

Report

Date: 8 July 2026

To: Hon Louise Upston, Minister for Disability Issues

File Reference: REP/26/7/540

Security Level: In Confidence

DSS Bill Departmental Report to Select Committee

Purpose

1. This paper accompanies the Departmental Report on the Disability Support Services (DSS) Bill. The Departmental Report includes a summary of key themes from submissions, a clause-by-clause analysis and recommended amendments, and additional advice requested by the Social Services and Community Committee.
2. This paper seeks confirmation of your approval of recommended amendments to the Bill in the departmental report and also asks you to note some amendments to the Bill that you have agreed will not be progressed at this time.

Executive summary

3. The recommended amendments to the Bill reflect feedback from written and oral submissions, ongoing legal and MBIE advice, technical drafting refinements, and the Select Committee consideration of the report. They also give effect to your direction to progress changes to the Bill through the Select Committee process.
4. A total of 3,430 (around 3,000 were accepted) submissions were received by the Social Services and Community Select Committee, with key themes informing the proposed amendments. The changes are intended to address submitter concerns, improve drafting clarity, and better align the Bill with existing policy intent while remaining within the agreed policy scope.
5. Key recommendations include:

- 5.1. **Refining principles** to clarify that disability support services should take account of family, community and personal resources only where appropriate when determining the contribution that DSS will make alongside that. New principles would also require consideration of a disabled person's choice, safety and dignity.
- 5.2. **Introducing consultation requirements for Clause 11** that would require requiring the responsible Minister to consult representative organisations of disabled persons when establishing or amending support programmes, including any proposals involving income or asset testing. Limited exemptions would apply for minor, technical or changes beneficial to DSS users.
- 5.3. **Strengthening transitional temporary representative arrangements** by providing a clear process for replacing temporary representatives and enabling the Ministry or contracted providers to respond to changes in circumstances, competency or safety concerns.
- 5.4. **Clarifying employment and litigation provisions** to ensure the Bill fully reflects Cabinet's policy intent, including closing a potential gap in litigation bar provisions between the Bill's introduction and commencement, and making technical amendments to strengthen employment-related clauses.
6. **s 9(2)(f)(iv)** [Redacted]
7. The departmental Report was considered by the Committee on 8 July 2026. The Committee is expected to report the Bill back to Parliament on 13 August 2026.

Recommendations

It is recommended that you:

- (1) **note** that the Departmental Report was sent for consideration by the Social Services and Community Select on Monday 6 July 2026, with your agreement

- (2) **agree** to the proposed amendments to the DSS Bill as summarised in the table at Appendix One of the Departmental Report (and attached here as Appendix 1)

agree | disagree

- (3) **s 9(2)(f)(iv)** [Redacted]

- (4) **note** that the Departmental Report was considered by with the Social Service and Communities Select Committee, who requested further minor amendments and directed PCO to commence drafting the revised tracked Bill

Hon Louise Upston
Minister for Disability Issues

Date



08 July 2026

Justine Cornwall
General Manager, DSS Policy
Disability Support Services

Date

Introduction

8. The recommended changes to the DSS Bill outlined in the table in Appendix one are informed by written and oral submissions, advice from legal and policy stakeholders (including MBIE), and technical amendments identified following the expedited drafting process. Many of the amendments are technical, designed to correct drafting issues, or fall within the existing scope of policy decisions on the Bill.
9. The amendments also reflect your feedback on Part 1 of the departmental report [REP 26/6/446], subsequent discussions with officials, and the Select Committees consideration of the report, including:
 - 9.1. progressing changes through the Select Committee process wherever possible
 - 9.2. Adding to Clause 11 to require consultation with disabled people through their representative stakeholder organisations on Support Programmes, including changes to income and asset testing
 - 9.3. strengthening Clause 8 to better reflect disabled people's choice, safety, and dignity in decision-making.
10. The report was updated to reflect your feedback from 2 July 2026, including refinements to the proposed principles (inclusion of choice, rather than will and preference), a recommended statutory review after five years, further Parliamentary Counsel Office drafting advice, a decision not to recommend a provision for a complaints and decision review process at this stage, and clarification that a failure to identify or consult a particular representative group would not invalidate a Support Programme.
11. The departmental report is structured in three parts:
 - 11.1. **Part 1:** updated to better reflect submitters' views, including new themes on safety, dignity, adulthood, and independence
 - 11.2. **Part 2:** recommendations and technical analysis
 - 11.3. **Part 3:** appendices, including submitter lists, recommended amendments, outstanding advice, and submission analysis.

Overview of submissions

12. Public submissions were open from 22 May 2026 to 12 June 2026. Over 3,400 submissions in total have been received by the Social Services and Community Select Committee (Committee). Of these just over 3,000 have been analysed, with the remainder returned by the Committee to the submitter.
13. Oral submissions were heard from a mix of individuals and organisations across multiple sessions between 23 and 30 June 2026. Approximately 170-180 oral submissions were heard.

14. A summary of key themes across submissions is included as Part 1 of the Departmental Report.

Key recommended amendments to the Bill

Reorienting the principle that DSS takes account of support available to an eligible person (Clause 8)

15. Many submitters recommended either removing, or including limits on, two principles in the Bill. We previously provided advice on this [REP 26/6/446 refers] These principles are:
 - 15.1. that family have responsibility in the first instance for the wellbeing of their members
 - 15.2. a disabled person should use their resources or other services before receiving support from DSS¹.
16. Submitters were concerned that, as currently worded, clause 8 may lead to an unbounded obligation on family to provide care, the impacts of providing care are not considered, and may restrict choice of living arrangements for disabled people.
17. We continue to consider the current principles are required. However, we recommend making clarifications that reduce the potential for misinterpretation as follows:
 - 17.1. reorienting the families principle to focus on DSS's contribution, more closely in line with the General Policy Statement to clarify that families are generally expected to contribute care and support alongside the contribution that DSS makes
 - 17.2. clarify that allocation of DSS-funded disability support services should take resources and support into account where and to the extent appropriate to make clear that DSS will not expect an eligible person to use all their resources before being provided with DSS-funded support
 - 17.3. insert new principles with the intent that the Ministry and its contracted providers must take into account a disabled person's choice, and safety and dignity.

¹ *Clause 8* sets out 2 principles that the Ministry and contracted providers must take into account when making decisions about the provision of DSS-funded disability support services. The principles are that—

- families, whānau, and other culturally recognised family groups, where appropriate, have responsibility in the first instance for the wellbeing of their members; and
- before being provided with DSS-funded disability support services, an eligible person should, where appropriate, use their resources and any other support that is available to them, including from—
 - other publicly funded sources; and
 - their family, whānau, or other culturally recognised family group; and
 - their community.

18. We have not proposed to include further stipulation regarding where, and to what extent, it is appropriate for DSS to take account of family support on the basis that it could limit future decision-making.
19. In the officials meeting on 1 July 2026, you expressed a preference for “choice and control” over our draft version referring to “will and preference”. While the EGL approach refers to “choice and control”, and this is the language used by submitters, we recommend that the new principle should only reference “choice”.
 - 19.1. Choice and control are related but distinct concepts. Choice is about a person's ability to influence decisions that affect them, including decisions about the supports they receive, how those supports are delivered, and, where applicable, who provides them. Control is about the degree to which a person is able to direct and manage those support arrangements.
 - 19.2. The principal risk of using "choice and control" is that the concept of control is not equally applicable across the full range of DSS users and services. The degree of control a person can exercise may vary depending on their age, impairment, communication needs, decision-making capacity, and the type of support involved. In some situations, support arrangements are also shaped by service, operational, or safeguarding requirements. As a result, the term "control" may create expectations about the level of authority a person will have over their supports that cannot always be delivered in practice.
 - 19.3. By contrast, choice is a broader and more inclusive concept. It can apply whether a person makes decisions independently or requires support to communicate, express preferences, or participate in decision-making. Using "choice" therefore better reflects the diversity of people who access DSS and the range of DSS services, while remaining consistent with the EGL emphasis on self-determination and disabled people being involved in decisions that affect their lives.
20. In response to the Select Committee's consideration of the Departmental Report, we also propose making clearer that the definition of ‘family member’ in the Bill is distinct from the use of the term ‘family’ in Clause 8. This is to mitigate the risk that the meaning of the term ‘family’ is limited to mean how ‘family member’ is defined in the Bill.

Consultation on changes to Support Programmes

21. Many submitters raised concerns that the Bill does not guarantee consultation to align with commitments under the UNCRPD. Principle 4(3) provides:

In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

22. This also relates to concerns raised by submitters that the legislative hierarchy means there is insufficient oversight of ministerial decision-making when creating or amending Support programmes.
23. Following previous advice [REP 26/6/446 refers] outlining options for consultation provisions in the Bill you indicated a preference to include a mandatory provision for the responsible Minister to consult with representative stakeholders when developing or making changes to Support Programmes. This would include specific reference to consulting on changes involving income and asset testing.
24. We propose an Amendment to Clause 11 that would include the following elements:
- 24.1. the Minister must consult with representative organisations of disabled persons when making a Support programme (including where a programme proposes or amends means testing).
- 24.2. the Minister would consider as appropriate which representatives of disabled persons and or representative groups to consult with, reflecting the nature and scale of the proposed changes
- 24.3. the Minister would not need to consult if:
- 24.3.1. correcting an error or omission made in approving and establishing a Support Programme or making an amendment to a Support Programme that does not change the effect of the Support Programme.
- 24.3.2. providing for the administration of the programme and in the Minister's determination are unlikely to affect eligible people
- 24.3.3. convey only benefits to the eligible person (eg. allow for an adjustment of residential care funding to recognise increases in costs).
25. This approach would align with the UNCRPD wording in relation to consultation with representative organisations, existing practice and other legislation while retaining flexibility to make technical changes that do not impact on service provision or that are urgent.
26. Following the consideration of the Report by the Committee this provision will make clearer that disabled people are consulted **through** their representative organisations. This is to avoid a perception that disabled people themselves would be excluded from those consultations.

Advice on whether a failure to comply with consultation provisions does not invalidate a Support Programme

27. When considering the consultation provision, Parliamentary Counsel Office suggested that MSD may wish to consider if there needs to be a provision that failure to comply with consultation provisions does not invalidate a Support Programme.

28. We agree with Parliamentary Counsel Office a provision is needed to ensure minor or inadvertent omissions (e.g. unintentional failure to consult with a representative group) during the consultation process should not invalidate a Support Programme. This also provides certainty for disabled people who rely on the supports provided under it. The consultation requirement is intended to allow the Minister to determine which representatives of disabled people and disability organisations are appropriate to consult. Note this is not relevant for matters already specified in the Bill as not requiring consultation.

Providing for a replacement process for temporary representatives during the transitional period [Sch 1, cl 6]

29. Submitters noted that there may be changes over the course of the transitional period where it may be necessary or desirable to make changes to temporary representative arrangements referred to in Clause 6.
30. To ensure this is provisioned clearly in legislation we propose the following amendments that allow flexibility, while keeping the provision as narrow as possible:
- 30.1. Insert a new sub-clause to provide for a replacement process for the temporary representative (A) during the transitional period if it is the choice of the disabled person, or the temporary representative is no longer willing or able to act as a temporary representative. The replacement process will depend on another person being willing and able to fulfil the temporary representative role
- 30.2. Amend to provide for other situations where:
- 30.2.1. The Ministry or a contracted provider has received information such that it could have reasonably regarded the temporary representative as acting on behalf of the disabled person; or
- 30.2.2. The Ministry or a contracted provider has received information such that it could have reasonably regarded the temporary representative as not competent to make an informed choice and give informed consent regarding their disability support services
- 30.2.3. the temporary representative ceases to be able to act on behalf of the disabled person in the event that the disabled person regains or develops capacity to make decisions about disability support services
31. We also recommend including a provision for the Ministry or a contracted provider to make changes to these arrangements either to reflect new information, or to take into account changing situations where safety becomes a concern there may be grounds to do so, taking into account:
- 31.1. Any regulations made under the Health and Disability Commissioner Act 1994
- 31.2. Any internal policies

31.3. The disabled person's safety and dignity

s 9(2)(h)

32. s 9(2)(h)

33. s 9(2)(h)

34. s 9(2)(h)

35. s 9(2)(h)

36. s 9(2)(h)

An option for a statutory review of the operation of the Act

37. The Committee requested advice on options for reviewing the DSS legislation after a specified period. In the departmental report we recommended a review of the operation of the Act five years after commencement. This was discussed and agreed with you.

38. Following consideration of the departmental report the committee has confirmed the inclusion of this provision in the Bill as an option.

Extending transitional provisions

39. Introducing consultation requirements into Clause 11 will extend the timeline for transitioning existing DSS policies into Support Programmes.

40. If the consultation provision is progressed, we recommend extending the transitional provisions in the Bill from three to five years. This excludes the carve-out from the Minimum Wage Act which will remain at three years.

Other changes to employment provisions to clarify and strengthen them

41. We are recommending that you agree to some minor and technical changes to employment provisions in the Bill in the Department Report.

42. This follows further work between MBIE and MSD. The changes include minor amendments to make it clear what an intentional employment relationship is, providing for clarity across the clauses that the employment relationship is between the disabled person and their carer. The aim of these changes is to further clarify and

strengthen the Crown fiscal and litigation risks arising from employment-related matters.

Residual issues and potential amendments not progressed

Litigation bar gap

43. The DSS Bill includes a provision intended to bar claims relating to past events from being filed from the point the Bill was introduced.
44. As discussed with you at the DSS Officials Meeting on Wednesday 1 July, we have identified that the Bill as drafted leaves a further gap where cases that are filed and decided between the introduction of the Bill and when the Bill commences can be saved.
45. This was not the intention of the Bill as agreed by Cabinet, and has arisen due to the speed of ongoing policy development and drafting of the Bill.
46. If a case is filed, and decided in the claimants' favour before commencement, MSD will not be able to avoid the declaration of employment, and the subsequent remedies and forward costs of employment. There is one case that has been filed since the introduction of the Bill and the claimant has sought urgency.
47. The savings provision in the Bill could be amended to exclude those claims filed and decided between introduction and commencement. However, this would require Cabinet approval and would need to be progressed through an amendment paper.
48. The Bill as drafted will extinguish all unresolved claims at the point of Commencement. If the Bill passes before the House rises in September then the likelihood of this risk extending beyond the single case is low. It is unlikely any further cases could be filed, heard and decided in that time.
49. If there is a risk that the Bill does not pass before the House rises then we would recommend amending the savings provision to mitigate the risk. This is because the longer the Bill remains in the House, the greater the risk of further cases being filed and decided before the Bill commences.
50. Making this change would require Cabinet approval an Amendment Paper.

s 9(2)(h)

51. s 9(2)(h)

52. s 9(2)(h)

s 9(2)(h)

53. s 9(2)(h)

54.

55.

56.

Safeguards around potential use of income and asset testing

57. Many submitters proposed either that income and asset testing should not be allowed by Support Programmes, or that a programme including them should be subject to Parliamentary confirmation.
58. We provided options to reflect this commitment in the Bill in a targeted way. Given the complexity of the policy issues to work you have provided direction to not progress this, and instead to provide for a consultation provision that would require consultation on any proposed changes to means-testing (see paragraph 10 above).

Providing a mechanism for an independent review of decisions

59. Submitters raised concerns that the Bill limits the ability of DSS users to challenge decisions about eligibility and funding allocations. The retains existing internal and external review and challenge mechanisms outside of the specified allegations relating to paid family care.
60. Submitters also raised concerns about the lack of an independent review mechanism. We are aware that the absence of a formal decision review process within DSS has created issues, such as contributing to the number of people seeking to challenge decisions through the courts. Other systems, including ACC and the welfare system, have formalised mechanisms. This provision was intended to be included in Phase 2 legislation for DSS.

61. The Committee directed officials to provide advice on options for including a provision in the Bill for an independent complaints and review mechanism. As discussed at our meeting on 1 July 2026, we do not recommend that the departmental report recommends introducing an administrative complaints and review process at this stage. Instead, it would be preferable to allow sufficient time to design a fit-for-purpose review system as part of Phase 2 of the DSS legislation.

Additional advice requested by the Committee

62. Part 3 of the Departmental Report includes responses to the questions asked by the Select Committee members. This includes:
- 62.1. A comparison of the costs of residential care and community care
 - 62.2. A comparison of costs for carers with ACC
 - 62.3. DSS's current authorising mechanisms underpinning programmes and settings
 - 62.4. An explanation of current means-testing provisions within the system
 - 62.5. Individual review and complaints mechanisms (discussed above)
 - 62.6. A review of the Act in five years (discussed above)
 - 62.7. An explanation of the Carer Support Package.

Next steps

63. The Departmental Report was provided to the Clerk of the Committee on Monday 6 July. The Select Committee considered the Departmental Report 8 July 2026, and directed PCO to draft the revised tracked version of the Bill. We provided your Office with an update on the Select Committees consideration.
64. The Select Committee is due to report back to Parliament on 13 August 2026.

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Appendix 1

Rec No.	Clause	Recommendation	Rationale
1.	4	Amend the definition of disability support services to clarify the reference to “financial assistance”. [See cl 11]. The intent of this is to make clear that it includes goods, services, facilities, and financial assistance for goods, services and facilities (e.g. flexible funding, and references DSS funding policies)	Clarification and workability
2.	4	Amend the definition of DSS-funded disability support services to exclude: services for people who are transitioning out of services provided under the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 and into the community services (other than the provision of support to manage flexible funding) related to the administration of: 1. a direction given under section 10 2. a programme approved and established under section 11 3. any policy or programme established by the Crown before the commencement of this Act, as amended from time to time by the Minister under clause 8 of Schedule 1 services related to improving or assuring the: 4. quality of disability support services funded directly or indirectly under such a direction, programme, or policy 5. safety of eligible people	Clarification and workability

		provision of information about disability support services.	
3.	8	- clarify that families are generally expected to contribute toward the wellbeing of disabled people. This contribution is alongside the contribution that DSS makes. The policy intent for drafting this amendment is to clarify: - Family involvement may not be available, appropriate or safe in all circumstances - There are no new obligations upon adult disabled people to seek resources from family members, or on their family members to provide it - DSS recognises the diversity of disabled people's lives and DSS-funded support services are tailored to an individual's needs and circumstances - This speaks to access or allocation of services rather than system-eligibility - clarify that DSS should take the resources and support available to an eligible person into account where and to the extent appropriate when allocating supports, and does not require an eligible person to exhaust all resources available to them, including through family members, before being provided with DSS-funded support. The policy intent is that this will clarify that DSS-funded disability support services are tailored for an individual based on their unique needs and circumstances	Respond to submitters' concerns
4.	8	Insert new principles with the intent that the Ministry and contracted providers must take into account an eligible person's: - choice, including where the eligible person requires support to communicate or express their preference - Safety and dignity, including transitions for life stages	Respond to submitters' concerns

5.	8	Make it clearer the Minister to take into account the principles in 8(2) when approving or establishing a ministerial programme under clause 11. The principles are (summarised): family contribution, use of other resources, choice (new), safety and dignity (new).	
6.	11	Clarify how Support Programmes may allow for services to be delivered under them. This would provide for Support Programmes to specify one or more ways in which disability support services may be provided under the programme, which may include but are not limited to: • a flexible funding arrangement • commissioning a person to provide disability support services for an eligible person or for a class of eligible people • making payments to persons who provide disability support services to an eligible person who is their family member or who is otherwise in a close social relationship with them [noting this is currently at 11(2)(b)(iii)]	Respond to submitters' concerns
7.	11	Insert a new provision in clause 11 to provide that the Minister take into the account outcomes for disabled persons when establishing a ministerial programme. The broad outcomes would be listed, for example: <i>Disabled people have independence and choice in their lives, have opportunities to make decisions about their everyday lives, such as how they participate in their communities, and the goals they pursue</i>	

8.	11	Amend the non-exhaustive list of criteria at cl 11(3) to add “eligibility for a particular entitlement card issued under regulations made under s 437 of the Social Security Act”.	Clarification and workability
9.	11	Amend clause 11 to provide that the Minister must consult with representatives of disabled persons when making a Support programme. The Minister would consider as appropriate which representatives of disabled persons and or representative groups to consult with. The Minister would not need to consult if: • correcting an error or omission made in approving and establishing a Support Programme or making an amendment to a Support Programme that does not change the effect of the Support Programme. • providing for the administration of the programme and in the Minister’s determination are unlikely to affect eligible people • convey only benefits to the eligible person (eg, allow for an adjustment of residential care funding to recognise increases in costs). The policy intent is to clarify that failure of comply with the consultation requirements does not affect the validity of the Support Programmes. This consultation requirement would apply to all aspects of Support Programmes – including income and asset testing settings.	Respond to submitters’ concerns
10.	12	Replace “care” with “disability support services”	Clarification and workability

11.	13	Amend clause 13 to more clearly state the relationship with section 6 of the Employment Relations Act 2000, including by providing that the written agreement referenced in clause 13(2) is conclusive proof for the purpose of clause 13 that the individual is an employee of the Crown.	Coherence with employment law
12.	14	More clearly state the relationship with section 6 of the Employment Relations Act 2000, including providing that the written agreement referenced in clause 14(2) is conclusive proof for the purpose of clause 14 that the individual is an employee of the contracted provider.	Coherence with employment law
13.	16	Provide the employees and officers of contracted providers are also not persons involved in a breach of employment standards relating to certain carers.	Clarification and workability
14.	Sch 1 cl 1	The definition of “specified allegation” to refer to the commencement date rather than the introduction date	Clarification and workability
15.	Sch 1 cl 1	The definition of “3-year transition period” is amended to refer to a 5 year period, and applied across schedule 1 to all references to the transition period or a 3-year period (except Schedule 1 clause 5)	
16.	Sch 1 cl 2	Refer to an employment agreement between an eligible person and a paid family carer	Respond to submitters’ concerns
17.	Sch 1 cl 3	Clarify the circumstances in which bargaining is not unfair	Coherence with employment law

18.	Sch 1 cl 3	Clarify when amendments made to an employment agreement during the transition period are also not unfair bargaining	Coherence with employment law
19.	Sch 1 cl 3	Clarify that the provision should not apply to any amendments made to an employment between a disabled person with decision-making capacity and a paid family carer, or a welfare guardian or attorney and a paid family carer	Coherence with employment law
20.	Sch 1 cl 5	Clarify that the employment relationship is between an eligible person and their paid family carer	Coherence with employment law
21.	Sch 1 cl 5	Amend to define “excess hours” to clarify along the lines of any work or availability for work undertaken by a paid family carer employed by a disabled person that is above the hours for which DSS funding policy and/or support programme for which DSS funding is provided for	Coherence with employment law
22.	Sch 1 cl 6	Allow the Ministry or a contracted provider to make a new decision relating to clause 6(1) identification of temporary representatives at any time, taking into account: • Any regulations made under the Health and Disability Commissioner Act 1994 • Any internal policies • The disabled person’s safety and dignity	Clarification and workability
23.	Sch 1 cl 6	Provide for a replacement process for the temporary representative (A) during the transitional period if it is the will and preference of the disabled person, or the temporary representative is no longer willing or able to act as a temporary representative. The replacement process will depend on another person being willing and able to fulfil the temporary representative role	Ensuring provisions are appropriately targeted and are workable

24.	Sch 1 cl 6	Amend to provide for situations where: • The Ministry or a contracted provider have received information such that it could have reasonably regarded A as acting on behalf of B; or • The Ministry or a contracted provider have received information such that it could have reasonably regarded B as not competent to make an informed choice and give informed consent regarding their disability support services, and the Ministry or a contracted provider could therefore have regarded A as acting on behalf of B	Clarification and workability
25.	Sch 1 cl 6	Provide that the temporary representative ceases to be able to act on behalf of the disabled person in the event that the disabled person regains or develops capacity to make decisions about disability support services	Ensuring provisions are appropriately targeted
26.	Sch 1 cl 10	Clarify claims alleging that an employee or officer of a contracted provider is a person involved in a breach are extinguished	Clarification and workability
27.	Sch 1 cl 12, 13, 14 and 15	Amend so that the bar is only against aspects of proceedings, or allegations within a complaint, that are wholly, or in part, about a specified allegation	Ensuring provisions are appropriately targeted
28.	Sch 1 cl 11	Clarify that claims alleging that an employee or officer of a contracted provider is a person involved in a breach are barred	Clarification and workability
29.	Sch 1 cl 11	Amend to refer to the commencement date rather than the introduction date	Clarification and workability

Consequential Amendments

We recommend:

- ss 67(d), 72(d), 86(1)(b)(ii) and 96(2) of the Social Security Act 2018, to clarify that each section applies whether care or costs are funded under the Pae Ora (Healthy Futures) Act 2022 (POHF Act), or the DSS Bill
- r 162 of the Social Security Regulations 2018 (SS Regulations), to clarify that it applies whether care is funded under the POHF Act or the DSS Bill
- cl 5 of sch 8 of the SS Regulations, r 3 of the Public and Community Housing Management (Prescribed Elements of Calculation Mechanism) Regulations 2018, r 2 of the Student Allowances Regulations 1998, and cl 2 of sch 3 of the Residential Care and Disability Support Services Regulations 2018, to clarify that the definition of disability support services extends to disability support services as defined under the DSS Bill
- s CW 52B of the Income Tax Act 2007 Act, to clarify that it extends to payments made by the Ministry, and that the definition of disability support services extends to disability support services as defined under the DSS Bill.

Following the consideration of the departmental report the committee requested further amendments:

- An option to include a provision that the Minister to ensure there is a review of operation of the Act within five years of commencement and table the report to the House.
- Making clearer that the definition of 'family member' in the Bill is distinct from the use of the term 'family' in Clause 8. This is to mitigate the risk that the meaning of the term 'family' is limited to mean how 'family member' is defined in the Bill.
- The consultation provision in Clause 11 will make clearer that disabled people are consulted **through** their representative organisations. This is to avoid a perception that disabled people themselves would be excluded from those consultations.