

Reprint
as at 7 December 2014

**War Pensions Amendment Act
2006**

Public Act 2006 No 32
Date of assent 30 June 2006

War Pensions Amendment Act 2006: repealed, on 7 December 2014, pursuant to section 276 of the Veterans' Support Act 2014 (2014 No 56).

Contents

| | Page |
|---|------|
| 1 Title | 2 |
| 2 Commencement | 2 |
| 3 Principal Act amended | 2 |
| 4 Interpretation | 2 |
| 5 New section 74BA inserted | 2 |
| 74BA Entitlement to veteran's pension for spouses or partners of persons in long-term residential care in hospital or rest home | 2 |
| 6 Absences up to 52 weeks with aid agencies | 3 |
| 7 Living alone payments | 3 |

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

This Act is administered by the New Zealand Defence Force.

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| 8 | Rates of pensions, lump sum payments, and allowances may be increased by Order in Council | 3 |
| 9 | Amendment to Social Security Act 1964 | 3 |
| 10 | Amendment to Social Security (Long-term Residential Care) Regulations 2005 | 4 |
| 11 | Savings provision | 4 |

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the War Pensions Amendment Act 2006.

2 Commencement

- (1) Except as provided in subsection (2), this Act comes into force on 1 July 2006.
- (2) Section 8 comes into force on the day after the date on which this Act receives the Royal assent.

3 Principal Act amended

This Act amends the War Pensions Act 1954.

4 Interpretation

Section 67(1) is amended by inserting the following definition in its appropriate alphabetical order:

“**partner** has the same meaning as in section 3(1) of the Social Security Act 1964.”

5 New section 74BA inserted

The following section is inserted after section 74B:

“74BA Entitlement to veteran’s pension for spouses or partners of persons in long-term residential care in hospital or rest home

“(1) This section applies to any person—

- “(a) who is not in long-term residential care and whose spouse or partner is in long-term residential care in a hospital or rest home, whether or not the spouse or partner is a resident assessed as requiring care (within

the meaning of section 136 of the Social Security Act 1964); and

“(b) who is in receipt of a veteran’s pension, or whose spouse or partner is in receipt of a veteran’s pension.

“(2) A person to whom this section applies is entitled to receive a veteran’s pension at the rate payable to a person who is single—

“(a) stated in clause 1(a) of Schedule 11, if the person has been granted a living alone payment under section 74U; or

“(b) stated in clause 1(b) of Schedule 11, if the person has not been granted a living alone payment under section 74U.

“(3) Any benefit payable to a person to whom this section applies is not subject to abatement in respect of any income of the person that has been included in a means assessment of the person’s spouse or partner under Part 4 of the Social Security Act 1964.”

6 Absences up to 52 weeks with aid agencies

(1) The heading to section 74H is amended by omitting “52” and substituting “156”.

(2) Section 74H(1)(b) is amended by omitting “52” and substituting “156”.

7 Living alone payments

Section 74U(3)(b) is amended by omitting “or household expenses (including accommodation expenses)”.

8 Rates of pensions, lump sum payments, and allowances may be increased by Order in Council

Section 75C(1)(ab) is amended by omitting “clause 2(a) of”.

9 Amendment to Social Security Act 1964

Section 155(1) of the Social Security Act 1964 is amended by repealing paragraph (a).

10 Amendment to Social Security (Long-term Residential Care) Regulations 2005

The Social Security (Long-term Residential Care) Regulations 2005 are amended by revoking regulation 4.

11 Savings provision

- (1) This section applies to a person who, immediately before section 10 comes into force, is entitled under regulation 4 of the Social Security (Long-term Residential Care) Regulations 2005 to receive, and who is receiving, a veteran's pension at the appropriate single rate as provided for by that regulation.
- (2) A person to whom this section applies is to be treated as a person to whom section 74BA of the War Pensions Act 1954 (as inserted by section 5 of this Act) applies for so long as—
 - (a) the person's spouse or partner continues to be in long-term residential care in a hospital or rest home; and
 - (b) the person is not himself or herself in long-term residential care.

Eprint notes

1 *General*

This is an eprint of the War Pensions Amendment Act 2006 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Veterans' Support Act 2014 (2014 No 56): section 276
