pages from 2006 that informed staff when assessing applications for New Zealand Superannuation at that time.

Map provides operational policy guidelines to Ministry of Social Development (Ministry) staff based on the legislation administered by the Ministry. Map includes a wide range of information from operational policy to benefit rates. The policy guidelines help our staff make accurate and sound decisions, so clients get their full and correct entitlement. Each section of information in Map is provided as an online manual, which can be read as a manual, or as individual pages for specific information.

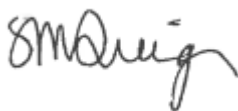
All information in Map is available internally and externally on the Ministry's website. The external site is an exact copy, allowing clients and members of the public access to all Map information.

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](mailto: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](http://www.ombudsman.parliament.nz) or 0800 802 602.

Ngā mihi nui

pp. 

Magnus O'Neill  
**General Manager**  
**Ministerial and Executive Services**

## Introduction

New Zealand Superannuation provides a retirement income for clients who have reached 65 years of age.

For more detailed information on New Zealand Superannuation see:

- [Qualifications](#)
- [Obligations](#)
- [Commencement Date](#)
- [Payment](#)
- [Changes and Reviews](#)

**Note** Community Services Cards are not automatically issued to clients. They must make a separate application. For more information see:

- [Community Services Card](#)

## Legislation

- sections 7 to 12 New Zealand Superannuation and Retirement Income Act 2001

Released under the Official Information Act 1982

## Qualifications

The qualifications for New Zealand Superannuation are age and residency.

For more information on these qualifications see:

- [Age](#)
- [Residency](#)

If a New Zealand Superannuation client has a dependent partner the rate of payment depends on whether they can both receive New Zealand Superannuation in their own right (that is, they both meet the age and residency qualifications).

For more information see:

- [Married or civil union clients](#)
- [Including a non-qualified partner](#)

## Legislation

- age [section 7](#) New Zealand Superannuation and Retirement Income Act 2001
- residential qualification [section 8](#) New Zealand Superannuation and Retirement Income Act 2001
- absence not counted [section 9](#) New Zealand Superannuation and Retirement Income Act 2001
- absence as missionary not counted [section 10](#) New Zealand Superannuation and Retirement Income Act 2001
- unlawfully resident [section 74A](#) Social Security Act 1964

## New Zealand Superannuation : Age

### Age

## Age

From 1 April 2001, clients must have reached the age of 65 years to meet the age qualification for New Zealand Superannuation.

The New Zealand Superannuation client's age must be verified before New Zealand Superannuation is granted.

If the New Zealand Superannuation client is [married](#) or in a civil union, and their partner is under the qualifying age, the partner cannot receive New Zealand Superannuation in his or her own right, but can be included in the clients New Zealand Superannuation.

For more information see:

- [Including a non-qualified partner](#)

## Legislation

- age qualification [section 7](#) New Zealand Superannuation and Retirement Income Act 2001

Released under the Official Information Act 1982

## Residency

To qualify for New Zealand Superannuation, a client must:

- have been [resident](#) and [present](#) in New Zealand for not less than 10 years since the age of 20. This must include 5 years or more since the age of 50.  
**and**
- be a [New Zealand citizen](#) or [permanent resident](#) (that is, not be in New Zealand unlawfully or here on a temporary permit) **and**
- be [ordinarily resident](#) in New Zealand on the date of application  
For more information see: [Deciding ordinarily resident](#)

If a client does not meet the residency qualifications for New Zealand Superannuation, they may be able to receive an [Emergency Benefit](#).

For more information about residency see:

- [Absences counted as resident and present](#)
- [Partners residency status](#)
- [Proof of absence](#)
- [Proof of residence](#)
- [Resident and present in New Zealand](#)
- [Reciprocal Agreements](#)

## Legislation

- residential qualification [section 8](#) New Zealand Superannuation and Retirement Income Act 2001
- absence not counted [section 9](#) New Zealand Superannuation and Retirement Income Act 2001
- absence as a missionary [section 10](#) New Zealand Superannuation and Retirement Income Act 2001
- unlawfully resident [section 74A](#) Social Security Act 1964

## Resident and present in New Zealand

For the purposes of New Zealand Superannuation a client must be resident **and** present in New Zealand for certain periods of time:

**Present** in New Zealand means that the client must physically be in New Zealand.

**Resident** in New Zealand means that:

- the client must either make their home in New Zealand, that is, they have been living in New Zealand on a permanent basis **or**
- if you are considering a period when the client had only recently arrived in New Zealand, that the client had an intention to make their home in New Zealand for the foreseeable future

Resident is **not** the same as being **ordinarily resident**.

### Calculating periods of residence and presence

In order to calculate periods of being resident and present in New Zealand, a year is regarded as 365 days and days of arrival and departure are counted as residence.

**Note** residence includes only periods of lawful residence. Any periods of time present but unlawfully in New Zealand (that is, without a permit) are to be disregarded in the calculation.

For more information see:

- [What is resident?](#)
- [What is present?](#)

## What is resident?

Being resident does not depend solely on the client's residence status under the Immigration Act.

To be resident a client must either:

- make their home in New Zealand – in other words they have been living in New Zealand on a permanent basis **or**
- if you are considering a period when the client had only recently arrived in New Zealand, the client intended to make their home in New Zealand for the foreseeable future

### Client makes their home in New Zealand

In many cases, it will be obvious that a client is resident in New Zealand as they will have lived in New Zealand on a permanent basis for many years. In other cases, it may not be so clear. You should consider:

- Does the client have a fixed abode in New Zealand?
- Does the client own property in New Zealand?
- Does the client have frequent absences from New Zealand and what is the duration of and reason for those absences?
- What the client's involvement with New Zealand society such as (but not limited to):
  - community activities
  - employment
  - membership of clubs **and**
  - local churches

**Note** periods unlawfully present in New Zealand cannot be included in the calculation of the time spend resident and present.

For more information see:

- [Intention to remain permanently](#)

Also see:

- [What is present?](#)
- [Absences counted as resident and present](#)

## Intention to remain permanently

When a client has only recently arrived, you can consider them resident in New Zealand if they intended to make their home in New Zealand in the foreseeable future.

To consider a client resident in these circumstances, there must be some evidence that the client **intended** to make New Zealand their home.

The application for permanent residence is one way a client can show their intention to make New Zealand their home. However, a client may be able to demonstrate an intention to make their home in New Zealand at an earlier date, such as the date that the client:

- arrived lawfully in New Zealand **or**
- any date between the date of arrival lawfully in New Zealand and permanent residence granted

To determine whether the client intended to make their home in New Zealand at an earlier date, consider the following:

- Did the client have a return ticket to their country of origin when they arrived?
- Did the client initially intend to return to their country of departure?
- Why has the client decided to make New Zealand their home (for example, but not limited to, family ties)?
- What steps did the client take towards making their home in New Zealand?  
Such as:
  - Has the client purchased or have ownership of any property or significant assets in New Zealand?
  - Has the client moved cash and other assets to New Zealand?
  - Has the client involved themselves in any New Zealand work, community events, clubs membership and other groups such as, but not limited to, their local church or school?
- How long after arrival did it take for the client to apply for permanent residence in New Zealand?
- Consider the absences the client had from New Zealand after their arrival in New Zealand:
  - What were the reasons for those absences?
  - Were the absences prolonged or repeated?

**Remember** the client must be resident and present in New Zealand when assessing if the client meets the residence qualification.



New Zealand Superannuation : What is present?

What\_is\_present

## What is present?

Generally, to be present in New Zealand, the client has to be physically in New Zealand. This includes the territorial waters around New Zealand

**Remember** the client must be lawfully resident as well as present in New Zealand to meet the residence qualification.

### Period of absence not counted

Any periods of absence from New Zealand are not regarded as being present in New Zealand and are not included in the assessment of the New Zealand Superannuation residency qualifications. There are six exceptions when a period of absence counts as being resident and present in New Zealand

For more information see:

- [Absences counted as resident and present](#)

Also see:

- [Intention to remain permanently](#)
- [What is resident?](#)

Released under the Official Information Act 1982

## Deciding ordinarily resident

A client must be ordinarily resident in New Zealand to qualify for New Zealand Superannuation.

A client must generally be ordinarily resident to continue to receive New Zealand Superannuation.

Ordinarily resident means someone who is normally and lawfully in New Zealand and intends to stay here, that is, they consider New Zealand to be their home.

Whether a person is ordinarily resident is a question of fact and degree and their intentions during any period of absence is the most important factor.

Where it is not clear if a client is ordinarily resident, consider the following:

- (a) the clients intentions toward New Zealand (that is, the reasons for their absence from New Zealand and the reasons for their return). Are they going overseas for a holiday or are they intending to live overseas permanently (sighting return air tickets is a good indication)?
- (b) the length of time they spend in New Zealand on a continual basis
- (c) property ownership (as this tends to suggest permanent ties with a place), including other asset ownership (for example boats, cars or caravans)
- (d) where are their cash assets held?
- (e) is their income earned in New Zealand or overseas, and do they pay New Zealand taxes?
- (f) do they still vote (or are they eligible to vote) in the New Zealand election?
- (g) their commitment to New Zealand (for example their involvement in the community, community events, clubs and other groups)?

**Note** a person cannot be ordinarily resident in two places at the same time.

### How to decide

You must consider **all** the factors of each individual case.

You may need to ask more questions (or for clarification of information you have) to get all the relevant information and then you must weigh up all the facts and make a decision.

The client should be given the benefit of the doubt in situations where their ordinary residence isn't clear.

### Non-residentially qualified

You should consider other main benefits if a client does not meet the residency requirements for New Zealand Superannuation.

An Emergency Benefit may be granted on the grounds of hardship to a client who does not meet the period of residence requirement. However, the person must generally be ordinarily resident in New Zealand and meet the hardship qualifications for Emergency Benefit.

For more information see:

- Emergency Benefit [Qualifications](#)

### **Legislation**

- residential qualification [section 8\(a\)](#) New Zealand Superannuation and Retirement Income Act 2001
- ordinarily resident [section 74\(1\)\(a\)](#) Social Security Act 1964

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## Absences counted as resident and present

Some types of absences from New Zealand can count as periods of residence and presence in New Zealand for the residency qualification. Clients must have been [ordinarily resident](#) in New Zealand during these periods.

The types of absences are:

- for special medical or surgical treatment or vocational training (if there was good and sufficient reason for the client to leave New Zealand for this)
- seamen serving on a ship registered or owned in New Zealand and engaged in trading to and from New Zealand
- overseas services in forces as a member of any naval, military or air force of any Commonwealth country. This includes war service as a member of any organisation attached to such a force, for example, YMCA, church, Red Cross
- as an accredited volunteer appointed by Volunteer Service Abroad
- a period that a person has worked overseas and paid tax in New Zealand on the earnings from that work
- [missionary work](#) (defined as including 'the advancement of religion or education and the maintenance, care or relief of orphans, or the aged, infirm, sick or needy')

### Legislation

- absence not counted [section 9](#) New Zealand Superannuation and Retirement Income Act 2001
- absence as a missionary [section 10](#) New Zealand Superannuation and Retirement Income Act 2001
- tax [section 79](#) Social Security Act 1964

## Missionary work

In certain circumstances, a concession may be made for periods spent abroad as a missionary to allow this time to be regarded as periods of residence and presence in New Zealand for the purpose of meeting the residential qualification for New Zealand Superannuation.

As a general rule, the concession is allowed only for a period spent overseas carrying out missionary work as a member of or on behalf of a religious body.

The concession includes any period that the client was absent from New Zealand with their partner while they were engaged in missionary work.

The following rules also apply:

### Must be ordinarily resident

The concession does not allow the client to be regarded as [ordinarily resident](#) in New Zealand at the date of their application for New Zealand Superannuation. This is a separate requirement and must be met in addition to the residence and presence requirements.

However, it is possible to be both a missionary and ordinarily resident in New Zealand at the same time.

### Clients born in New Zealand

For clients born in New Zealand, the concession is allowed for any period spent in missionary work, even when the client had taken up residence overseas before taking up missionary work or becoming the partner of a missionary.

### Clients born outside New Zealand

For clients born outside New Zealand, the concession is allowed only if the client was ordinarily resident immediately before taking up missionary work overseas or going overseas as the partner of a missionary.

### Training as a missionary

Periods spent overseas at a university, college or seminary training for missionary work do not qualify for the concession.

### Proof of missionary service

The client must provide proof of the following in writing:

- the type and period of missionary service, verified by the religious group concerned
- actual dates of departures and returns to New Zealand, unless the religious group confirms the periods spend overseas as a missionary or partner of a missionary

This also applies to a partner of a client working overseas, under the conditions outlined above.

### **Legislation**

- absence not counted [section 9](#) New Zealand Superannuation and Retirement Income Act 2001
- absence as a missionary [section 10](#) New Zealand Superannuation and Retirement Income Act 2001

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## Proof of absence

If the client cannot provide proof of their arrivals and/or departures, you can accept the client's statement where they say they have not been absent from New Zealand since their first date of arrival unless:

- the statement is doubted
- the arrival date affects the date of commencement **or**
- the [referees declaration](#) shows an undeclared absence which would affect the date of commencement

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## Reciprocal Agreements

New Zealand has Reciprocal Agreements with some countries.

Under these agreements, residence and or periods of insurance contributions in one of the following countries can be regarded as residence in New Zealand.

For more information see:

- [Australia](#)
- [United Kingdom](#)
- [Canada](#)
- [Denmark](#)
- [Hellenic Republic \(Greece\)](#)
- [Ireland](#)
- [Jersey and Guernsey](#)
- [Netherlands](#)

For more information, contact [International Services](#)

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## Partners residency status

When a client has a partner and they do not qualify for New Zealand Superannuation in their own right, you must check their residency status before including them as a non-qualified partner.

The partner can be included in the New Zealand Superannuation if they are:

- a [New Zealand citizen](#) or [permanent resident](#) (ie not be in New Zealand unlawfully or here on a temporary permit) **and**
- generally [ordinarily resident](#) in New Zealand

For more information see: [Deciding ordinarily resident](#)

If a partner has a temporary permit such as a visitors permit, a temporary work permit, or a students permit, they **cannot** be included in New Zealand Superannuation. If the partner does not have a current permit then they are in New Zealand unlawfully and you cannot include the partner in New Zealand Superannuation, unless one of the exceptions listed below apply.

Where the partner is in New Zealand unlawfully or is not a permanent resident, pay the client at the single rate of New Zealand Superannuation.

Encourage the partner to follow up their residency status.

### Exceptions

There are some situations where a partner is exempt and can be included in New Zealand Superannuation without having being granted permanent residency. These are:

- a person lawfully present in New Zealand who is awaiting the outcome of his or her application for refugee status in New Zealand **or**
- a person who has refugee status in New Zealand **or**
- a person applying for a residence permit under the Immigration Act 1987 who is compelled to remain in New Zealand through unforeseen circumstances

For more information see:

- [Partner is overseas](#)
- [Including a non-qualified partner](#)
- [Partner not permanently or lawfully resident in New Zealand](#)

### Legislation

- ordinary resident [section 74](#) Social Security Act 1964

- unlawfully resident [section 74A](#) Social Security Act 1964

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## Partner not permanently or lawfully resident in New Zealand

You can pay a single rate to a client whose partner is not permanently resident or is unlawfully resident in New Zealand.

There are some exceptions for more information see: [Partner's Residency status](#)

Clients who were receiving a married rate of New Zealand Superannuation prior to the 8 August 2001 and have a partner without permanent residence included in their New Zealand Superannuation will continue to be paid at the married or in a civil union rate until their New Zealand Superannuation is cancelled.

For more information see:

- Accommodation Supplement – [Not permanently or lawfully resident in New Zealand](#)
- [Charging income](#)

### Legislation

- unlawful residence [section 74A](#) Social Security Act 1964

## Proof of residence

All documents should be originals. Photocopies and/or documents that have been changed in any way cannot be accepted.

Where the client cannot provide proof or the proof is unclear, you should ask the client to obtain confirmation of their residential status from the New Zealand Immigration Service (for permanent residence) or Internal Affairs (for citizenship).

Proof of citizenship and/or permanent residence in New Zealand can be a:

- New Zealand birth certificate  
Any person born in New Zealand is automatically a New Zealand citizen by birth.
- New Zealand passport  
To hold a New Zealand passport you must be a citizen of New Zealand.
- Certificate of Registration  
A child born outside New Zealand (to a parent who is a New Zealand citizen) is automatically a New Zealand citizen from birth. However, the child must apply for a Certificate of Registration by the time they turn 22 years of age or they will lose their New Zealand Citizenship.
- Grant of Citizenship  
Clients who have permanent residence, may (after 3 years residence in New Zealand) apply for a Grant of Citizenship. They must meet the conditions of the Grant.
- Certificate of Confirmation  
This is a certificate issued to confirm that the holder is a New Zealand citizen by birth, descent or Grant of Citizenship.  
  
British subjects, who immigrated to New Zealand prior to 1948 (and who resided in New Zealand for all of 1948) were made New Zealand citizens in 1949. These clients are likely to have a Certificate of Confirmation or a Certificate of Naturalisation.
- Certificate of Naturalisation  
Previously immigrants were naturalised as British Subjects and Citizens of New Zealand. Today they are given a Grant of Citizenship
- Passport (other than a New Zealand passport) containing a Residence Permit  
**Note** there is a difference between a visa and a permit.  
For more information see: [Difference between a visa and a permit](#)
- Letter of confirmation of permanent residence from the Immigration Service

New Zealand Superannuation : Difference between a visa and a permit

Difference\_between\_a\_visa\_and\_a\_permit

## Difference between a visa and a permit

A visa allows a person to travel to New Zealand.

A permit allows a person to enter and remain in New Zealand.

A visa is given to an approved person so they can travel to New Zealand. If a person is allowed to enter New Zealand, a permit will be put in their passport at the border.

A person can stay in New Zealand until the date on their permit.

**Note** all permits expire when the person leaves New Zealand. They may need a valid visa to come back to New Zealand.

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## Obligations

Clients must tell us straight away of any changes in their circumstances or their family's situation that may affect entitlement to New Zealand Superannuation. Clients agree to this by signing the New Zealand Superannuation application form.

Examples of changes and how to deal with these can be found in [Changes and Reviews](#).

## Legislation

- [section 80A](#) Social Security Act 1964

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## Commencement Date

To decide when New Zealand Superannuation can start you must first find the entitlement date.

The entitlement date for New Zealand Superannuation is:

- the date the client reaches the qualifying age **or**
- meets the residency criteria

**whichever is the later.**

The commencement date is:

- the date of entitlement **or**
- the date of application

**whichever is the later.**

There is no provision for any back payment of New Zealand Superannuation.

No stand-down applies to New Zealand Superannuation.

For more information see:

- [Client meets qualifications while overseas](#)
- [Transfer from another benefit](#)
- [Living alone payment start date](#)
- [Including a non-qualified partner](#)

## Legislation

- [section 11](#) New Zealand Superannuation and Retirement Income Act 2001

## Client meets qualifications while overseas

If a client meets the qualifications for New Zealand Superannuation while they are absent from New Zealand the commencement date is:

- the date of entitlement **or**
- the date of application

**whichever is the later.**

New Zealand Superannuation can be paid for up to 26 weeks of their absence once the client returns to New Zealand if they have returned to New Zealand within 30 weeks of their entitlement date.

If the client is absent from New Zealand for longer than 30 weeks New Zealand Superannuation can be paid from the date the client returns to New Zealand.

**Note** the commencement date is different if the absence is longer than 26 weeks due to circumstances:

- beyond the client's control **and**
- which could not have been reasonably foreseen before leaving New Zealand

In these circumstances the commencement date will be the payday after the application date if the client meets the qualifications (age and residency) for New Zealand Superannuation from that date.

### Legislation

- effect of absence [section 21](#) New Zealand Superannuation and Retirement Income Act 2001
- temporary absences [section 22](#) New Zealand Superannuation and Retirement Income Act 2001
- residential qualifications [section 8](#) New Zealand Superannuation and Retirement Income Act 2001
- unlawfully resident [section 74A](#) Social Security Act 1964



## Transfer from another benefit

If the client is receiving a benefit, New Zealand Superannuation can start from the day the payment of the previous benefit stops. This will usually be the day the client meets the qualifications for New Zealand Superannuation.

When New Zealand Superannuation is granted, the first payment covers the period from the commencement date to the day payment is made.

Clients, who transfer to New Zealand Superannuation from benefits that are paid fortnightly, will have a reduction in income. This is because fortnightly benefits are paid one week in arrears and one week in advance.

When a client is in financial hardship you can pay a non-recoverable Special Needs Grant. For more information see:

- [Special Needs Grant](#)

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New Zealand Superannuation : Living alone payment start date

Living\_alone\_payment\_start\_date

## Living alone payment start date

The Living Alone Payment can start from:

- the date the application is received
- the date the client starts living alone **or**
- the commencement date of the client's New Zealand Superannuation

**whichever is the later.**

### Client's partner has died

If a client is applying for a Living Alone Payment because their partner has died, the start date will be either:

- the date of entitlement (day following death of partner) – if the application is received within 28 days of the **day after** entitlement **or**
- the date of application – if it was received 28 days or more **after** the date of entitlement

For more information see:

- [Living Alone Payments](#)

### Legislation

- living alone payments [section 13](#) New Zealand Superannuation and Retirement Income Act 2001
- commencement [section 14](#) New Zealand Superannuation and Retirement Income Act 2001
- rates [schedule 1](#) New Zealand Superannuation and Retirement Income Act 2001

## Payment

New Zealand Superannuation is paid fortnightly on a Tuesday. These payments do not cover any specific pay periods except for:

- new grants
- non-qualified partner inclusions **and**
- cancellation of single New Zealand Superannuation due to death

In general, payment must be made directly to the client. However, where there is good cause, the client's New Zealand Superannuation can be paid to another person, agent or institution. For more information see:

- [Redirection of benefit payment](#)

It is a condition of receiving New Zealand Superannuation that the client provides:

- a [tax file number](#) **and**
- a [bank account number](#)

## Rate of payment

The rate of New Zealand Superannuation that can be paid depends on if the client is:

- single, living alone
- single, living in shared accommodation
- married or in a civil union, and their partner can receive New Zealand Superannuation in their own right
- married or in a civil union, and they have a [non-qualifying partner](#) included in their payment **or**
- married or in a civil union, and they have a non-qualifying partner who is not included in their payment
- eligible to receive or receiving an overseas benefit or pension

For more information see:

- [Married or civil union clients](#)
- [Single clients](#)
- [Living Alone Payments](#)
- [Client in hospital](#)

- [Charging income](#)
- [Tax Codes](#)
- [Family Support](#)
- [Overseas pensions](#)
- Deskfile [New Zealand Superannuation rates](#)

## Legislation

- rates [schedule 1](#) New Zealand Superannuation and Retirement Income Act 2001

Released under the Official Information Act 1982

## Married or civil union clients

If a client is [married](#) or in a civil union, the rate of payment depends on whether:

- both clients can receive New Zealand Superannuation in their own right (that is, they both meet the age and residency qualifications) **and**
- either client is eligible to receive or receiving an overseas benefit or pension

There are three rates payable to married or civil union clients:

<p>Married or civil union couple rate</p>	<p>Both clients meet the qualifications for New Zealand Superannuation.</p> <p>The couple's income is not taken into consideration when assessing the rate of payment.</p> <p>If either partner is receiving, or entitled to receive, an overseas benefit or pension this will be a direct deduction from New Zealand Superannuation.</p> <p>Payment is made to each partner individually.</p>
<p>Married or civil union person rate</p>	<p>Only one client meets the qualifications for New Zealand Superannuation.</p> <p>The non-qualifying partner is not included.</p> <p>The couple's income is not taken into consideration when assessing the rate of payment.</p> <p>If either partner is receiving, or entitled to receive, an overseas benefit or pension this will be a direct deduction from New Zealand Superannuation.</p> <p>Payment is made only to the qualified client.</p> <p>The couples income is not taken into consideration.</p>
<p>Married or civil union person rate (non qualified partner)</p>	<p>Only one client meets the qualifications for New Zealand Superannuation.</p> <p>The <a href="#">non-qualifying partner is included</a>.</p> <p>Payment is income tested.</p> <p>If either partner is receiving or entitled to receive, an overseas benefit or pension this will be a direct deduction from New Zealand Superannuation.</p> <p>Payment is made to both partners.</p>

**Note** in some situations, married or civil union clients who are living apart from their partner can receive the single (sharing) rate of New Zealand Superannuation, and the Living Alone Payment, if they qualify for this.

For more information see:

- [Single rate for married and civil union couples](#)

- [Partner in long term residential care](#)
- [Overseas pensions](#)
- [Payments when a partner is in hospital](#)
- [Marital status for benefit](#)
- [Including a non qualified partner](#)

Released under the Official Information Act 1982

## Single rate for married and civil union couples

Married or civil union couples also includes de facto couples.

In some circumstances a person who qualifies for New Zealand Superannuation in their own right and who is living apart from their partner, can receive the single (sharing) rate of New Zealand Superannuation, instead of the married rate.

### Married and civil union couples

A client who is married or in a civil union can receive the single (sharing) rate of New Zealand Superannuation if:

- they have separated from their partner because their relationship has ended
- their partner is receiving the hospital rate of payment because they have been in hospital for more than 13 weeks
- their partner is in long term residential care and is receiving Residential Care Subsidy

For a legally married or civil union couple to be separated there must be a physical separation and an acceptance or recognition by one or both of the partners that the relationship has ended.

For a de facto couple to be separated their relationship must no longer be in the nature of marriage (a relationship in the nature of marriage means both financial interdependence and emotional commitment are evident).

A client who is married or in a civil union can also receive the single (sharing) rate of New Zealand Superannuation if:

- they qualify for New Zealand Superannuation in their own right and
- they are still a couple but they are living apart because their partner is in long term residential care and
- their partner in care is not receiving a Residential Care Subsidy (or Residential Support Subsidy) **and**
- as a result of a permanent medical condition the partner in care is no longer able to understand that they are married or in a civil union

### Living Alone Payment

If the client in the community can receive the single (sharing) rate of New Zealand Superannuation, they may also be able to receive the Living Alone Payment, if they qualify for this.

For more information:

- [Living Alone Payments](#)
- [Marital status for benefit](#)
- [Married or civil union couples who have separated](#)
- [Married or civil union couples who are living apart](#)
- [Payments when a partner is in hospital](#)
- [Partner in long term residential care](#)
- [Partner receiving Residential Care Subsidy](#)
- [Partner no longer able to understand they are married or in a civil union](#)

## Legislation

- conjugal status [section 63](#) Social Security Act 1964
- public hospital [section 19](#) New Zealand Superannuation and Retirement Income Act 2001
- residential care [section 17](#) New Zealand Superannuation and Retirement Income Act 2001
- Living Alone Payment [section 13](#) and [18](#) New Zealand Superannuation and Retirement Income Act 2001



## Married or civil union couples who have separated

Married or civil union couples also includes de facto couples.

When clients who are married, or in a civil union have separated, they can be treated as single and can receive the single (sharing) rate of New Zealand Superannuation (provided they have not entered into another relationship).

They may also be able to receive the Living Alone Payment if they qualify for this.

### What determines a separation?

For legally married or civil union couples to be separated from their partner there must be a physical separation and an acceptance or recognition by one or both of the partners that the relationship has ended.

For a de facto couple to be separated their relationship must no longer be in the nature of marriage (a relationship in the nature of marriage means both a financial interdependence and emotional commitment).

For more information see:

- [Marital status for benefit](#)
- [Living Alone Payments](#)

### Legislation

- conjugal status [section 63](#) Social Security Act 1964
- living alone payments [section 13](#) New Zealand Superannuation and Retirement Income Act 2001

## Married or civil union couples who are living apart

Married or civil union couples who live apart but still regard themselves as a couple continue to receive the married rate of payment.

Generally, when a couple are physically living apart only because one partner is in long term care (but they still consider themselves to be in a marriage or civil union) they will continue to receive the married rate of payment.

There are some important exceptions to this.

For more information see:

- [Payments when a partner is in hospital](#)
- [Partner receiving Residential Care Subsidy](#)
- [Partner no longer able to understand they are married or in a civil union](#)

### Legislation

- conjugal status [section 63](#) Social Security Act 1964
- residential care [section 17](#) New Zealand Superannuation and Retirement Income Act 2001
- public hospital [section 19](#) New Zealand Superannuation and Retirement Income Act 2001

## Partner receiving Residential Care Subsidy

Married or civil union couples also includes de facto couples.

A married or civil union client living in the community can receive the single (sharing) rate of New Zealand Superannuation if their partner is a long term patient in residential care and receiving Residential Care Subsidy.

The client in the community may also be able to receive the Living Alone Payment if they qualify for this.

### Special Disability Allowance

Special Disability Allowance **can** be paid to the client in the community to assist with the extra costs due to their partner being in long term residential care.

For more information see:

- [Living Alone Payment for married and civil union couples](#)
- Extra Help [Special Disability Allowance](#)

### Legislation

- residential care [section 17](#) New Zealand Superannuation and Retirement Income Act 2001
- living alone payments [section 13](#) New Zealand Superannuation and Retirement Income Act 2001
- Special Disability Allowance [section 20](#) New Zealand Superannuation and Retirement Income Act 2001

New Zealand Superannuation : Partner no longer able to understand they are married or in a civil union

Partner\_no\_longer\_able\_to\_understand\_th

## Partner no longer able to understand they are married or in a civil union

Married or civil union couples also includes de facto couples.

A client who is married or in a civil union, and is living in the community, can receive the single (sharing) rate of New Zealand Superannuation when their partner is in long term residential care if **all** of the following criteria are met:

- they qualify for New Zealand Superannuation in their own right
- they are still a couple but are living apart because their partner is in long term residential care
- their partner in care is not receiving Residential Care Subsidy (or Residential Support Subsidy)
- as the result of a permanent medical incapacity, such as a stroke or dementia, the partner in care is no longer able to understand that they are married or in a civil union

**Note** in this particular situation the client in the community is treated as single (unmarried) only for the purpose of deciding what rate of New Zealand Superannuation they can receive. For all other purposes they are still treated as married or a civil union.

### Living Alone Payment

If the client in the community can receive the single (sharing) rate of New Zealand Superannuation, they may also be able to receive the Living Alone Payment if they qualify for this.

### Extra Help

Extra Help is assessed treating the couple as married, including any application for Residential Care Subsidy.


### Special Disability Allowance

There is **no** entitlement to Special Disability Allowance.

### Rate of payment for partner in care

The partner in care is still treated as married and continues to receive the married rate of New Zealand Superannuation.

For more information see:

- [Living Alone Payments](#)
- [Application process](#)
- [Effective date](#)
- [SWIFTT process – single sharing rate](#)
- [Examples](#)
- Forms [Statement in support of the single rate of payment](#) 
- Flowchart [New Zealand Superannuation single rate for couples](#)

## Legislation

- conjugal status [section 63](#) Social Security Act 1964
- living alone payments [section 13](#) New Zealand Superannuation and Retirement Income Act 2001

Released under the Official Information Act 1982

## Application Process

Married or civil union couples also includes de facto couples.

When you become aware that a married or civil union client has a partner in long term residential care, and they are not receiving the Residential Care Subsidy, you will need to determine whether the client in the community is entitled to the single (sharing) rate of New Zealand Superannuation and the Living Alone Payment.

This could arise when a client advises that their partner has entered residential care, when an application for Residential Care Subsidy is declined, or as a result of a general enquiry.

You will need to find out whether due to a permanent medical condition, the partner in care is no longer able to understand that they are in a relationship and from what date this occurred.

To help in your assessment, the client in the community will need to provide a statement advising the following details:

- they are living apart because their partner is in care
- whether the partner in care, due to a permanent medical condition, no longer understands that they are married or in a civil union **and**
- the date this occurred (month and year only is required)

A form '[Statement in support of the single rate of payment for a married or civil union client](#)' should be used in this situation. If the client is uncomfortable in completing questions 2 and 3 on the Statement, they can get someone else to help (for example a family member, a doctor, nurse, carer or rest home supervisor).


We prefer that the form 'Statement in support of the single rate of payment' be used. However, the preferred form is not necessary if all three questions are answered in another document, for example, a letter from a doctor or signed personal statement from the client (ie Personal Details form or a letter).

**Note medical verification is not required.** However, you will need to be satisfied that there is an associated permanent medical condition (such as stroke or dementia) which has resulted in the partner in care no longer being able to understand that they are in a relationship.

A Living Alone Payment application form if appropriate should be issued to the client together with the Statement of support. If the client has called into a Work and Income site, encourage them to complete the Living Alone Payment application if appropriate, while they are there.

For more information see:

- [Effective date](#)
- [SWIFTT process –single sharing rate](#)

- [Examples](#)
- Flowchart [New Zealand Superannuation single rate for couples](#)
- Forms [Statement in support of the single rate of payment](#) 

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## Effective date

The single (sharing) rate of New Zealand Superannuation can be paid to the client in the community from:

- the date that it is established that the partner in care is no longer able to understand that they are married or in a civil union **or**
- 21 May 2003
- whichever is the later.

**Note** if the client states only the month and the year from when this occurred, the entitlement date will be from the first (1st) of that month.

The Living Alone Payment can only be paid from:

- the date of application **or**
- the date of entitlement

whichever is the later.

However, you may be able to grant the Living Alone Payment from an earlier date if;

- the client made a previous application for the Living Alone Payment which was declined **and**
- at the date of the earlier application, the partner in care did not understand that they were in a relationship **and**
- the earlier application was made after 21 May 2003

If the client in the community approached us previously to ask for assistance because they were living alone or were suffering financial hardship, we may be able to treat this approach as an application. You will need to seek legal advice from your Regional Solicitor in these cases.

For more information see:

- [SWIFTT process – Single sharing rate](#)

## Legislation

- review [section 81](#) Social Security Act 1964
- living alone payments [section 13](#) New Zealand Superannuation and Retirement Income Act 2001



## SWIFTT process - Single sharing rate

In order to pay the single (sharing) rate of New Zealand Superannuation you will need to:

- add the rate of payment code 52 in the NDTA screen for the client in the community and
- issue the client the SWIFTT letter
- add a note to UCVII

If the client does not qualify for the single rate of New Zealand Superannuation:

- issue to the client the decline letter held in the Senior Citizens iNet site, Resources (a copy of which **must** be placed on the client file)
- add a note to UCVII

**Note** if you are not deciding the Living Alone Payment application at this time you will need to remove the optional paragraphs in the template letter that refer to this.

### Living Alone Payment

If the client is entitled to the Living Alone Payment you will need to:

- grant this through the NLAPA screen in the usual way
- issue the client the SWIFTT letter
- add a note to UCVII

However, if the client does not qualify for the single (sharing) rate of New Zealand Superannuation (because their partner still recognises they are in a relationship), then you will need to decline the Living Alone Payment using the following process:

- use the decline code 070 in SWIFTT and add in the comment field, "ptnr recognises relationship" (partner recognises relationship)
- because this code will not generate a letter you **must** complete and issue a decline letter. The template for the decline letter is held in the Senior Citizens iNet site, Resources, and a copy **must** be placed on file
- add a note to UCVII

**Note** the template letters are available in the Senior Citizens iNet site, Resources until 5 September 2005. After this date they will be available in UCVII.

### Rate of payment for partner in care

There is no change for the partner in care, they continue to receive the half married rate of

New Zealand Superannuation.

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## Examples

### Example 1

Mr Smythe applied for the Living Alone Payment on 2 March 2005. His wife had entered long term residential care after suffering a stroke over the weekend. They did not intend to apply for Residential Care Subsidy as they knew they did not meet the income and assets test for this. Mr Smythe was seeking additional assistance now that he was living alone.

Mr Smythe was happy to take the 'Statement in support of the single rate of payment' back home with him to complete. This was returned on 9 March 2005, and had been completed by him and the rest home supervisor where his wife resides. The statement confirms that Mr Smythe lives apart from Mrs Smythe only because she is in a rest home. Question 2, confirms that she is no longer able to understand that she is married. The comments field explains that Mrs Smythe is fully cared for in a 24 hour private hospital due to severe stroke on 26 February, and is fully physically disabled and dependant.

This verifies that the qualifications are met, as it confirms that Mr Smythe lives apart from his wife because she is in a rest home. It also states that Mrs Smythe is in full time residential care and due to severe stroke she is no longer able to understand that she is married.

Mr Smythe qualifies for the single rate of New Zealand Superannuation from 26 February 2005, the date his wife suffered a stroke and could no longer understand that she is married. As Mr Smythe made application for the Living Alone Payment and stated that he now lives alone, this can be granted from 2 March 2005, the date the Living Alone Application was made.

### Example 2

Mrs Williams was interviewed on 26 July 2004. She advised that her husband has been in long term residential care since December 2000. Mr Williams suffers from dementia, and his condition has deteriorated to the extent that he no longer recognises her or has any understanding that he is married. Mrs Williams first applied for Living Alone Payment on 11 December 2003, but this was declined because she was married and we did not ask about the condition of Mr Williams. Mr Williams meets all the costs of his residential care from his own bank account.

Mrs Williams provided a medical certificate from her husband's doctor dated 26 July 2004, which contained the following information:

'Mr Williams has been in long term residential care since 12 December 2000. He suffers from dementia and has also had a number of strokes. Since his last stroke on 23 January 2003 he is bedridden, unable to talk or feed himself and totally unable to recognise any visitors.'

This verifies that the qualifications were met from 23 January 2003, as it confirms that Mr Williams is in full time residential care, and due to dementia and severe stroke is therefore not able to recognise his wife (and therefore would not be able to understand that he is

married). She therefore qualifies for the single (sharing) rate of New Zealand Superannuation from 23 January 2003.

Mrs Williams has confirmed that she lives alone. As she had previously applied for Living Alone Payment (and it was after 21 May 2003), and the doctor has verified the date that the criteria were met, Mrs Williams can receive the Living Alone Payment of New Zealand Superannuation from 11 December 2003 (date the application was first made).

### Example 3

Mrs Johnson applied for Living Alone Payment on 30 January 2005 as her husband had recently entered long term residential care. Their application for Residential Care Subsidy has been declined due to their assets, but Mrs Johnson was seeking additional assistance to meet her costs in the community.

Mrs Johnson provided a letter from her husband's doctor dated 29 January 2005 containing the following information:

'Mr Johnson is presently a long term resident in rest home care with a permanent disability.'

This only confirms that Mr Johnson is in long term residential care and has a permanent disability. It does not say that, as a result of the permanent disability he is no longer able to understand that he is married. Based on this information only, Mrs Johnson is therefore not entitled to the single (sharing) rate or the single (living alone) rate of New Zealand Superannuation.

However, you should request Mrs Johnson complete the Statement in support of the single rate of payment, to determine whether Mr Johnson understands that he is still married.

### Example 4

On 3 April 2005, Mr Jones called into Work and Income to see if we could provide him with further financial assistance. He explained that his partner, Mrs Bryant, has had dementia for some time but it got to the point where he could no longer look after her at home. Mrs Bryant went into a rest home at the beginning of February 2005. She does not qualify for the Residential Care Subsidy. Shortly after she went into the rest home Mr Jones daughter came to live with him.

The SWIFTT record confirmed that both Mr Jones and Mrs Bryant are linked as a couple and receive the married rate of New Zealand Superannuation paid to the same bank account. Mr Jones was handed the 'Statement in support of the single rate of payment' which he took home to complete. He completed the Living Alone Payment application while at Work and Income.

On 15 April 2005, the Statement was returned. Mr Jones confirmed he lives apart from Mrs Bryant because she is in a rest home and that due to her medical condition she does not always understand that she is in a relationship with Mr Jones. This was first noticed sometime in March 2005.

Mr Jones qualifies for the single rate of New Zealand Superannuation from 1 March 2005 as he lives apart from Mrs Bryant only because she is in a rest home, and due to her

medical condition (which was noted in March 2005), she cannot understand she is in a relationship with him.

Although Mr Jones qualifies for the single rate of New Zealand Superannuation, he does not qualify for the Living Alone Payment because his daughter is now living with him.

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## Partner in long term residential care

If a client's partner is a long term patient of a public hospital, the client can receive the single rate of New Zealand Superannuation and no income test applies.

If the client's partner is a long-term patient in residential care and **is receiving** a Residential Care Subsidy, the client can receive the single rate of New Zealand Superannuation and may be able to receive a Living Alone Payment.

If a client's partner is a long-term patient in residential care but **cannot receive** a Residential Care Subsidy, the client can receive the single rate of New Zealand Superannuation if:

- the partner in care has been needs assessed by the Health Funding Authority and is in the target group
- the combined assets of the couple are less than the Residential Care Subsidy [asset limit](#) and
- the net income of the client at home, after paying for the cost of their partner's care is below the single rate of New Zealand Superannuation or Invalids Benefit if the partner is not qualified to receive New Zealand Superannuation

For more information see:

- [Living Alone Payments](#)
- [Single rate for married and civil union clients](#)

### Legislation

- public hospital [section 75\(5\)](#) Social Security Act 1964

## Including a non-qualified partner

A [non-qualifying partner](#) can be included in the client's New Zealand Superannuation, if the client chooses and the partner meets the residency qualifications.

When a non-qualifying partner is included in the New Zealand Superannuation the payment becomes income tested. This means that the rate of payment can be affected by:

- any income the client or their partner earns **and**
- any estimated income the client or their partner expect to receive in the 52 weeks after the non-qualified partner is included

To help the client make a decision it may be necessary to calculate the rate they would receive with the non-qualifying partner included and the effect of the income charge.

Client's can change their mind at any time and choose to include or exclude their non-qualifying partner.

**Note** if the client or their partner has a regular pattern of work such as casual or regular seasonal work, the amount they earned in the 52 weeks prior to the application for the partner inclusion should be used as the estimated income for the next 52 weeks.

For more information about the income test see:

- [Charging income](#)

### Guidelines

If the income abatement is greater than the extra amount received for including the non-qualifying partner, it is to the client's financial advantage not to include the partner.

Based on the 1 April 2006 rates, a combined annual income of \$20,440.46 (excluding New Zealand Superannuation) would financially disadvantage a client who chooses to include their non-qualifying partner in their payment.

If the couple's estimated income is unknown, use the income received in the previous 52 weeks as a guideline.

For more information see:

- [Client ceases employment](#)
- [Partner ceases employment](#)
- [Partners residency status](#)
- [Partner in employment](#)
- [Partner is overseas](#)

- [When to include a non-qualified partner](#)

## Legislation

- rates [section 12](#) New Zealand Superannuation and Retirement Income Act 2001
- annual income [section 64](#) Social Security Act 1964

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## Partner is overseas

If a client's partner is overseas at grant, the client must be considered [ordinarily resident](#) before you can include them.

Partners are generally not considered ordinarily resident where:

- they intend to live in New Zealand but have not yet arrived  
For example, they are detained in another country or overseas refugee camp or are completing the sale of their home or winding up a business
- or
- they were resident in New Zealand but have left the country and have no definite plans to return  
For example, they have been deported

### Partner temporarily overseas or missing

If the partner was resident in New Zealand but has left the country temporarily, they can be included as a non-qualified partner at grant, as they are considered ordinarily resident.

If the partner is included, payment can only continue for 26 weeks if the partner returns to New Zealand within 30 weeks of their entitlement date.

For more information see:

- [Absences counted as resident and present](#)
- [When to include a non qualified partner](#)
- [Absence overseas](#)

### Legislation

- residential qualification [section 8](#) New Zealand Superannuation and Retirement Income Act 2001
- temporary absence [section 22](#) New Zealand Superannuation and Retirement Income Act 2001
- payment overseas [section 26](#) New Zealand Superannuation and Retirement Income Act 2001

## When to include a non-qualified partner

The date that you can include a non-qualifying partner depends on whether the partner is ceasing work or not and the partner meets the residency qualifications.

### Partner is not ceasing work

If the partner is not ceasing work, the date of inclusion is:

- the date the application to include the partner is received

**Note** if the client or their partner has a regular pattern of work such as casual or regular seasonal work, the amount they earned in the 52 weeks prior to the application for the partner inclusion should be used as the estimated income for the next 52 weeks.

### Partner is ceasing work

If the partner is ceasing work, the date of inclusion depends on the level of income in the previous 52 weeks.

1. Where the level of income in the previous 52 weeks allows for some payment in respect of the non-qualifying partner, the date of inclusion is:

- the date the application to include the partner is received

2. Where the level of income in the previous 52 weeks was too high to include the non-qualifying partner, the date of inclusion is:

- the date the application to include the partner is received **or**
- the day after the [partner's employment ceased](#) (that is, after any holiday pay, sick pay, cessation leave, etc. has expired)

**whichever is the later.**

**Note** as you cannot back-date the inclusion of a non-qualified partner, it is important the client is aware of the option to include their partner and a notional assessment (for the clients information) is done on their entitlement.

No stand-down applies to New Zealand Superannuation.

For more detailed information see:

- [Partner in employment](#)
- [Partner's residency status](#)
- [Client ceases employment](#)

## Partner in employment

If the non-qualifying partner is or was in employment and the couple's income in the 52 weeks prior to the application was too high to include the non-qualified partner, the date to include the partner is the day after the partner's employment ceased.

Based on the 1 April 2006 rates, a combined annual income in excess of \$20,440.46 (excluding New Zealand Superannuation) would be too high to receive any additional payment for the non-qualified partner.

### Income

- use the income declared on the application form to determine whether the couple could have received any payment
- if the client or their partner has a regular pattern of work such as casual or regular seasonal work, the amount they earned in the 52 weeks prior to the application for the partner inclusion should be used as the estimated income for the next 52 weeks

If the couple's income allowed them to receive some payment, you can include the partner from the date of application, charging the estimated annual income of the couple against the New Zealand Superannuation.

To determine when the partner's employment ceased, see:

- [Partner ceases employment](#)
- [Client ceases employment](#)

## Partner ceases employment

Payments received by a partner at the time they stop work are used to determine when their 'employment ceased'.

The following is a list of payments used in this calculation:

- Holiday pay
- Long service leave
- Pay in lieu of notice
- Pay in lieu of accumulated leave
- Payments made on the completion of fixed term contracts
- Gratuity / retirement payments

For help in working out when employment ceased see:

- [Calculation of employment ceased](#)

For more information see:

- [Including a non qualified partner](#)
- [Client ceases employment](#)

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## Client ceases employment

If a client applies for New Zealand Superannuation at the time they stop working, their income is ignored, unless the client chooses to include their non-qualified partner. This situation is the only time New Zealand Superannuation is income tested.

### Assessing when to include a non qualifying partner when client ceases work

Payments received by a client at the time they stop work are used to determine when their employment ceased and the date to include a non qualifying partner.

If the income, such as holiday pay or other payments, is too high to include their partner, then it would be of financial advantage to the client not to include their partner until the day after the client ceases employment.

The following is a list of payments used in this assessment:

- Holiday Pay
- Long Service Leave
- Pay in lieu of notice
- Pay in lieu of accumulated leave
- Payments made on the completion of fixed term contracts
- Gratuity / Retirement Payments

For more information see:

- [Calculation of employment ceased](#)
- [Including a non qualified partner](#)
- [Partner ceases employment](#)

## Calculation of employment ceased

1. Find out the number of days represented by the payment received. If this is not clearly shown on the verification of payments received provided by the client, use either of the following formula.

### Formula 1

Determine gross salary over last 52 weeks of employment

Divide by 52 weeks = weekly rate of pay

Divide by 5 days = daily rate of pay

Confirm total amount of holiday pay etc.

Divide this amount by daily rate of pay = number of days pay

### Formula 2

Determine gross salary over last 4 weeks of employment

Divide by 20 (number of working days in 4 weeks) = daily rate of pay

Confirm total amount of holiday pay etc.

Divide by daily rate of pay = number of days pay

2. Add the number of days pay to the last day the client worked.

Remember, do not count Saturdays and Sundays – use Monday to Friday weekdays only. For example, if a client stopped work on a Friday, add the days from the following Monday.

3. This is the date that employment ceased.

4. The start date of New Zealand Superannuation is the day after this date.

### Remember

If you add the correct information to SWIFTT it will work out the commencement date for you.

## Living alone payment for married or civil union clients

If a married or civil union person is living apart because the marriage or civil union is at an end, they can be considered as 'single' and can receive the Living Alone Payment.

The following married or civil union clients can also receive the Living Alone Payment as long as they can receive New Zealand Superannuation:

- the partner of a long term patient in a public hospital
- the partner of a person in residential care who is receiving Residential Care Subsidy
- the partner of a person in a rest home or private hospital who is entitled to receive the single rate of New Zealand Superannuation
- legally married or civil union clients living apart with the intention of ending their marriage or civil union
- the partner of a person in prison, when Work and Income has decided to regard the partner as a single person

For information about whether a client with a partner in long term care can receive the single rate of New Zealand Superannuation see:

- [Partner in long term residential care](#)

For more information about the Living Alone Payment see:

- [Living Alone Payments](#)

### Legislation

- living alone payments [section 13](#) New Zealand Superannuation and Retirement Income Act 2001
- special assistance [section 124\(1\)\(d\)](#) Social Security Act 1964
- [Living Alone Payments Ministerial Direction](#)

## Single clients

There are two rates of payment for single clients, depending on whether they live alone or share accommodation.

The client's income is not taken into consideration when assessing the rate of payment. However, if a client is eligible to receive or receiving any overseas benefit or pension the gross amount is generally directly deducted from their New Zealand Superannuation.

For more information see:

- [Living Alone Payments](#)
- [Overseas pensions](#)

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## Living Alone Payments

New Zealand Superannuation or Veterans Pensions single clients (or married or civil union clients who are considered single) who live alone can receive a Living Alone Payment. The Living Alone Payment is an additional benefit that recognises the extra costs for clients maintaining a household on their own.

The Living Alone Payment is paid to clients who are:

- receiving New Zealand Superannuation (or Veterans Pension)
- single (or married or civil union clients who are considered single) **and**
- living alone in their principal place of residence

The following clients cannot receive the Living Alone Payment:

- clients living in institutions **and**
- clients paying private board

For more information see:

- [Definition of living alone](#)
- [Living alone payment for married or civil union clients](#)
- [Living Alone Payment start date](#)
- [Principal place of residence](#)
- [Clients renting out accommodation](#)
- [Visitors](#)

### Legislation

- living alone payments [section 13](#) New Zealand Superannuation and Retirement Income Act 2001
- [Living Alone Payments Ministerial Direction](#)

## Definition of living alone

Clients are regarded as living alone when they are living alone in their principal place of residence and not receiving any regular **and** substantial contribution to their household expenses. They also cannot share their residence with any person over the age of 18 unless that person is:

- a [dependent child](#) (until the end of the school year in which they turn 18) **or**
- a visitor who stays less than 13 weeks in any 26 week period

**Note** if a client has a child who is in full time employment and is under 18 the client is still eligible to receive the Living Alone Payment as the child's contribution is not taken into account.

## Sharing expenses

If a client indicates they are receiving help with their household expenses you will need to determine whether the contributions:

- are on a regular basis **and**
- represent a substantial contribution towards their total household expenses

**Note** a client is not considered to be sharing household expenses simply because they have a joint bank account with their spouse or partner.

For more information see:

- [Definition of household expenses](#)
- [Sharing household expenses](#)
- [Regular contribution](#)
- [Substantial contribution](#)

## Legislation

- clause 3 [Living Alone Payments Ministerial Direction](#)

## Definition of household expenses

Household expenses means the expenses generally incurred by clients living in accommodation, including:

- accommodation, including rent, mortgage payments, daily tariffs, site fees, administration fees and other fees relating to accommodation
- food (including prepared meals)
- rates
- insurance
- electricity or gas
- water
- laundry
- telephone
- rubbish disposal
- maintenance and repair of buildings and property
- use of a garage, car-port or other storage
- mooring and marina fees
- fees for the disposal of waste from any boat or craft **and**
- any other fee for household services

For more information see:

- [Sharing household expenses](#)

### Legislation

- clause 4 [Living Alone Payments Ministerial Direction](#)

## Sharing household expenses

If a client receives any regular **and** substantial contribution to their [household expenses](#), they cannot receive the Living Alone Payment.

A client does not have to be living with another person to be sharing expenses.

Contributions to household expenses could include payments towards items such as the telephone, or by paying a general amount towards the household expenses.

**Note** a client will not be considered to be sharing household expenses just because they pay a flat fee (for example to a [Rest home](#) or [Retirement village](#)) to cover their household or other expenses

For more information see:

- [Regular contribution](#)
- [Substantial contribution](#)

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## Regular contribution

A contribution is considered to be regular if it is ongoing and follows a pattern. This means that the contribution is made on a regular basis and is not a 'one off' payment.

### Examples

#### Example 1

Mrs Brown had trouble paying her rates one quarter and her daughter paid the instalment to help her out. This would be considered a 'one-off' payment and would not affect her entitlement to the Living Alone Payment.

#### Example 2

Mrs Green's daughter pays her mother's rates by way of an automatic payment. This is a regular contribution as it follows a pattern. It will now need to be determined if this is a substantial contribution.

For more information see:

- [Substantial contribution](#)

## Substantial contribution

As a guideline a substantial contribution is considered to be a third or more of the total household expenses over a year.

### Example

In the regular contribution example Mrs Green receives a regular contribution towards her household expenses from her daughter by way of an automatic payment. Mrs Green's other household expenses (insurance, power, phone and food) indicate that the rates represent less than a third of her total household expenses.

This is not a substantial contribution and does not affect her eligibility for the Living Alone Payment.

For more information see:

- [Regular contribution](#)

## Dependent child

A dependent child is a [child](#) who is:

- primarily the responsibility of that person
- maintained as a member of that person's family
- financially dependent on that person **and**
- is not receiving payments under the Children Young Person's and their Families Act 1989

In some situations a child may not be living at home but is still considered to be a dependent child.

For more information see:

- [Child not living at home](#)

### Legislation

- dependent child (definition) [section 3](#) Social Security Act 1964

Released under the Official Information Act 1982

## Child not living at home

The child doesn't have to be living with the client to be a dependent child. To help you decide consider the following:

- why the child is living away from home
- how permanent the arrangement is **and**
- what payments the client makes towards the child's care

Here are some examples where the child does not live at home but would be considered a dependent child.

### Child at boarding school

The client must pay for some of the costs including school fees, pocket money, clothing or travel. In addition to this the child should return to the applicant for some of the school holidays.

### Child overseas on American Field Scholarship or other exchange student programme

The client must pay for some of the costs.

### Child attending a special school

When a child is attending a special school such as Dilworth School, Van Asch Education Centre, Salisbury School and McKenzie School.

### Away from home allowance

When a 16-17 year old dependent child has needed to or chosen to move away from home to undertake tertiary study or employment related training the client can receive an Away from Home Allowance to help pay the 16-17 year olds accommodation costs. For more information see: [Away from Home Allowance](#)



## Principal place of residence

To receive a Living Alone Payment, the principal place of residence must be a:

- house or flat
- boat or craft moored within New Zealand territory
- hotel room
- motel unit
- room in a licensed boarding house **or**
- unit of accommodation in a caravan park

For more information see:

- [House or flat](#)
- [Granny flats](#)
- [Kaumatua flats](#)
- [Retirement Villages](#)
- [Resthome complexes](#)
- [Boarding houses](#)
- [Caravan parks and motor camps](#)
- [Motels and hotels](#)
- [Hospitals](#)
- [Boats](#)

### Legislation

- [section 13](#) New Zealand Superannuation and Retirement Income Act 2001

## House or flat

The principal place of residence occupied by a client is a house or flat where:

1. The client has a legal right to live there **and**

2. The residence must:

- be a structure or part of a structure that is permanently fixed to land
  - contain for the exclusive use of the occupant, adequate and distinct areas for day to day living and sleeping whether or not in separate rooms
  - contain a kitchen or kitchenette with:
    - (a) a sink with a tap connected to an adequate supply of drinkable water (fixed water tank or town supply)
    - (b) adequate means of preparing food and cooking food including by boiling or by baking  
(To be decided on a case by case basis but as a general rule must at least contain a stove top, microwave or bench oven, electricity power points and a bench space to prepare food)
- and**
- (c) adequate space for proper storage of food and utensils (drawers and cupboards or pantry)
- have a bathroom with a bath or shower and an adequate supply of hot water
- and**
- have a toilet

## Legislation

- clause 2 [Living Alone Payments Ministerial Direction](#)

## Granny flats

Granny flats are usually co-sited on one property with the main residential dwelling or house. Often the main house is occupied by relatives or friends who may contribute to the client's household expenses.

Granny flats range from 'outside rooms' to fully self-contained units.

Clients living in a 'granny flat' may receive a Living Alone Payment only if:

- the Granny flat is a house or flat **and**
- the client does not receive regular and substantial contributions towards their household expenses

If a client is sharing their household expenses you will need to establish if the contributions are regular and substantial.

### Guidelines

In each case, consider the following:

Does the client contribute towards a share of the:

- rates or insurances or do they pay a realistic rent to meet the costs of maintaining the property
- electricity or gas they use – if not separately metered, how are the shares determined?
- Is the client paying an amount that reasonably reflects their usage? (That is, their costs are not being subsidised by the occupants of the house).
- cost of repairs
- cost of food

For more information see:

- [Regular contribution](#)
- [Substantial contribution](#)

## Kaumatua flats

Many marae include self-contained kaumatua flats. These flats are usually owned by the Runanga Iwi (Council of people) and are rented to kaumatua (elders).

Kaumatua living alone in one of these flats can receive a Living Alone Payment if:

- the flat is a [house or flat](#) and  
(**Note** self-contained kaumatua flats will usually meet the definition of flat for Living Alone Payments)
- the client does not receive regular and substantial contributions towards their household expenses

If a client is sharing their household expenses you will need to establish if the contributions are regular and substantial.

For more information see:

- [Regular contribution](#)
- [Substantial contribution](#)

## Retirement Villages

Clients living alone in retirement village units can only receive the Living Alone Payment if:

- the retirement village unit is a house or flat **and**
- the client does not receive regular and substantial contributions to their household expenses

In particular check:

- the client owns or rents the unit or has a licence to occupy it **and**
- the unit contains adequate and distinct areas for day to day living and sleeping, a kitchen with facilities for food storage, preparation and cooking and a sink with a drinkable water supply

For more information see:

- [House or flat](#)
- [Regular contribution](#)
- [Substantial contribution](#)
- [Client sharing household expenses](#)

Released under the Official Information Act 1982

## Rest home complexes

Clients who live alone in a flat or unit that is part of a rest home complex can receive the Living Alone Payment if:

- the flat or unit is considered a [house or flat](#) **and**
- the client does not receive regular and substantial contributions towards their household expenses

If a client is sharing household expenses you will need to establish if the contributions are regular and substantial.

In particular check:

- the client owns the flat or has a license to occupy it **and**
- that the flat or unit contains adequate and distinct areas for day to day living and sleeping and a kitchen with facilities for food preparation, storage and cooking and a sink for washing up

Rest home units that provide limited kitchen facilities, for example a jug, sink and microwave cannot be considered a house or flat and the client cannot receive a Living Alone Payment.

For more information see:

- [Regular contribution](#)
- [Substantial contribution](#)
- [Client sharing household expenses](#)

Clients living in a rest home complex, who cannot receive a Living Alone Payment, may be able to receive a Residential Care Subsidy.

For more information see:

- [Residential Care Subsidy](#)

## Clients sharing household expenses

A client will not be considered to be sharing household expenses just because they pay a flat fee to the Retirement Village or Rest Home proprietor or administrator to cover their household and other expenses.

For example, a client paying a flat fee of \$400.00 per week to the Retirement Village or Rest Home proprietor to cover electricity, laundry, meals and cleaning of common areas would not be considered to be sharing expenses.

The exception is a situation where the fee the client is paying does not reasonably reflect the actual costs for their unit. That is, they are paying substantially less and in effect, their household expenses are being contributed to by others. In this instance it will need to be decided if the contributions are regular and substantial. (If you are still unsure you should contact [Helpline](#).)

For more information see:

- [Regular contribution](#)
- [Substantial contribution](#)

Released under the Official Information Act 1982

New Zealand Superannuation : Boarding houses

Boarding\_houses

## **Boarding houses**

Clients living alone in a room in a [boarding house](#) can receive the Living Alone Payment, as long as all other qualifications are met.

Released under the Official Information Act 1982



## Caravan parks and motor camps

Clients living alone in a caravan park, motor camp or camping ground can receive a Living Alone Payment.

Units of accommodation include cabins, flats and caravans. The unit of accommodation does not have to be self-contained; the client can share facilities.

If the client lives in a caravan, which is not in a caravan park, motor camp or camping ground, they cannot receive a Living Alone Payment.

### Legislation

- [Living Alone Payments Ministerial Direction](#)

Released under the Official Information Act 1982

New Zealand Superannuation : Motels and hotels

Motels\_and\_hotels

## **Motels and hotels**

Clients living alone in a motel unit or hotel room can receive a Living Alone Payment as long as all other qualifications are met.

### **Legislation**

- [Living Alone Payments Ministerial Direction](#)

Released under the Official Information Act 1982

## Hospitals

If a client is in hospital when they meet the qualifications for New Zealand Superannuation, the Living Alone Payment cannot be paid.

When a client receiving the Living Alone Payment is admitted to a public hospital, the Living Alone Payment continues for the first 13 weeks in hospital. After 13 weeks, the rate of payment may be reduced.

For more information see:

- [Hospitalisation](#)

Released under the Official Information Act 1982

## New Zealand Superannuation : Boats

### Boats

## Boats

Clients who are living alone on a boat or craft moored within New Zealand, can receive the Living Alone Payment as long as all other qualifications are met. In this situation, New Zealand includes:

- the territorial sea around New Zealand **and**
- lakes, rivers, estuaries within New Zealand

The boat does not have to remain in the same location.

### Legislation

- [Living Alone Payments Ministerial Direction](#)

Released under the Official Information Act 1982

## Clients renting out accommodation

Clients renting out a flat, which is part of their residence, cannot receive the Living Alone Payment unless:

- the rented out accommodation is fully self-contained (no shared spaces, for example, a lounge) **and**
- the client does not receive regular and substantial contributions towards their household expenses

If a client is sharing their household expenses you will need to establish if the contributions are regular and substantial.

For more information:

- [Regular contribution](#)
- [Substantial contribution](#)

Released under the Official Information Act 1982

## Visitors

If a client has a temporary visitor, the Living Alone Payments can continue if the visitor stays less than a total of 13 weeks (91 days) in any 26-week period.

If a visitor stays for more than 13 weeks in a 26-week period, the client can no longer receive the Living Alone Payment. The rate of payment should be reduced to the single rate on the payday at the end of the 13 weeks.

If it is clear that the visitor intends to stay longer than 13 weeks, they are not considered temporary and the client can no longer receive the Living Alone Payments. You should stop the Living Alone Payments from the beginning of the next pay period after the visitor arrives.

### Visits by the client

If a client receiving the Living Alone Payments goes on holiday or visits another person temporarily, the payment can continue if the client resumes living in their [principal place of residence](#) on their return.

If the client stays away for long periods of time, their principal place of residence may have changed and the client can no longer receive the Living Alone Payment.

### Legislation

- living alone payments [section 13](#) New Zealand Superannuation and Retirement Income Act 2001

New Zealand Superannuation : Client in hospital

Client\_in\_hospital

## Client in hospital

A client's rate of payment can be different if they are in hospital when they are granted New Zealand Superannuation.

The rate should be reduced to the hospital rate of payment when the client has been in hospital for 13 weeks (not after receiving a benefit for 13 weeks).

For more information see:

- Changes and reviews [Hospitalisation](#)

Released under the Official Information Act 1982

## Charging income

If a client has other income this is ignored, unless the client chooses to include their non-qualified partner. This situation is the only time New Zealand Superannuation is income tested.

**Note** overseas benefits or pensions will generally be directly deducted from New Zealand Superannuation. In some cases they will be treated as income.

### Non-qualified partner included

For a couple with a non-qualified partner included, income is charged annually and at the following rates:

the rate of payment is reduced by 70 cents for each \$1.00 of income over \$80.00 (before tax) a week

**Note** income is deducted from the gross rate of New Zealand Superannuation.

### Overseas benefits or pensions

When a client is receiving an overseas benefit or pension this is generally treated as a direct deduction from the benefit or pension rate. This requires a different calculation to the chargeable income assessment.

For more information see:

- [Including a non-qualified partner](#)
- Payments from Overseas – [overseas pensions](#)

**Note** payments from a Friendly Society or similar organisation of up to \$104.00 a year can be disregarded. Deduct this amount from the client's gross income before abatement.

For further details on what is income and how to charge it see:

- [Income and Property \(to be completed\)](#)

### Legislation

- [schedule 1](#) New Zealand Superannuation and Retirement Income Act 2001



## Tax Codes

Any inquiries about tax codes should be referred to the Inland Revenue Department. As a general guideline:

- if New Zealand Superannuation is the client's main source of income, the 'M' tax code should be used
- if the client has another main source of income, the secondary or 'S' tax code may be more applicable
- special tax codes can also be used when the client has other income

Released under the Official Information Act 1982

New Zealand Superannuation : Family Support

Family\_Support

## **Family Support**

If a New Zealand Superannuation client has dependent children, Family Support is paid through the Inland Revenue Department, not through SWIFTT.

Released under the Official Information Act 1982

New Zealand Superannuation : Tax number

Tax\_number

## Tax number

A client has an obligation to provide a tax file number in order to receive New Zealand Superannuation.

If a client does not supply verification of a tax file number within 10 working days of you requesting it, you:

- can refuse to grant New Zealand Superannuation **or**
- must suspend payment of New Zealand Superannuation

You can extend the 10 working day period (in writing) if the client has a reasonable explanation for requiring more than 10 days to provide verification.

Do not refuse to grant or suspend payment for clients who cannot provide satisfactory verification because of sickness, injury or disability.

Satisfactory verification of a client's tax file number includes:

- confirmation on IRD letterhead
- IRD tax file card **or**
- pre printed tax return form

## Legislation

- duty [section 82A](#) Social Security Act 1964
- definition: section OB1 Income Tax Act 2004

## Bank account

Unless there are special circumstances, it is a condition of New Zealand Superannuation that the client provides or opens a bank account or membership to a credit union to receive their New Zealand Superannuation payment.

### Bank

An appropriate bank is:

- a private savings bank, a trustee savings bank or Public Service Investment Society (PSIS)
- a registered bank which on the 31<sup>st</sup> March 1987 was a trading bank **or**
- any other registered bank or a building society approved by the Minister after consultation with the Minister of Finance

For more information see:

- [Bank verification](#)
- [Credit union](#)

### Legislation

- [section 82\(7\)](#) Social Security Act 1964

## Credit union

For New Zealand Superannuation to be paid into a credit union account, the credit union must be:

- registered under Part III of the Friendly Societies and Credit Unions Act 1982  
**and**
- approved by the Minister in consultation with the Minister of Finance

As at February 2001 the following credit unions have been registered with the New Zealand Credit Union Association and are approved:

Alliance Freezing Works Credit Union	Great Barrier Island Credit Union
Anchor Waitoa Credit Union	Harbour City Credit Union
Aotearoa Credit Union	Harbour Board Staff Credit Union
Auckland Airport Credit Union	Hutt Valley Co-operative Credit Union
Baywide Credit Union	Invercargill Licensing Trust Credit Union
Carbine Credit Union	Media Credit Union
Caxton Employees Credit Union	Marsden Pt Refinery Credit Union
Chelsea Credit Union	Masport Group Credit Union
CHH Case Auckland Employees Credit Union	Napier City Council Staff Credit Union
Christchurch Emergency Service Credit Union	Nelson Credit Union
Clerical & Industrial Credit Union	Nelson Port & Industrial Credit Union
Credit Union Auckland	New Zealand Breweries Credit Union
Credit Union Bay Health	New Zealand Firefighters Credit Union
Credit Union Canterbury	New Zealand Glass Credit Union
Credit Union Central	Palmerston North hospital Credit Union
Credit Union Bay of Plenty	Progressive Credit Union
Credit Union Eastwide	Prometheus Credit Union
Credit Union Forestlands	Scallop Credit Union
Credit Union Hamilton	Southland Credit Union
Credit Union Hawkes Bay	Steelsands Credit Union
Credit Union Manawatu	Sydenham Money Club
Credit Union Mt Maunganui	Taupo Credit Union
Credit Union Otago	Te Aroha District Credit Union
Credit Union Rotorua	Torere Districts & Families Credit Union
Credit Union Taranaki	Union Care Credit Union

Credit Union Tauranga Hospital	Waiheke Credit Union
Credit Union Timaru	Wanganui Catholic Credit Union
Credit Union Waikato	Wanganui Health Services Credit Union
Credit Union Westland	Westforce Credit Union
Fletcher Challenge Employees Credit Union	Wilson & Horton Credit Union
Fisher & Paykel Credit Union	Wiri Site Employees Credit Union
Five Star Credit Union	

## Legislation

- [section 82\(7\)](#) Social Security Act 1964

Released under the Official Information Act 1982

## Decision Guidelines- Bank Verification

Clients must confirm the bank account details given on their New Zealand Superannuation application or change of bank account by supplying:

- a pre-printed bank deposit slip **or**
- any pre printed document generated by the bank which shows the name of the account holder and the full account number **or**
- a completed Work and Income change of bank account form that has been verified by the bank **or**
- a hand written document showing **all** names of the account-holders and the full account number that has been stamped and initialled by the bank

**Note** if the documentation provided is an internet banking printout it is not acceptable unless it has been stamped and initialled by the bank.

Examples of acceptable evidence for bank accounts are:

- a deposit slip with the nominated account holder name and number pre-printed on it by the computer
- a hand written deposit slip with **all** the nominated account holders name and account number, stamped and initialled by the bank
- a verified photocopy of an account card, provided it shows the nominated account holder's name and full account number – if this is hand written, it must be stamped and initialled by the bank
- a verified photocopy of a bank pass book, provided it shows the nominated account holder's name and full account number – if this is hand written, it must be stamped and initialled by the bank
- a verified photocopy of a bank statement, provided it shows the nominated account holder's name and full account number
- an unsigned invalidated blank cheque, provided it shows the nominated account holder's name and full account number

**Note** automatic teller machine slips are not acceptable as bank verification unless they show the account holder's full name and full account number.