



Cabinet Legislation Committee

Minute of Decision

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Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2023

Portfolio **Social Development and Employment**

On 18 September 2023, the Cabinet Legislation Committee, having been authorised by Cabinet to have Power to Act [CAB-23-MIN-0446]:

- 1 **noted** that the Minister of Finance, Minister for Social Development and Employment, and Minister of Housing (Joint Ministers), under Power to Act authorised by Cabinet [CAB-23-MIN-0312], have agreed that the Temporary Accommodation Assistance (North Island Weather Events) Programme (NIWE TAA Programme) be expanded to cover not only the 2023 North Island severe weather events, but also heavy rainfall in the Whakatū/Nelson, Te Taihu-o-te-waka/Marlborough, and Te Tai-o-Aorere/Tasman districts between 17 and 20 August 2022 (the Nelson Floods);
- 2 **noted** that to give effect to this decision, the NIWE TAA Programme will be amended to:
 - 2.1 rename it to the Temporary Accommodation Assistance (Severe Weather Events) Programme (SWE TAA Programme);
 - 2.2 define “affected premises” to include the Whakatū/Nelson, Te Taihu-o-te-waka/Marlborough, and Te Tai-o-Aorere/Tasman districts;
 - 2.3 rename and define “severe weather events” to include the Nelson Floods;
 - 2.4 clarify the definitions of “household” and “temporary accommodation costs”;
 - 2.5 make minor editorial changes and add in sections of the Social Security Act 2018 to apply as if assistance under this programme were a benefit, which were inadvertently omitted in the NIWE TAA programme;
 - 2.6 make consequential changes required as a result of the above amendments, keeping all other policy settings the same;
- 3 **noted** that changes to accommodate the amendments in paragraph 2 above are required to the Social Security Regulations 2018, which include updated or new definitions for “severe weather events”, “temporary accommodation costs” and “qualifying tenancy” to align the regulations and the SWE TAA Programme;

- 4 **noted** that Cabinet previously agreed to amend the Social Security Regulations 2018 to provide that:
- 4.1 the NIWE TAA is not chargeable income for Temporary Additional Support;
- 4.2 people who receive the NIWE TAA cannot also claim their temporary accommodation costs as an allowable cost for Temporary Additional Support;
- [CAB-23-MIN-0312]
- 5 **noted** that the Social Security (Temporary Additional Support—North Island Weather Events TAA Programme) Amendment Regulations 2023 gave effect to the changes in paragraph 4 above;
- 6 **noted** that Joint Ministers agreed to amend the Social Security Regulations 2018 to provide for the updated SWE TAA Programme and include necessary definitions to apply the TAA to the Nelson Floods, which would ensure:
- 6.1 the Nelson TAA payments are not chargeable income for Temporary Additional Support;
- 6.2 people who receive the Nelson TAA payments cannot also claim their temporary accommodation costs as an allowable cost for Temporary Additional Support;
- 7 **noted** that the Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2023 will give effect to the decision referred to in paragraph 6 above;
- 8 **noted** that the Minister for Social Development and Employment previously agreed to amend the Ministerial Direction in relation to Special Benefit to exclude NIWE TAA Programme payments as chargeable income for the grand-parented Special Benefit;
- 9 **noted** that the Minister for Social Development and Employment has agreed to further amend the Ministerial Direction in relation to Special Benefit to exclude SWE TAA Programme payments as chargeable income for Special Benefit;
- 10 **noted** that Joint Ministers, recommend waiving the 28-day rule for these amendments to the Social Security Regulations 2018 as the changes confer only benefits on individuals;
- 11 **agreed** to a waiver of the 28-day rule;
- 12 **authorised** the submission to the Executive Council of the Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2023 [PCO 25816/4.0].

Sam Moffett
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Andrew Little
Hon Ginny Andersen
Hon Barbara Edmonds
Hon Willow-Jean Prime
Hon Rachel Brooking
Hon James Shaw
Tangi Utikere, MP

Officials present from:

Office of the Prime Minister
Officials Committee for LEG