

Instrument amending Ministerial Direction and Welfare Programmes (Emergency Housing) 2024

This instrument is made under sections 7 and 101 of the Social Security Act 2018, under delegated authority, by the Associate Minister of Housing.

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Instrument

- 1 Title**

This instrument is the Instrument amending Ministerial Direction and Welfare Programmes (Emergency Housing) 2024.
- 2 Commencement**

This instrument comes into force on 26 August 2024.
- 3 Principal directions and welfare programmes amended**

This instrument amends the direction and welfare programmes specified in Schedules 1 and 2 (the **principal direction and welfare programmes**).
- 4 Amendments**

Amend the principal direction and welfare programmes in the manner set out in Schedules 1 and 2.

Schedule 1

cl 4

Amendments to direction

Ministerial Direction on Redirection of Benefit Payments (given on 17 March 2015)¹

Clause 3

In clause 3 revoke the definition of **Emergency housing grant**.

In clause 3, replace the definition of **Emergency housing contribution** with:

emergency housing contribution has the same meaning as in clause 4 of the Emergency Housing Grants Programme

Clause 5

Replace clause 5(1)(i) with:

- (i) the person is required to make an emergency housing contribution under the Emergency Housing Grants Programme.

¹ New Zealand Gazette 26 March 2015, No. 32, page 1763.

Schedule 2

cl 4

Amendments to welfare programmes

Flexible Funding Programme (as established and approved on 2 November 2020)²

Clause 4

In clause 4, replace “Emergency Housing” with “emergency housing”.

Clause 5

In clause 5(1), replace the definition of **cash assets** with:

cash assets means the cash and the other assets of the applicant and their spouse or partner that can be readily converted to cash, and include:

- (a) shares, stocks, debentures, or bonds;
- (b) bank accounts, including fixed and term deposits with any bank, friendly society, credit union, or building society;
- (c) money invested with or lent to any bank or other financial institution, or other person, whether on mortgage or other security, or unsecured;
- (d) the net equity held in any property or land not used as the applicant’s home;
- (e) building society shares;
- (f) bills of exchange or promissory notes;
- (g) a share or shares in any partnership;

but do not include—

- (h) any grants made under this programme; and
- (i) the motor vehicle or other vehicle required by the applicant for their personal use; or
- (j) if the applicant is in a relationship, the motor vehicle or other vehicle required by the applicant’s spouse or partner for their personal use; and
- (k) a caravan, boat, or other vehicle—
 - (i) in which the net equity is less than \$2,000; or
 - (ii) which is used by the applicant, the applicant’s spouse or partner, and dependent children, for day to day accommodation; and
- (l) the personal effects of the applicant and their spouse or partner; and
- (m) any payment or item declared not to be cash assets by Part 1 of Schedule 8 of the Social Security Regulations 2018

In clause 5(1), replace the definition of **emergency housing grant** with:

emergency housing grant has the same meaning as in clause 4 of the Emergency Housing Grants Programme

In clause 5(1), replace the definition of **Emergency Housing** with:

emergency housing has the same meaning as in clause 4 of the Emergency Housing Grants Programme

In clause 5(1), in the definition of **immediate family**, replace “Emergency Housing” with “emergency housing”.

² New Zealand Gazette 6 August 2020, No. 2020, page 3537.

In clause 5(1), replace the definition of **income** with:

income has the same meaning as in Schedule 2 of the Act, and also includes—

- (a) any New Zealand superannuation or veteran's pension payable to the applicant or their spouse or partner; and
- (b) the amount of any payments made to the applicant or their spouse or partner under—
 - (i) the New Employment Transition Grant Programme; or
 - (ii) the Seasonal Work Assistance Programme; or
 - (iii) the Work Bonus Programme

and in relation to an applicant means—

- (c) the applicant's income; and
- (d) the income of the applicant's spouse or partner (if any).

Clause 8

In clause 8(b), replace “Emergency Housing” with “emergency housing”.

Clause 9

In clause 9(1)(d), replace “Emergency Housing” with “emergency housing”.

In clause 9(1)(e), replace “Emergency Housing” with “emergency housing”.

In clause 9, replace clause 9(1)(h) with:

- (h) the applicant meets the residential criteria in clause 10 of the Emergency Housing Grants Programme.

In clause 9(2), replace “under clause 14A.3 of the Special Needs Grants Programme” with “under clause 15 of the Emergency Housing Grants Programme”.

Special Needs Grants Programme (as established and approved on 18 December 1998)³

Clause 2

In clause (c) replace “Program” with “Programme”.

Clause 3

In clause 3.1 revoke the following definitions: **emergency housing contribution, emergency housing event, emergency housing grant, emergency housing income.**

In clause 3.1, replace the definition of **Emergency Housing** with:

emergency housing has the same meaning as in clause 4 of the Emergency Housing Grants Programme

Clause 5

In clause 5(2), delete “ (except if the application is for a grant under clause 14A)”.

Clause 7

In clause 7.1, replace “clauses 14A, 14AA and” with “clause”.

Revoke clause 7.1A.

In clause 7.2, revoke “ and 7.1A”.

Clause 9

Revoke clause 9.4A.

In clause 9.6, delete “ clause 14A, clause 14AA, ”.

In clause 9.6, replace “Clause 17A” with “clause 17A”.

³ New Zealand Gazette 28 January 1999, No. 563, page 202.

Clause 14

In clause 14.1, delete “ other than Emergency Housing”.

In clause 14, after clause 14.8 insert:

14.9 MSD must not make a grant under clause 14.1 to an applicant for any need or cost for which assistance under the Emergency Housing Grants Programme is intended to meet.

14.10 Clause 14.9 applies regardless of whether or not the applicant is eligible for any of the assistance set out in the Emergency Housing Grants Programme.

Clauses 14A to 14C revoked

Revoke clauses 14A to 14C.

Schedule 1AA: Transitional and savings provisions

In schedule 1AA, after part 2 insert new Part 3:

Part 3

Emergency Housing Amendment 2024

- 1 Despite the revocation of clauses 14A to 14C of this Programme and the definitions which have been revoked under clause 3, assistance granted under those clauses before 26 August 2024, continues subject to the terms of those clauses as if those clauses had not been revoked.

Te Whangamātara
Dated at [^] Wellington this 22nd day of July 2024



Associate Minister of Housing

Explanatory note

This note is not part of the instrument, but is intended to indicate its general effect.

This instrument, which comes into force on 26 August 2024, —

- revokes the provisions in the Special Needs Grants Programme that provide for emergency housing assistance, which will now be provided for under the Emergency Housing Grants Programme; and
- inserts transitional provisions into the Special Needs Grants Programme to ensure that emergency housing assistance, provided under that programme before 26 August 2024, continues to be subject to the terms of the relevant revoked or amended clauses after that date; and
- makes consequential amendments to the Ministerial Direction on the Redirection of Benefit Payments and the Flexible Funding Programme to ensure the amended provisions continue to operate as intended once the Emergency Housing Grants Programme comes in to force.