



Cabinet Legislation Committee

Minute of Decision

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Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2024

Portfolio **Social Development and Employment**

On 21 March 2024, the Cabinet Legislation Committee:

- 1 **noted** that:
 - 1.1 in July 2023, the previous government authorised the Minister of Finance, Minister for Social Development and Employment, and Minister of Housing (Joint Ministers) to have Power to Act to take decisions on extending or expanding the Temporary Accommodation Assistance (Severe Weather Events) Programme (TAA Programme) and any related financial decisions [CAB-23-MIN-0312];
 - 1.2 joint Ministers have agreed that the TAA Programme be expanded to support additional displaced homeowners in genuine need who did not previously meet one or more specified eligibility criteria;
- 2 **noted** that to give effect to the decision in paragraph 1.2 above, the TAA Programme will be amended to include:
 - 2.1 eligibility for more homes that are uninhabitable due to damage by the severe weather events (by allowing additional evidence to be considered and no longer being limited to a council-issued red or yellow placard only);
 - 2.2 eligibility for more temporary accommodation agreements, such as boarding, house sharing and commercial accommodation agreements, so that the TAA Programme is no longer limited to a tenancy to which the Residential Tenancies Act 1986 applies;
 - 2.3 eligibility for more kinds of qualifying temporary accommodation costs, to align with the amended policy setting in paragraph 2.2 above;
 - 2.4 discretion for the Ministry of Social Development to grant TAA payments to applicants who:
 - 2.4.1 did not have a policy for temporary accommodation insurance cover due to circumstances outside their control;
 - 2.4.2 did not receive temporary accommodation insurance cover due to the nature of the damage caused to their home by the severe weather event (for example, where the land was damaged but not the house);

- 2.5 an amendment to the previously available lump sum hardship payment (which was designed to support applicants with a gap in their financial support prior to the TAA Programme being in force) to ensure it can be granted to newly eligible applicants (to support applicants for costs incurred prior to the implementation of the amended Programme, as far back as 1 January 2024);
- 2.6 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 (the Regulations), which will include updated or new definitions for “qualifying temporary accommodation” and “temporary accommodation costs” to align the Regulations and the TAA Programme;
- 4 **noted** that an additional amendment to the Regulations is required to close off a possible loophole identified in the TAA Programme, which will ensure that arrears incurred in accommodation costs while a person is in receipt of TAA Programme payments are not treated as an allowable cost for Temporary Additional Support;
- 5 **agreed** to amend the Social Security Regulations 2018 to give effect to paragraphs 3 and 4 above, to ensure:
- 5.1 the amended TAA Programme payments are not chargeable income for Temporary Additional Support;
- 5.2 people who receive the amended TAA Programme payments cannot also claim their temporary accommodation costs as an allowable cost for Temporary Additional Support;
- 5.3 people who incur arrears in accommodation costs while receiving TAA Programme payments cannot claim those arrears as an allowable cost for Temporary Additional Support;
- 6 **noted** that the Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2024 will give effect to the decision in paragraph 5 above;
- 7 **authorised** the submission to the Executive Council of the Social Security (Temporary Additional Support—Severe Weather Events TAA Programme) Amendment Regulations 2024 [PCO 26133/12.0];
- 8 **agreed** to waive the 28-day rule as the regulatory changes confer only benefits on individuals.

Rebecca Davies
Committee Secretary

Attendance: see over

Present:

Rt Hon Winston Peters (Chair)
Hon Brooke van Velden
Hon Dr Shane Reti
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Mark Mitchell
Hon Todd McClay
Hon Tama Potaka
Hon Melissa Lee
Hon Nicole Mckee
Hon Simon Watts
Hon Penny Simmonds
Hon Chris Penk
Hon Scott Simpson
Todd Stevenson, MP
Jamie Arbuckle, MP

Officials present from:

Officials Committee for LEG
Office of the Leader of the House