

29 June 2022

#### Tēnā koe

On 17 May 2022, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

• I request all records that are or contain instructions, guidelines, advice, decisions, or determinations furnished by or to Ministry of Social Development staff and relating to any standards, judgments, criteria, or measures to be applied or not, as the case may be, in determining satisfaction of the "Residency requirements for New Zealand benefits and pensions" test set forth at https://www.workandincome.govt.nz/pensions/travelling-ormoving/moving-to-nz/residency-requirements-for-new-zealandbenefits-and-pensions.html.

On 15 June 2022, you were advised that more time was required to provide a response, and that a response would be sent on or before 30 June 2022.

In the spirit of transparency, the Ministry's policies, as applied by Ministry staff, for types of assistance that have residency requirements are outlined on the Ministry's website. The residency requirements for benefit and pension entitlement are underpinned by legislation set out in the Social Security Act 2018 and the New Zealand Superannuation and Retirement Income Act 2001. This legislation can be found here:

Social Security Act:

https://www.legislation.govt.nz/act/public/2018/0032/latest/whole.html

New Zealand Superannuation and Retirement Income Act 2001: <a href="https://www.legislation.govt.nz/act/public/2001/0084/latest/whole.html">https://www.legislation.govt.nz/act/public/2001/0084/latest/whole.html</a>

For New Zealand Superannuation, the requirements are further broken down here:

https://www.workandincome.govt.nz/map/income-support/main-benefits/new-zealand-superannuation/residency-01.html.

Regarding the Veteran's Pension, this information is available here:

https://www.workandincome.govt.nz/map/income-support/main-benefits/veterans-pension/deciding-ordinarily-resident-01.html

Regarding Jobseeker Support, this information is available here:

https://www.workandincome.govt.nz/map/income-support/main-benefits/jobseeker-support/deciding-ordinarily-resident-01.html

Regarding all other types of assistance which have residential requirements, you can view relevant information

- by accessing <a href="https://www.workandincome.govt.nz/map/">https://www.workandincome.govt.nz/map/</a>,
- clicking on 'advanced search' at the top of the page,
- entering, for example, the phrase "ordinarily resident" (with quotation marks) into the 'All with all of these words' field, and
- adding another term or phrase in quotation marks regarding a specific type of assistance into the same field, e.g. "youth payment".

This would show all types of assistance where being 'ordinarily resident' is a requirement. Similarly, you may repeat this search with the phrase "lawfully resident", "present" and "period of residence" in order to cover all requirements of the residential test.

With regard to New Zealand Superannuation, the Ministry's policy, as set out in legislation, has been subject to the following recent court decision:

 https://www.courtsofnz.govt.nz/assets/cases/2015/sc-10-2015greenfield-v-ministry-of-social-development-civil-judgment.pdf

The Social Security Appeal Authority has also released a relevant decision:

 https://www.justice.govt.nz/assets/Documents/Decisions/2020-NZSSAA-5.pdf.

The High Court of New Zealand has issued several judgments on this subject within the past decades, for example:

Wilson v The Social Security Commission – A M265/84

- Carmichael and Carmichael v The Director General of Social Welfare M 1540/93
- S and K v The Chief Executive of the Ministry of Social Development CIV 2011-485-60

These decisions are currently not publicly available on the internet. Please contact the High Court if you wish to be provided with a copy of these decisions.

With regard to New Zealand Superannuation, the Ministry also holds two training documents (New Zealand Superannuation – The Application Form – Facilitator's Guide, and the PowerPoint presentation "New Zealand Superannuation (NZS) Overview"). These documents have been enclosed. They provide guidance to staff members on understanding New Zealand Superannuation and processing applications, including how to assess residency for the purposes of determining entitlement.

The Ministry holds further records that may refer to residency requirements, however, these would not be current operational policy, are not centrally held and would require substantial manual collation to provide. A random search, for example, for the term 'ordinarily resident' through the Ministry's relevant system records shows thousands of results which would need to be reviewed for relevance. This is because many types of assistance have had residency requirements throughout the years, and over time, various staff members created numerous records that relate to these requirements.

To search for further records that may be relevant to your request or of interest to you, the Ministry would need to divert personnel from their core duties and allocate extra time. The diversion of these resources would impair the Ministry's ability to continue standard operations and would be an inefficient use of the Ministry's resources. As such, this aspect of your request is refused under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

The Ministry has considered whether it would be able to respond to the request given extra time, or the ability to charge for the information requested. The Ministry has concluded that, in either case, its ability to undertake its work would still be prejudiced.

Should you require further details regarding the residency requirements of a specific type of assistance, we invite you to make an appropriately refined request, for example, by requesting specific information regarding a specific type of assistance, and a time period which limits the scope of your request.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter on the Ministry's website. Your personal details will be deleted, and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA Requests@msd.govt.nz.

If you are not satisfied with this response regarding residency requirements, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at <a href="https://www.ombudsman.parliament.nz">www.ombudsman.parliament.nz</a> or 0800 802 602.

Ngā mihi nui

**Bridget Saunders** 

Manager Issue Resolution Service Delivery

Bridget Saunders

# New Zealand Superannuation

# THE APPLICATION FORM FACILITATOR'S GUIDE







**Trainer instruction:** For this module make sure you have given the trainees copies of the NZS paper form for new clients so they can read it as you go along, a copy of the checklist and make sure you have emailed the NZS residence extended calculator, the email templates, links to the Seniors homepage in Doogle for the notes templates etc. It would also help to have found an NZS OLA beforehand to show them what the online version looks like (these are easy to find if you search through the SSC – Online NZS queue in CMS).

### Introduction

This module will introduce you to the information requested in the New Zealand Superannuation forms. It's important that you are familiar with the content of the forms, what a client is being asked to provide detail on and why, and what supporting documentation/identification is required.

The forms may be received in the form of the traditional paper application, or via the online channel. The questions asked are the same across both forms – but the lay-out and order is slightly different and how clients accept the obligations is usually digitally in the online form.

The ID processing standards we are currently using are from 12 April 2021. They are subject to change so make sure you keep up to date with the current expectations for how documents are received and/or if COVID-19 standards are in place.

### Identification

**Trainer instruction:** Disclaimer that the ID standards have changed a lot on short notice lately due to COVID lockdowns. The current version in Doogle is from 12 April 2021 and should be bookmarked, but if COVID rules apply show trainees how to access them. Bring up the Processing Standards. If they are at their PCs, get them to bookmark.

Identification standards for NZ Super applications depend on where the client was born.

Clients must however provide:

- 1. One form of "Identity Exists" identification (aka primary ID)
- One form of "Supporting the Identity" documentation or a second primary ID

If a client is unable to provide at least 1 form of primary ID at the time of application, but can provide 2 supporting, we can go ahead with the grant but give the client 28 days to obtain and supply a piece of primary ID. For more information, see the processing standards in Doogle.

The ID documents required depend on if the client is applying for NZS as:

- > A new client who has never received financial assistance from MSD before
- A current client who is transferring from an existing payment to NZS
- A client who had been in receipt of payments from MSD in the past

Any identification documents already scanned in CMS can be re-used. If we hold nothing, full ID is required for clients who are applying for on-going assistance for the first time. This is detailed below.

If ID is already scanned, to re-use it you must contact the client to get them to verbally confirm details of the ID (i.e. get the client to confirm a passport or drivers licence number).

#### **Identity Exists for New Zealand born clients**

When a client was born in NZ, their residency status is that of a NZ born citizen. Their "Identity Exists" document must be <u>central government issued</u> and must include their name and date of birth on the *same* document.

**Trainer instruction:** Explain what is meant by central govt issued and re-iterate that the name and DOB must be on the same document. Marriage certs that only show age at marriage don't count. Also, children's birth certs don't count even though the parents' names and DOBs are listed as the document isn't issued for the client, but for the child.

Acceptable documents include (but are not limited to) birth certificates, passports, driver's licences, deed poll documents, etc.

If the client has been known by any other name (i.e. birth name – now known by a married name) – we need to make sure we add previous names as aliases in CMS.

### **Identity Exists for overseas born clients**

If a client was born overseas, their "Identity Exists" document must show that they have NZ Citizenship, Permanent Residence or a Residence Class Visa. For overseas born clients their Identity Exists document must be one of the accepted documents listed in MAP.

Acceptable documents are:

- New Zealand Passport
- > passport from another country endorsed with permanent residence in New Zealand
- Certificate of Citizenship or Refugee status
- Certificate of Identity
- for Australian clients, full Australian Birth Certificate, Passport, or Proof of Residence
- for Cook Island, Tokelauan and Niuean clients, full Birth Certificate, Letter of Confirmation, Certificate of Registration, or Naturalisation
- Confirmation of Permanent Residence letter from the New Zealand Immigration Service

**Trainer instruction:** Only NZ citizens can have a NZ passport. If the client has provided another country passport, we're looking for the Visa endorsement page showing the visa held and any conditions on it.

A NZ Drivers Licence can't be accepted as primary ID for someone born overseas as it doesn't show the client's residency status. If necessary and the client is struggling to get proof of their status, we can get their permission to contact Immigration NZ for travel movements and visa summaries which will show their status (they contain name and DOB too – and are central govt so meet the ID requirements).

Australian citizens automatically have a residence class visa in NZ which is why we can accept proof of Australian birth/citizenship.

### **Supporting the identity**

Supporting documents must have details that match the client's "Identity Exists" document. Identity Exists documents can be used as supporting documents as well if a client provides more than one or if existing ID has been scanned previously.

#### **Identification requirements for the client's partner**

As of 9 November 2020, if the client is in a relationship, they only need to provide the same ID for the partner as for themselves if they are applying for extra help for their family (i.e. Accommodation Supplement) or if the partner isn't New Zealand born.

This requirement may be questioned by clients. If asked, you can use the scripting below to explain why their partner's ID is required:

Why do we need identification documents for partners who aren't claiming?

It makes sure that we pay clients the correct rate from the correct date.

NZ Super is paid to clients based on age and residence, but also their marital status and the residency status of their partner.

To get it right, we need to make sure we know who your partner is, what payments they may be receiving, and whether or not they have permanent residence, citizenship or a resident class visa – as this can change how much you're paid.

Once we hold the identity documents in our system for your partner, they don't need to provide them again and can use them as ID for their own future payments.

Note: If the client refuses to provide partner ID or have them sign the privacy statement, this will not stop you from granting their NZ Super. Any extra help entitlement would have to be considered further.

#### Client alias

In their application, the client must record their:

- birth name (the name they were registered at birth with, or the name they may have changed through Deed Poll)
- the name they wish to be known as by Work and Income, or Senior Services
- any previous names they have used or been known by

The only identification documentation required is the documentation for the client's current name. We need to make sure we are noting all names in CMS as evidence.

**Trainer instruction:** For example, Joanne Smith is married and has taken her husband's name, but was known as Joanne Brown at birth, and was married previously and known by the name Joanne Brown-Shipley. The ID must show the name Joanne Smith, and the aliases Brown and Brown-Shipley must be added as evidence in CMS as "Known As".

### **Data Matching**

The Integrity Intervention Centre (IIC) runs an identity match with the Department of Internal Affairs daily to match the identity of NZ born applicants against the NZ Births Register.

If we have added the client's birth name as evidence and this passes the match, no further action will be required.

If we miss a name change (i.e. a married woman doesn't note her maiden name) – the client's record may fail the match and follow up action will be needed. This is usually done by IIC.

### **Incomplete forms**

The NZ Super form is available as an editable form to be completed over the phone with a client. This form is NOT to be emailed to clients to fill in by themselves. This allows us some flexibility when a client hasn't filled in the form enough – we can confirm a lot of information over the phone if necessary.

If we fill in an editable form we have to send the client a copy of what we've captured so they can see what information we have recorded. This can be via email or printed out and posted if the client doesn't have email. It gives the client the opportunity to correct us if we have something wrong.

### The application - new client

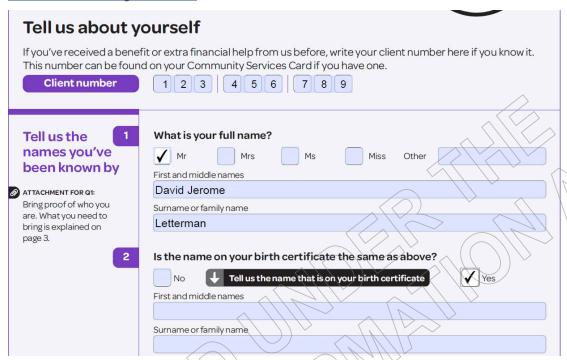
#### Checklist

#### For your partner What you Proof of who you are: For you (if you have one) need to If you were born in New Zealand, bring one type of official provide identification that has your full legal name and your date of birth (for example, your birth certificate, passport, driver licence, firearms licence, deed poll). INFORMATION NOTE: Documents need to be originals, or copies of If you were born overseas, bring proof that you have a right documents that have to live in New Zealand (for example, a citizenship certificate, been certified as a true a New Zealand passport, a passport from another country copy by a Solicitor/Lawyer. Notary Public, Registrar with residence class visa or proof of permanent residence). of the Court or Justice of the Peace. If your name has changed, bring your marriage certificate, deed poll, or other proof of the name change. All people applying need to bring two more documents that help to prove who you are (for example, a marriage certificate, bank statement, phone or power account, driver If you're using your residence in the Cook Islands, Niue and/or Tokelau to qualify for NZ Super you need to provide proof of the time you lived in those countries. Proof of your bank account, such as a bank statement or deposit slip showing the account name, account number and bank logo. If you have to write any of these details yourself, you need to get the bank to stamp and sign the statement or slip. One of the documents above must be at least two years old.

The form contains a thorough checklist for the client to advise what documents they'll need to provide – however, how a client interprets these requirements may be different to what we actually need. The form has NOT been updated with the current interim ID standards so please bear this in mind when asking clients for information.

i.e. the 2 year history is no longer valid. Clients no longer need to provide proof of name changes – but do need to list all names.

### Tell us about yourself

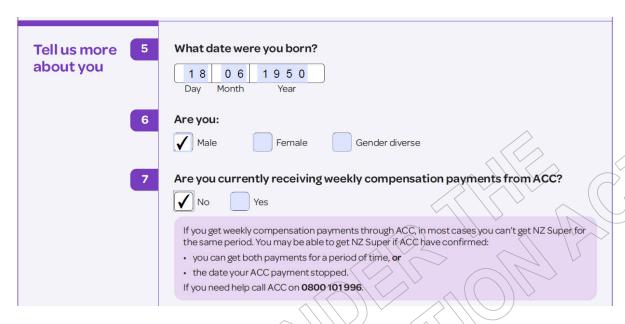


The first page relates entirely to the client's SWN and name.



All aliases will be added to CMS in the Name & Aliases menu in the Evidence section and it is important that clients advise us of all names they have been known by.

**Trainer instruction:** Chat about why they think it's important to have all aliases noted – what could be happening? Look for benefit fraud, or multiple SWNs being used incorrectly.



The client's birth date must match the identification they provide.

If the client has indicated that they currently receive an ACC payment, they need to make sure that they have advised their ACC case manager, as they can only receive both payments for a maximum of 2 years under certain circumstances before their ACC payments stop. If they receive ACC payments and need extra help, this may impact their entitlement. For more information about this – Doogle search "ACC" and find the ACC tables and the NZ Super specific scenarios.

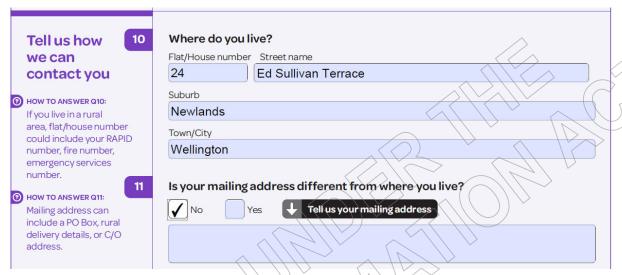
**Trainer instruction:** Show them the ACC NZS weekly compensation page and go through the scenarios. Show them the ACC example letter (ACC 65 letter) to show that ACC actually do monitor when the payment should stop so as long as the client knows to tell their ACC case manager that they're on NZS – it shouldn't be an issue and we shouldn't hold up an NZS grant if we don't receive verification.



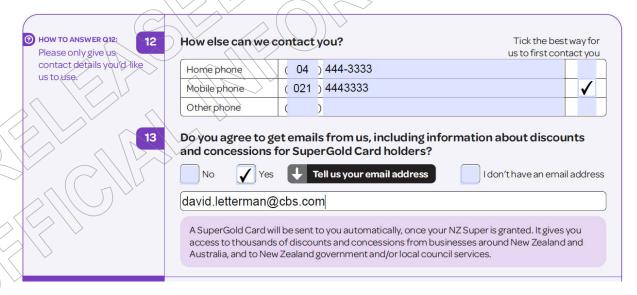
Clients do not need to provide verification of their IRD number, or something from IRD to verify the tax code they have selected unless they have chosen a Tailored Tax code (TTC – referred to as an STC on the 2020 version of the application). If the client is unsure of what tax code to use, there is a tax code selection flow chart which can be used.

**Trainer instruction:** Go through some examples of income scenarios to get them to practice using the IR tax code flowchart, i.e. Lois is applying for NZS at the married rate and has a part-time job earning \$250.00 gross a week. Find the gross married rate and compare – which is higher? Etc.

### Tell us how we can contact you



The client needs to advise their physical and postal addresses and all phone numbers/fax numbers/email address that they are happy to be contacted on.



If a client would like to receive information via email from us, they can advise us by ticking yes on question 13. This ensures clients who want to receive information and news relevant to Senior Services or SuperGold Card entitlements, will receive the emails when they're sent out by National Office.

#### CMS ➤ Service Delivery Case ➤ Evidence ➤ Super Gold Card Preferences



### Tell us about your ethnicity

Tell us your ethnicity	Tick the group(s) you most identify with.  Māori → Which tribe(s) or iwi?
INFORMATION FOR Q14:     We collect this information for statistics we use in research and	New Zealand European  Other European  Tokelauan  Tongan  Chinèse
future development work.	Cook Island Måori Other Please write below Don't want to answer

Clients do not have to answer this question - the information is gathered for statistical reasons only.

### Tell us about your residence status



17	What best describes you will be with the work of the w	our residence status in No	ew Zeala	and? Tick	only one box.
(i) HOW TO ANSWER Q18:	Granted New Zealand citizenship	Date citizenship granted Go to question 18	Day	Month	Year
If you were under 20 years old when you first arrived in New Zealand, we can accept an approximate date	Granted permanent residency	Date permanent residence granted  Go to question 18	Day	Month	Year
of arrival. If you were over 20 and aren't sure of the actual date, talk to us and we can decide whether the date	Other	<b>↓</b> What is your residence s	tatus?		

To receive NZ Super a client must be a citizen, permanent resident or hold a resident class visa. If a client was born anywhere other than NZ, their identity documents must show proof of their NZ residency status.

Trainer instruction: Find the "Clients from overseas" page in MAP (Income support) Main benefits | New Zealand Superannuation | Qualifications | Residency | Clients from overseas). Discuss British clients and the way clients can prove they were resident in NZ prior to 2 April 1974 if they don't have official verification because they never contacted Immigration – i.e. school records, marriage details, etc.

If the client meets the 10 year/5 year criteria by more than four years for each (i.e. 14 and 9), the client would not need to provide any further information about holidays or short duration absences. However, we should double check with overseas born clients (see next page).

The table below will show you if verification of absences is required.

$\rightarrow$	$\rightarrow$	→ Years in NZ since 50									
	\ \ \										
Years in NZ between 20 - 50	5	6	7	8	9	10	11	12	13	14	15
	/					10	11	12	13	14	15
// 1					10	11	12	13	14	15	16
2				10	11	12	13	14	15	16	17
3			10	11	12	13	14	15	16	17	18
>		10	11	12	13	14	15	16	17	18	19
5	19/	11	12	13	14	15	16	17	18	19	20
6	11	12	13	14	15	16	17	18	19	20	21
	12	13	14	15	16	17	18	19	20	21	22
8	13	14	15	16	17	18	19	20	21	22	23
9	14	15	16	17	18	19	20	21	22	23	24
10	15	16	17	18	19	20	21	22	23	24	25
11	16	17	18	19	20	21	22	23	24	25	26
12	17	18	19	20	21	22	23	24	25	26	27
13	18	19	20	21	22	23	24	25	26	27	28
14	19	20	21	22	23	24	25	26	27	28	29
15	20	21	22	23	24	25	26	27	28	29	30
16	21	22	23	24	25	26	27	28	29	30	31
17	22	23	24	25	26	27	28	29	30	31	32
18	23	24	25	26	27	28	29	30	31	32	33
19	24	25	26	27	28	29	30	31	32	33	34
20	25	26	27	28	29	30	31	32	33	34	35
21	26	27	28	29	30	31	32	33	34	35	36
22	27	28	29	30	31	32	33	34	35	36	37
23	28	29	30	31	32	33	34	35	36	37	38
24	29	30	31	32	33	34	35	36	37	38	39
25	30	31	32	33	34	35	36	37	38	39	40

26	31	32	33	34	35	36	37	38	39	40	41
27	32	33	34	35	36	37	38	39	40	41	42
28	33	34	35	36	37	38	39	40	41	42	43
29	34	35	36	37	38	39	40	41	42	43	44
30	35	36	37	38	39	40	41	42	43	44	45

Depending on the answer, the client will fall into one of three groups:

- i. When the total number of years a client has lived in NZ (calculated from number of years between 20 and 50, and number of years since 50) falls into the red zone in the table we will ask a client to advise of all absences from NZ during the affected period, including holidays, and to verify these absences. You can request details from Immigration if the client is unable to provide this information but you must obtain the client's permission.
- ii. When the number calculated falls into the orange zone, we will ask a client to advise dates of all absences, and we may ask them to verify based on other factors which could include random screening in the future. This is generally treated in the same way as a red zone client.
- iii. Where the period of time a client has lived in New Zealand falls in the green zone, they will not be asked to provide any further information regarding absences.

#### Residency Tips

An Immigration print out should show a list of all the client's entries and exits from New Zealand.

They will also show what kind of visa/permit the client entered on, if there was an expiry on that visa/permit and how many days were in New Zealand before the next departure.

When you're assessing travel movements – there are some things you must consider when assessing the client's 10/5 year residency requirement:

You can only include time on a lawful visa or permit. This includes where the visa or permit is temporary (i.e. – the client doesn't have to have had a permanent residence visa or citizenship).

BUT that time must have been **resident** and present. Resident means NZ was their home. Holidays should not be included as they are not residence – even if the client was lawfully here.

If the client was here temporarily and did not consider NZ to be their home and their future, then time in NZ, even if lawful, shouldn't be included. If you're unsure what the client's intention was during any time period – ask them.

If the client was on a temporary visa and considered themselves resident, the expiry date of the visa must be taken into account. Entries will show the visa type and expiry but won't tell you the visa status for the entire stay. i.e. if the client entered on a visitor's visa and stayed for 200 days but the initial visa expired after 90 days, you'd need to make sure the other 110 days had a legal visa.

- If INZ haven't provided a visa summary showing all the subsequent reapplications, then you'll need to ask for it. Any time in NZ without a valid visa would be considered unlawful and can't be used in the count.
- Some residence class visas have travel conditions on them meaning if they leave NZ their visa may expire.
- Check when the client declared they moved to NZ. If there is substantial time in the country before that date, check with the client what was going on. It may be that the client has given us the date they came here as a resident, or after a period of back and forth in order to set up home in NZ but considered NZ their home from an earlier date.
- Does the client have 10 years residence after 20, with 5 of those being after 50? They need 3650 days in total from 20, but 1825 of those must be from age 50. All 3650 can be after 50 if that's their situation.
- Use the traffic light to determine if you need to ask for verification of travel movements.
- If a client was born overseas it's best practice to phone them to discuss if there is any overseas residence that hasn't been declared (especially with the online application which only asks if the client has lived anywhere other than their country of birth and NZ it doesn't allow the client to tell us if they went BACK to their country of birth after initially arriving in New Zealand).

**Trainer instruction:** Source a real-life example to show them what the INZ print outs look like and how to use the residence calculator.

Discuss: The traffic light is for whether you need to request proof of travel movements. You will still need proof from overseas born clients that they had legal residence for 10/5 years. Just because a client was in NZ for more than 14 years, doesn't mean the whole period was legal. There are some things to consider before requesting further information – i.e., reciprocal residence where we have a Social Security Agreement with another country. Or that to have an NZ passport a client would have needed a minimum of 5 years on a Permanent Residence visa.

#### Consider a checklist:

- Is there a clear pattern of presence and residence?
- ✓ Did the client declare any time in a reciprocal country that could be used?
- ✓ Is the time in NZ on a permanent visa or temporary?
- ✓ For temporary visas, was the period actually residence, and was it covered entirely by time on a visa?
- ✓ Do you need to request more information about visa applications to determine the above?
- ✓ Does the client have 10 years after 20, with 5 after 50?

- ✓ Does the number of days on the INZ print out match the number of days in the residence calculator?
- ✓ Have you discussed with overseas born clients if any residence has been missed?

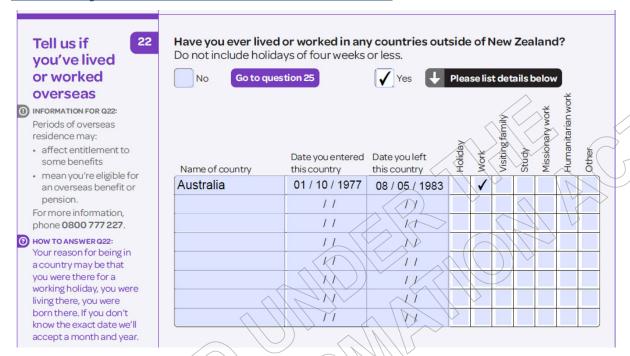


From 21 January 2019, clients who have 10 years residence in New Zealand after the age of 20 but don't have 5 years after the age of 50 because they were residents of Niue, Cook Islands or Tokelau can use their time in those countries to qualify for NZ Super.

Clients must have that residence verified. International Services can help the client with getting verification.

**Trainer instruction:** There is a Travel dates and residence information request form that IS can provide to clients to send themselves to the Immigration authority in Cook Islands/Niue. Tokelau may be difficult to get information from

### Tell us if you have lived or worked overseas



The client must list all periods where they have lived or worked outside of New Zealand and if they qualify or receive a pension from overseas, including details and verification of any overseas pension they receive.

If the client has indicated they had spent time overseas, this information will be entered into SORRI via CMS residence evidence so that International Services can consider the client for overseas pension testing. It may also affect the client's entitlement date.

Clients who are already in receipt of an overseas pension must provide information about the pension. In the form, they'll need to advise the name of the pension and the pension provider, plus how much they receive and how often – but verification from the pension provider is also required.

If the client has provided details of an overseas pension that they are already in receipt of, it will need to be added as a direct deduction from the date of grant before any payments are released.

	Do you get or qualify for a social security benefit, pension or allowance from overseas?
	You need to tell us this because your payments may be affected if you get or are eligible for an overseas pension or benefit.
	No Go to question 25 Don't know Go to question 25
	Yes Tick the box that best describes your benefit, pension or allowance  Retirement or old age Superannuation Disability or health
	Widow or survivor Child or dependent War related
	Other
ATTACHMENT FOR Q24: You'll need to show us proof of these payments, such as a	24 If you ticked 'Yes' for question 23, please give details of the payments you get.  Payment 1  Payment 2
pension certificate.	What country does the payment come from?
	How much do you get each time the payment is made (in overseas currency)?
	Is this amount before or after tax?
	How often do you get the payment (for example, weekly, fortnightly, monthly)?
	What is the name of your pension, allowance or benefit?
	What is the payment reference number?

**Trainer instruction:** International Services are a unit based at Kordia House who are responsible for the administration of overseas pensions. They are there to take care of the overseas pension side of things – more information on what they do to come.

### Tell us your bank details



The client must provide verification of their bank account details. The account must be a New Zealand account that is held in the name of the client (and their spouse if it's a joint account).

It should not be a trust account or a business account unless the account clearly shows the client's name in the title. If the client wants to use a Trust/Business account, they'll have to be made aware that they are responsible for the access to it, in case other shareholders have access.

Bank account verification processing standards are available in Doogle.

**Trainer instruction:** Open up the bank account processing standards and take a look. Discuss the kind of bank account verification you could be expected to see.

### Tell us whether you are a veteran

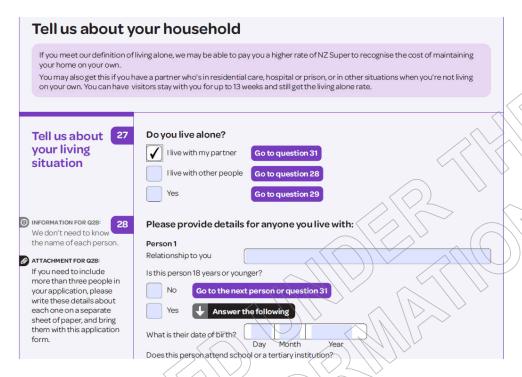


This question is mainly a prompt for the client. If they want to receive Veteran's Pension instead of NZ Super they must apply for it and be approved. This is done via the Veteran's Pension Centre (part of Seniors, based in Wellington). This won't hold up a client's grant – as NZS is granted and then the client is transferred to Veteran's Pension once all the information has been received from Veteran's Affairs.

If the client indicates that they served with the NZ Armed Forces, proceed as normal, but when you're done, email the Veteran's Pension team to give them a heads up so they can proactively contact the client to guide them through the process.

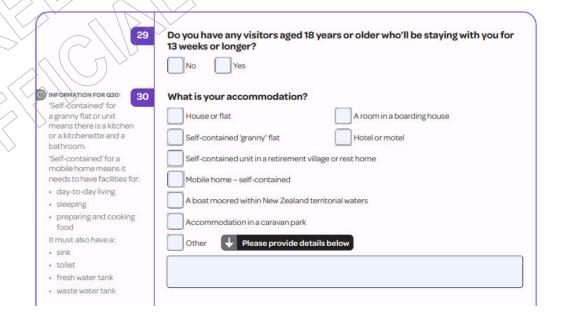
Trainer instruction: Briefly discuss what Veterans Pension is.

#### Tell us about your household

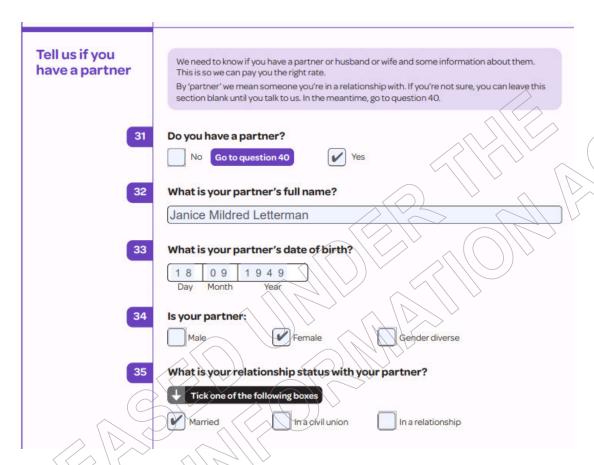


This section determines the client's living and marital status so we know which rate of payment is correct.

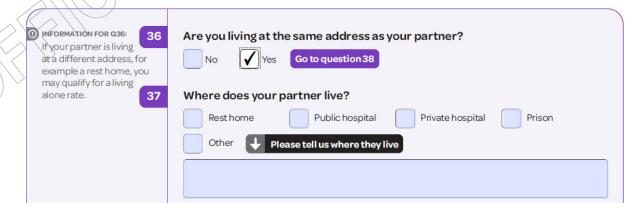
If the client advises they live alone, this section checks that the client meets the living alone criteria. A client may also answer that they do not live alone, but by answering the sections about who they live with, it may be evident that they potentially do meet the criteria to receive the living alone rate of payment (i.e. if they live with someone who is under 18).



### Tell us if you have a partner

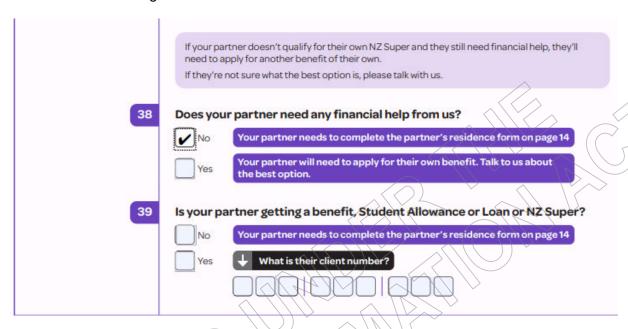


If the client is in a relationship, details of their partner must be included here, including if a client and their partner live apart (which could indicate that the client is entitled to a single rate of payment – depending on the reason why). If it's unclear what the marital status is, please contact the client by phone (i.e. if they have indicated they are married but live apart – this might mean they're choosing to live apart but are still in a relationship, or it could mean they are separated).



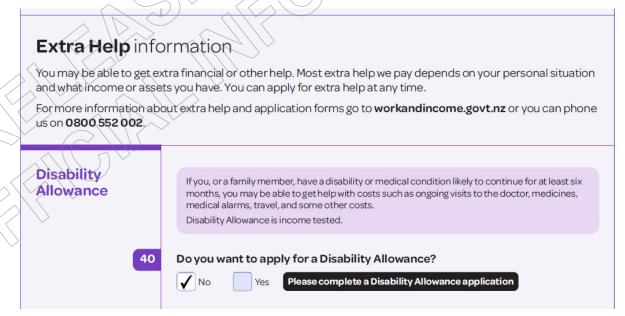
This section is also where a client can indicate if their partner needs financial assistance. Clients can no longer include their partners in their NZ Super (as of 9 November 2020).

Partners who don't qualify for NZ Super but need assistance will need to apply via Work and Income in their own right.



**Trainer instruction:** What benefits does the group know? If the client's partner is working they may not qualify, but could potentially qualify for supplementary assistance.

### **Extra Help information**



If a client wishes to apply for extra assistance (Disability Allowance, Accommodation Supplement, Temporary Additional Support or a Community Services Card) they indicate that here. The appropriate application form should be provided at this point. If they have filled out the online application, some of this information may be received via that, but Disability Allowance applications must be done separately as a medical certificate is required.

**Trainer instruction:** Brief overview of Disability Allowance, Accommodation Supplement and Temporary Additional Support. If you want to, give them the Extra Help 1-pager hand outs. Refer to these in a couple of days for context.

You'll need to edit your grant letter and print locally.

Trainer instruction: Explain the difference between local and overnight.

Dependent	A dependent child is a child who is financially supported by you and is living with you as a member
children in	of your family.
your care	
44	Do you have dependent children in your care?
	No Yes You may be able to get other forms of financial assistance. Please
	ask us about this.

Clients who have dependents may be able to get higher rates of supplementary assistance if they have dependent children. If you have a client who declares a child in care, please consult your trainer while you're still learning NZ Super.

**Trainer instruction:** Find the "Child Inclusion for NZ Super" process in Doogle and send it to the trainees for their reference. Briefly discuss it.

### Partner's residence form

### New Zealand Superannuation partner's residence form



This partner's residence form should be completed and signed by the partner of the person applying for NZ Super if they're:

- not already getting NZ Super
- · not already getting a benefit.

We need this information so we can pay you the right rate. For more information about why your partner needs to complete this form, please read the 'If you have a partner' section on page 4.

In this form, 'you', 'your', and 'yourself' means the partner of the person applying for NZ Super. By partner, we also mean husband or wife.

If the client has a spouse/partner and that person is not currently receiving a payment from the Ministry, their partner must fill in this entire section and sign and date the Privacy waiver at the end of the form.

If a client's partner doesn't have Citizenship, Permanent Residence or a Residence Class Visa, the primary may be entitled to the single rate of NZ Super until such time as the partner obtains a permanent residency status.

**Trainer instruction:** Refer back to the ID requirements for partners. We expect an attempt to get these things to be made and most clients won't hesitate. If the client cannot get info or they refuse – you can accept their application without but it may prevent them from accessing extra help.

<u>Obligations</u>	
Signature page Office copy	
Applicant I have answered all the questions that apply to me and my situation. The information I have given you is true and complete.	
I understand the things I need to do while I'm getting payments.  I will do what I need to do to meet my obligations.  I understand what you do with my personal information and how you protect.	my privacy.
Applicant's name (print)  Applicant's signature	Date  Day Month Year
Applicant's partner  I have answered all the questions that apply to me and my situation.  The information I have given you is true and complete.	
I understand what you do with my personal information and how you protect  Applicant's partner's name (print)  Applicant's partner's name (print)	my privacy.
	Day Month Year

The client must sign and date the application to show they have read and understood the obligations.

If their partner is not in receipt of a current payment themselves, they should also be asked in the first instance to sign the partner section (having filled in the partner residence details).

**Trainer instruction:** If the partner is already receiving a main benefit or NZS themselves, they don't need to provide any info or signature for them.



# What is NZ Superannuation?

NZ Super (NZS) provides a retirement income to those who have reached the qualifying age of 65 **and** meet the residency criteria to receive payment.

While Veterans Pension (VP) does have a unique set of qualifiers, rates of payment are the same for VP as they are for NZS, so when we mention NZS, we are also referring to VP.



## Qualifications

### Age and Residency

To qualify for NZS, clients must:

- ❖ have reached 65 years of age
- be a New Zealand citizen, permanent resident or hold a residence class visa (that is, not be in New Zealand unlawfully or here on a temporary permit) and
- ❖ be ordinarily resident in New Zealand at the time of application

In addition, clients:

must have been <u>resident</u> and <u>present</u> in New Zealand for at least 10 years since the age of 20, <u>five of which must have been since the age of 50</u>.

### **Ordinarily resident**

Means someone who is normally and lawfully in New Zealand and intends to stay here. That is, they consider New Zealand to be their home.

### **Resident and Present**

### Resident

To be resident a client must either:

- \* make their home in New Zealand in other words they have been living in New Zealand on a permanent basis or
- if you are considering a period when the client had only recently arrived in New Zealand, the client intended to make their home in New Zealand for the foreseeable future

### <u>Present</u>

Generally, to be present in New Zealand, the client has to be physically in New Zealand. This includes the territorial waters around New Zealand.

**Remember**: The client must be lawfully resident as well as present in New Zealand to meet the residence qualification.

### **Periods of Absence**

### Periods of absence counted as presence

Any periods of absence from New Zealand are not regarded as being present in New Zealand and are not included in the assessment of the New Zealand Superannuation residency qualifications.

There are eight exceptions where a period of absence counts as being resident and present in New Zealand. These are:

- special medical or surgical treatment or vocational training (if there was good and sufficient reason for the client to leave New Zealand for this)
- seamen serving on a ship registered or owned in NZ and engaged in trading to and from NZ
- overseas services in forces as a member of any naval, military or air force of any Commonwealth country. This includes war service as a member of any organisation attached to such a force, for example, YMCA, church, Red Cross
- full time voluntary humanitarian work (for an agency that directly or is closely associated to an entity that gives aid and assistance to less advantaged communities in one or more countries as their main function)

### Periods of Absence

### Periods of absence counted as presence

- as an accredited volunteer appointed by Volunteer Service Abroad
- ❖ a period that a person has worked overseas and paid tax (PAYE) to Inland Revenue on the earnings from that work clients must have remained ordinarily resident while overseas, but must have been employed by an overseas employer. Their tax liability had to have been with NZ
- missionary work (defined as including 'the advancement of religion or education and the maintenance, care or relief of orphans, or the aged, infirm, sick or needy')

See MAP for more detail/conditions on when we can and cannot include these periods in the 10 year count. The client may be required to provide further information or verification.

# Rates of NZ Super

### NZS is paid at different rates, depending on the client's circumstances:

- Single, living alone
- Single sharing accommodation
- Married person or partner in a civil union or de facto relationship (both qualify)
- Married person or partner in a civil union or de facto relationship (one qualifies)
- Married person or partner in a civil union or de facto relationship, non-qualified partner included (NQS) these are grandparented only

For information on NZS/NQS rates, see MAP:

http://doogle/map/deskfile/nz superannuation and veterans pension tables/new zealand superannuation tables.htm

# Single Living Alone Rate

The single living alone rate is the highest rate of NZS paid to clients who:

- receive NZS/VP
- are single (or married but considered single for the purposes of payment)
- are living alone
- are living in a principal place of residence

Clients can still be regarded as living alone if they have dependent children under the age of 18 living with them.

### Clients can be living in a:

- house or flat
- boat or craft moored within New Zealand territory
- ❖ hotel room/motel unit
- room in a boarding house or
- unit of accommodation in a caravan park
- self contained mobile home/tiny home or similar

# Non Qualified Spouse (NQS)

A non-qualifying partner used to be able to be included in the clients NZ Super/VP, if the client chose and the partner met the residency qualifications. **Note**: From 9 November 2020 no new NQS applications could be accepted. Existing clients remained on NQS until their entitlement ends or changes (grandparenting).

- An NQS is the partner of a NZ Super client who has not yet qualified for NZS in their own right (age and/or residency), but was included in the NZS payment.
- If a partner is included into the NZS, income over \$160 (as at 1 April 2021) per week earned by both the NQS and NZ Super client is charged against their NZ Super payments. Prior to this date the income threshold was lower.
- NZS/NQS is paid at a different rate to married couples where one or both qualify.
- ❖ A person who qualified for NZ Super did not *have* to include a NQS in their NZ Super payments and can no longer elect to include their partner going forward.

## Tax

NZ Super is taxable and clients need to nominate the tax rate they would like to have applied to their NZ Super payments.

Each tax code equates to a specific tax percentage.

Standard tax codes from 1 April	2021:		
M - Main source of income (thi	s is a merge	ed rate)	
\$0 to \$14,000	at	10.5%	
\$14,001 to \$48,000	at	17.5%	
\$48,000 to \$70,000	at	30.0%	
\$70,001 to \$180,000	at	33.0%	
\$180,000 +	at	39.0%	
S – Tax percentage = 17.5			
SH – Tax percentage = 30.0			
ST – Tax percentage = 33.0			
SA – Tax percentage = 39. 0			

### Tax

### **Tailored Tax Codes**

Clients may need to be taxed at different rates from the standard M, S, SH, ST or SA tax codes for whatever reason. Clients can apply through Inland Revenue to be taxed at a rate between 0% and 100% depending on their circumstances. This must be applied for via Inland Revenue and approval must be given before we can accept it with an NZ Super application.

### **Student Loans**

If a client has a student loan still owing, they will have repayments imposed on them from their NZ Super payments. Clients taxed at M will only have 12% deducted when their NZ Super is over a certain threshold (currently only applies to the single rates).

Clients taxed at S will have 12% in total deducted.

Clients must tell us by selecting the "SL" version of their chosen tax code.

# Commencing Payment

### The entitlement date for New Zealand Superannuation is:

- the date the client reaches the qualifying age or
- meets the residency criteria whichever is the <u>later</u>.

### The commencement date is:

- the date of entitlement or
- the date of application whichever is the later.

**NOTE**: There is no stand-down for NZ Super and there is no provision to backdate NZS if a client doesn't make an application from the earliest date of entitlement.

### **Payment**

NZS is paid fortnightly on a Tuesday - in arrears.

The pay period is from the Wednesday to the Tuesday payday (see calendar)

JAN								
M		6	13	20	27			
Т		7	(14)	21	(28)			
W	1	8	15	22	29			
Т	2	9	16	23	30			
F	3	10	17	24	31			
S	4	11	18	25		31. 3		
S	5	12	19	26				
week		1	2	3	4			

# Date of Application

As per the previous slide, Senior Services have two dates to consider when granting a client NZ Super.

The client's date of **entitlement** and the client's date of **application**.

The date of entitlement is the date the client qualifies for NZ Super based on age and residency. This date is not necessarily the date we will grant from.

The date a client first contacts us is their potential date of application. A client may contact the Ministry at any time, through various methods e.g. at reception at a service centre, via telephone through one of the contact centres, or online via Work and Income website.

The client has 20 working days from their date of first contact to complete the application process. Clients must be told if there is a specific date we need to receive their application by.

The client does not need to specify at the date of first contact the type of assistance they may require. Therefore, the date of first contact may apply to more than one type of assistance.

# Date of Application

If you are the client's first point of contact in initiating an application for payment, you MUST note on their record the date they first requested financial assistance.

This is done via CMS in the 'New Request for Financial Assistance' screen. When booking an appointment to apply for NZ Super, you should send the client a letter (available in CMS) to confirm their date of first contact.

If a client does not apply for NZ Super until after their date of entitlement, we cannot grant the payment until their date of application.

If a client applies before their date of entitlement, the grant can be taken from the date of entitlement.

It is extremely important that we are recording the client's first date of contact.