



25 March 2024

Tēnā koe

### **Official Information Act request**

Thank you for your email of 13 March 2024, in which you requested the policies and guidelines used when making a decision to decline your request for taxi assistance.

I note that we are responding to your request under the Official Information Act 1982 (the Act), and as such we have not investigated the particularities of your case. If you would like a response that relates more directly to your personal circumstances, then please get in touch. We would be happy to put you in touch with our correspondence team.

Please see my response to your requests under the Act, set out below.

I refer you to the following link to the Ministry website which provides the costs associated with attending a Social Security Appeal Authority or Medical Appeals Board Hearing. I have also attached this document as **Appendix One** for ease of access.

- [www.msd.govt.nz/about-msd-and-our-work/contact-us/complaints/costs-attending-an-appeal-hearing.html](http://www.msd.govt.nz/about-msd-and-our-work/contact-us/complaints/costs-attending-an-appeal-hearing.html)

You will note that this information specifies that the Ministry will pay the actual and reasonable costs of travel, and that taxi chits are only available for travel to and from an airport following a flight. We will pay for the costs of:

- public transport to the hearing, usually bus or train.
- using your own car if public transport isn't available.
- flights for longer distances, and taxi fares to and from the airport.

In addition, I refer you to **Appendix Two** which provides the guidance available to Regional Coordinators which I have obtained from the Ministry's intranet. You will note that this reiterates the advice provided as **Appendix One**.

Finally, I refer you to Part 7, clause 251 of the Social Security Regulations 2018 'Expenses available to appellants':

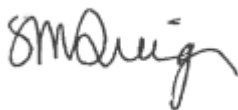
- (1) *This regulation applies to an appellant whom the appeal authority requests to appear before it if the appellant does so.*
- (2) *MSD must, out of money appropriated by Parliament for the purpose, pay the actual and reasonable travelling and accommodation expenses (if any) incurred by the appellant.*

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**

## Client Information

### Costs associated with attending a Social Security Appeal Authority or Medical Appeal Board hearing

If you appeal to the Social Security Appeal Authority, the Authority might ask you to attend the hearing.

If you need to attend a hearing, the Ministry of Social Development will pay your **actual and reasonable** costs for travel, accommodation, and meals.

What is reasonable will depend on where you live, your family circumstances, and any disability you might have.

### Travel

We will pay for the costs of:

- public transport to the hearing, usually bus or train;
- using your own car if public transport isn't available;
- flights for longer distances, and taxi fares to and from the airport;

If you are using your own car, you can either claim the fuel costs of the trip or claim a mileage rate based on the Automobile Association rate for average running costs<sup>1</sup> as detailed in the table below. These rates are calculated annually by the Automobile Association and are updated in April of each year and for this reason may differ from the rates payable for various income support assessments such as Disability Allowance.

Petrol driven vehicles				
Engine Capacity	Small 0 - 1500cc	Compact 1501 - 2000cc	Medium 2001 - 3500cc	Large 3501 cc +
Running costs in cents per KM	24.27 cents	28.53 cents	35.38 cents	42.86 cents

Diesel driven vehicles				
Engine Capacity	Small 0 - 1500cc	Compact 1501 - 2000cc	Medium 2001 - 3000cc	Large 3001 cc +
Running costs in cents per KM	25.67 cents	32.32 cents	39.46 cents	43.68 cents

<sup>1</sup> Running costs taken into account by the Automobile Association include fuel, oil, tyres and general repairs and maintenance.

	Hybrid	Battery electric
Running costs in cents per KM	19.4 cents	11.0 cents

### Accommodation and meals

If you can't travel to and from the hearing in one day, we will pay for your accommodation and meal costs. Your case manager will arrange and pay for the accommodation for you.

The maximum rate for meal costs is \$63.00 for each 24-hour period away from home, and \$35.00 for a part day.

### Legal costs

If your appeal is successful, the Social Security Appeal Authority may order us to pay a contribution towards your legal costs. We don't pay any of your legal costs before the appeal, and we don't pay them if your appeal is unsuccessful.

### Costs of other people attending the hearing

We don't pay for the costs of someone who is attending the hearing with you.

However, if there is a good reason why you can't attend, the Authority might ask us to we pay costs for another person to attend in your place.

### Other costs

We will consider additional costs to attend the hearing, such as childcare costs, on a case by case basis. We will have to be sure that the costs were necessary for you to attend. For childcare costs, for example, we'll need to be satisfied that you had to pay someone to care for your children while you attended the hearing.

### What you need to do

Let your case manager know the date and place of the hearing once you hear from the Appeal Authority.

The case manager will be able to arrange bookings and payment for travel and accommodation if these are necessary.

If you have already paid for these costs yourself, you will need to give receipts to your case manager so Work and Income or other service line of the Ministry can reimburse you. However, make sure that you ask your case manager what a reasonable cost is for accommodation before you pay for it. Otherwise, you might not be reimbursed for the full amount.

### Benefits Review Committee expenses

If you apply for a Benefit Review Committee hearing, you probably won't have any costs to attend. This is because, wherever possible, hearings are arranged close to where you live.

However, if you attend a Benefit Review Committee hearing and do have costs as a result, we will consider paying these on an **actual and reasonable** basis. You will need to talk to your case manager about the costs, and what we might be able to help with.

## Costs for clients attending hearings

Normally, the Ministry will arrange hearings as close to where the client lives as possible so that there are no or minimal costs to the client, however, sometimes this is not possible. There are some hearings, such as the Social Security Appeal Authority and Medical Appeals Board, where the client maybe required to travel to attend. If this is the case the Ministry will pay for assistance with the following costs:

### Travel

The Ministry will pay for the costs of:

- public transport to the hearing, usually bus or train;
- using their own car if public transport isn't available;
- flights for longer distances, and taxi fares to and from the airport;

If the client is using their own car, they can either claim the fuel of the trip or claim a mileage rate based on the Automobile Association rate for average running costs as detailed in the tables below. These rates are calculated annually by the Automobile Association and are updated in April of each year and for this reason may differ from the rates payable for various income support assessments such as Disability Allowance.

### Petrol driven vehicles

Engine Capacity	Small 0 - 1500cc	Compact 1501 – 2000cc	Medium 2001 - 3500cc	Large Over 3500 cc
Running costs in cents per KM	24.27 cents	28.53 cents	35.38 cents	42.86 cents

### Diesel driven vehicles

Engine Capacity	Small 0 - 1500cc	Compact 1501 – 2000cc	Medium 2001 - 3500cc	Large Over 3500 cc
Running costs in cents per KM	25.67 cents	32.32 cents	39.46 cents	43.68 cents

### Hybrid and Electric vehicles

	Hybrid	Electric
Running costs in cents per KM	19.4 cents	11.00 cents

### Accommodation and meals

If they can't travel to and from the hearing in one day, we will arrange and pay for their accommodation and meal costs.

The maximum rate for meal costs is \$63.00 for each 24 hour period away from home, and \$35.00 for a part day. This is the same as the rate paid to Ministry staff.

### Travel and accommodation costs come out of your Operational Budget via Orbit.

The nominal for the:

Social Security Appeal Authority (SSAA) is 14951

Medical Appeals Board (MAB) is 14944

Ask your budget manager or NAC for other nominals

[How to pay assistance for clients to attend hearings \(Powerpoint 93.5KB\)](http://doogle/documents/business-groups/organisational-strategy/what-we-do/review-of-decision/brc-co-ordinators/paying-for-clients-to-attend-a-hearing.ppt), [http://doogle/documents/business-groups/organisational-strategy/what-we-do/review-of-decision/brc-co-ordinators/paying-for-clients-to-attend-a-hearing.ppt]

[Claim form for clients attending a hearing \(Excel 53.47KB\)](http://doogle/documents/business-groups/organisational-strategy/what-we-do/review-of-decision/brc-co-ordinators/client-expense-claim-form.xlsx), [http://doogle/documents/business-groups/organisational-strategy/what-we-do/review-of-decision/brc-co-ordinators/client-expense-claim-form.xlsx]

Out of scope