22 July 2025

Tēnā koe

Official Information Act request

Thank you for your email of 24 June 2025, requesting information about the process used to assess back payments of section 192 sanctions.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on your request set out below.

Please see the attached **Appendix** which provides the Intranet page: *Reviewing a section 192 (or previous 70a) reduction*. This page is available to Ministry staff on the Ministry's Intranet.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

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 my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.
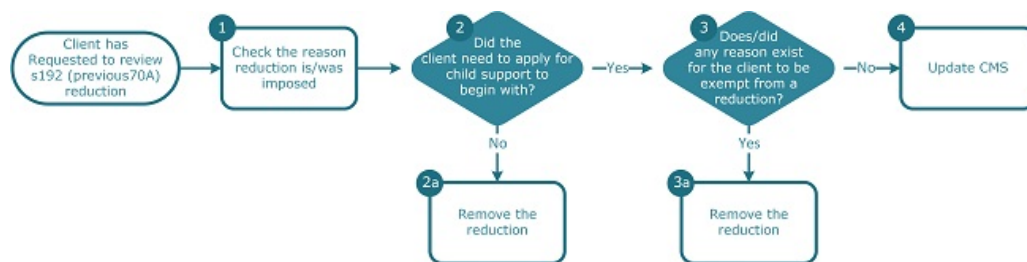
Ngā mihi nui

pp.

Anna Graham
General Manager
Ministerial and Executive Services

Reviewing a section 192 (or previous 70a) reduction

This page provides a process flow and guide to help staff when reviewing a section 192 (or previous 70a) reduction when a client has requested to review a current or previous reduction.

On this Page:

Reviewing a reduction - process flow

Reviewing a reduction - processing guidelines

Step	Action	Procedure	Links
1	**Check the reason the reduction is or was imposed**	When a client has requested to retrospectively review a previous section 192 (or previous 70A) reduction, gather information from: • Discussion with the client • SWIFTT – the s192 reason via **'CSAI'** screen (if it's a reduction for a child currently in care) • CMS – notes or scanned documents relating to ○ benefit grant/transfer or child inclusion ○ section 70A or section 192	
2	**Decide if the client needed to apply for child support to begin with**	Determine if the client was required to apply for child support or not. There are two key points to check: A. **Is the client applying for or receiving a benefit at a sole parent rate or UCB for one of the following benefit types?** ○ Emergency Benefit ○ Emergency Maintenance Allowance ○ Jobseeker Support (except Jobseeker Support Student Hardship) ○ Sole Parent Support ○ Supported Living Payment – health condition, injury or disability, or totally blind ○ Unsupported Child's Benefit ○ Young Parent Payment **If not, the client does not need to apply for child support.** B. **Do they meet any of the below reasons for not being required to apply for child support?** ○ there is insufficient evidence available to establish who the paying parent(s) is in law; or ○ there is risk of violence to the carer or their immediate family, if they applied; or ○ the paying parent(s) is deceased; or ○ the child was conceived as a result of incest or sexual violation; or ○ there is a compelling circumstance e.g. partner is in prison, but relationship is continuing, refugees and protected persons or when paying parent is overseas. if the reduction was due to the other parent not named, please see: Scenario guide - when the other parent isn't named [http://doogle.ssi.govt.nz/resources/helping-clients/procedures-manuals/work-and-income/core-procedures/child-support/case-manager-process-reviewing-a-section-192-or-previous-70a-reduction.html#Scenarioguidenbspwhentheotherparentisntnamed4] .	Guidelines for deciding if a carer needs to apply for child support [http://doogle.ssi.govt.nz/map/income-support/core-policy/child-support/guidelines-for-deciding-if-a-carer-needs-to-apply-for-child-support.html] (Map) Carers who need to apply for child support [http://doogle.ssi.govt.nz/map/income-support/core-policy/child-support/carers-who-need-to-apply-for-child-support.html] (Map) Carers who do not need to apply for child support [http://doogle.ssi.govt.nz/map/income-support/core-policy/child-support/carers-who-do-not-need-to-apply-for-child-support.html] (Map) For additional guidance see: Deciding if there is sufficient evidence – additional guidelines [http://doogle.ssi.govt.nz/resources/helping-clients/procedures-manuals/work-and-income/core-procedures/child-support/case-manager-process-reviewing-a-section-192-or-previous-70a-reduction.html#Decidingifthereissufficientevidencendashadditionalguidelines3] Scenario guide - when the other parent isn't named [http://doogle.ssi.govt.nz/resources/helping-clients/procedures-manuals/work-and-income/core-procedures/child-support/case-manager-process-reviewing-a-section-192-or-previous-70a-reduction.html#Scenarioguidenbspwhentheotherparentisntnamed4]

		If the client did not need to apply, go to step 2a.	
		If the client did need to apply, continue to step 3.	

2a	**Remove the reduction**	Determine the date the reduction should be removed from and remove the reduction.
		
		Removing the reduction – client did not need to apply for child support
		
		• navigate to the CSAI screen
		• select the appropriate child and HIS
		
		Next, if there are more than one record, you will need to select the record that includes the dates you are interested in
		
		• select the appropriate record and 'HAC' in the action field
		• in the CSHAC screen you will need to do the following:
		  ○ Child support application | remains unchanged
		  ○ Impose s192 reduction | change to N
		  ○ Impose Y/N reason | enter exemption code
		  ○ Start date | 010320
		  ○ End date | 150320
		
		If a backdated review is required:
		
		• Calculate the entitlement owed to the client for the appropriate period/using 'SRAUI'
		• Complete the appropriate back dated review using the change type code '684'
		
		Go to step 4.	

3	**Consider if any reason existed/exists for the client to be exempt from a reduction**	A reduction should not have been imposed when the carer: • was **not required to apply** for child support (as per step 2) or • needs to apply but the Ministry is satisfied there is a **compelling circumstance** for the carer not applying for child support and there is no likelihood of child support being collected from the paying parent **If an exemption reason existed or exists, continue to step 3a.** **If no exemption reason existed or exists, go to step 4.**	Carers who do not need to apply for child support [http://doogle.ssi.govt.nz/map/income-support/core-policy/child-support/carers-who-do-not-need-to-apply-for-child-support.html] (Map) Other compelling circumstance [http://doogle.ssi.govt.nz/map/income-support/core-policy/child-support/other-compelling-circumstance.html] (Map)

3a	**Remove the reduction**	Determine the date the reduction should be removed from and remove the reduction.
		
		• navigate to the CSAI screen
		• select the appropriate child and HIS
		
		Next, if there are more than one record, you will need to select the record that includes the dates you are interested in
		
		• select the appropriate record and 'HAC' in the action field
		• change the end date to the day before the date you want to remove the reduction from
		• return to the CSACH screen
		• this time only select the action 'ADD' (no record number)
		• in the CSHAC screen you will need to do the following:
		  ○ Child support application | remains unchanged
		  ○ Impose s192 reduction | change to N
		  ○ Impose Y/N reason | enter exemption code
		  ○ Start date | date reduction to be removed from
		  ○ End date | 310320
		• Complete a back dated review at the corrected rate of benefit.
		• If there is more than one period you are considering removing section 192 for, then you will need to repeat the process for each set of dates.
		
		Note: you need to create the gap in dates before you can add a new record	

		If a backdated review is required: • Calculate the entitlement owed to the client for the appropriate period/s using **'SRAUI'** • Complete the appropriate backdated review using the change type code "**684 Delete section 192 reduction**"	
4	**Update CMS**	Update CMS to: • Send a letter to the client • Add a section 192 Client Event Note *(Service Delivery, Relationships, Section 192)* detailing the discussion held and action taken	

Deciding if there was sufficient evidence – additional guidelines

You can refer to the client's record in addition to using the following guidelines in your discussion about what evidence there is that identifies the paying parent.

Confirming if there is sufficient evidence available (i.e. document exists or parent agrees)

Confirm if there is sufficient evidence available. If there is, the client needs to apply for child support.

Are there any documents/notes on the client's or child's file that name the paying parent?

If the father has not been named on the birth certificate, is there any legal document that exists that names them?

Do they accept or acknowledge being the child's parent? Consider things such as:

Is the paying parent in the child's life in any way? E.g. has child in their care sometimes

Have or do they pay a private arrangement of child support for that child?

Are there any reasons the client hasn't named them legally or pursued this? (as there may be another valid reason such as violence, that we must consider)

If no document exists that identifies the paying parent, and no one agrees that they are the paying parent, the client does not need to apply for child support.

Scenario guide - when the other parent isn't named

There is sufficient evidence to identify the other parent, so the client would be required to apply for child support and take active steps to provide proof of the other parent.

What's their situation?	**Reviewing a reduction already in place**	
	Action required if reduction is already in place	**Why**
Other parent not named or known *Example: Jane does not know who the father of her child is. She does not know how she would be able to name or locate him.*	The reduction can be removed for any period it was imposed.	There has always been insufficient evidence to identify the other parent, so the client would not have been required to apply for child support to begin with.
Other parent not named but is known (other parent does not accept parenthood) *Example: Sarah knows that John is the father of her child. He's not on the birth certificate because he doesn't accept he's the father. John still doesn't accept he is the father.*	The reduction can be removed for any period it was imposed.	There has always been insufficient evidence to identify the other parent, so the client would not have been required to apply for child support to begin with.
Other parent not named but is known (other parent accepts parenthood) *Example: Mere knows that Sam is the father of her child. He's not on the birth certificate but he accepts he is the father.*	The reduction should remain in place. **Exception:** The reduction can be removed if you are satisfied that the client is taking active steps.	There is sufficient evidence to identify the other parent, so the client would be required to apply for child support and take active steps to provide proof of the other parent.

Frequently asked questions

Q: Do we need the birth certificate?

A: We should have the child's birth certificate / SmartStart registration from DIA (as due diligence). If they can't provide the birth certificate we could discuss the reason why, and if necessary, provide hardship assistance to help with the cost of a new birth certificate.

Q: Do we need to confirm a client's situation (with evidence/documentation) if I am considering removing a reduction.

A: Ideally the client's situation would be backed up with our own historical documentation, however we are assessing on a case by case basis.

Q: What happens when a reduction was imposed but it's not clear in our documentation what conversation was had, were they advised of their obligations to apply, given an opportunity to apply or complete active steps?

A: If the client is clear that they hadn't talked about their obligations or been given a chance to apply then we should be removing the reduction from when it was imposed. We would now need to assess whether they are now required to apply. If they are then they should be given the opportunity to apply.

Q: What happens if the clients situation has changed over time, e.g. a reduction was imposed at benefit grant but during my conversation with the client it is clear that their circumstances have now changed?

A: We should assess the original situation when the reduction was imposed to see if it was correct, if yes and it is still appropriate then leave the reduction in place, if not then we should consider removing it for any period where it was not appropriate to be in place. We can now assess the clients obligations based on the changed circumstances to see if the client is still required to apply for child support.

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