

CARE SUPPLEMENT PROGRAMME

This is an unofficial consolidation, produced by and for the Ministry of Social Development, and for the use of Work and Income. For official use, reference should be made to the original programme and its amendments.

Pursuant to section 124 (1) (d) of the Social Security Act 1964, I, ROGER MORRISON SOWRY, Minister of Social Services, Work and Income, **establish and approve** the following welfare programme for special assistance.

I revoke, with effect on the date the programme comes into effect, my approval of the Youth Care Supplement programme dated 31 July 1997.

Dated 22 June 1999

R. M. Sowry
Minister of Social Service, Work and Income

PROGRAMME

1. Title and commencement

1.1 This programme is called the Care Supplement programme.

1.2 This programme comes into effect on 1 July 1999.

2. Purpose

2.1 The purpose of this programme is to give special assistance to former foster parents under the CYPF Act to assist them to continue to provide care to children and young people discharged from care under that Act.

3. Definitions

3.1 In this programme, unless the context otherwise requires, -

“Act” means the Social Security Act 1964;

"Care Supplement", or "Supplement" means a Care Supplement under clause 5, being the special assistance under this programme;

“Child” has the meaning in section 3(1) of the Act”

“CYPF Act” means the Children, Young Persons, and Their Families Act 1989;

"Director-General" means (as the case requires) the Director-General of Social Welfare, or the chief executive of any other department that, after the commencement of this programme, becomes responsible for the administration of the CYPF Act;

"Foster Parent" means an individual into whose charge a Child was placed under section 362 of the CYPF Act; and "Former Foster Parent" has a corresponding meaning;

"Orphan's Benefit" means the Benefit of that name under the Act;

"Unsupported Child's Benefit" means the Benefit of that name under the Act;

3.2 Terms otherwise defined in section 3 of the Act or section 2 of the CYPF Act have the same meanings.

Note: *Except in headings, words or phrases whose words begin with capital letters generally refer to a term defined in Clause 3.1 or section 3 (1) of the Act.*

4. Application of Social Security Act 1964

4.1 Sections 3, 12, 62, 64, 74, 74A, 76, 77, 80A, 81, 82 (1) to (5) and (7), 82A, 84, and 86J of the Act are to apply, with any necessary modification, to this programme and to any Applicant for assistance under this programme as if a Supplement under this programme were a Benefit under the Act.

4.2 Nothing in Clause 4.1 limits any other provision of the Act.

5. Care Supplement

5.1 The Chief Executive may, on application, grant a Care Supplement to a Former Foster Parent who-

(a) Is caring for a Child who-

(i) Is not his or her child or step-child; and

(ii) Had previously been in the charge of the Former Foster Parent under the CYPF Act; and

(iii) Under the CYPF Act, was discharged at any time into the care of the former foster parent from the custody or guardianship of –

(A) a Cultural Social Service; or

(B) the Director of a Child and Family Support Service; or

(C) an Iwi Social Service; or

(D) the Director-General; and

(b) Is receiving an Orphan's Benefit or an Unsupported Child's Benefit for the care of that Child.

6. Rate of Care Supplement

6.1 The rate of a Care Supplement is the difference between –

(a) The applicable rate of an Orphan's Benefit or an Unsupported Child's Benefit for the Child as set out in clause 1 of the Fourth Schedule of the Act, before any abatement for the Child's income; and

- (b) The rate set under section 363 (1) of the CYPF Act of a foster care allowance applicable to the Child, or, in the case of a Child aged 17 years, the rate applicable to a Child aged 16 years.

7. Beginning and ending of Care Supplement

7.1 A Care Supplement begins on the later of -

- (a) The date the Orphan's Benefit or the Unsupported Child's Benefit was granted; or
- (b) The date the application for the Supplement was received.

7.1A If an application for it is received on or before 30 June 2003, a care supplement begins on 1 July 2002 if the former foster parent –

- (a) was receiving an orphan's benefit or an unsupported child's benefit for the child on 1 July 2002; and
- (b) was not eligible to receive the supplement under the former clause 5.1(a)(iii) in effect prior to that date.

7.2 A Care Supplement ends on the date the Former Foster Parent ceases to be entitled to an Orphan's Benefit or an Unsupported Child's Benefit for the care of the Child.

8. Transitional Provisions

8.1 If, under the Youth Care Supplement programme approved by the Minister on 31 July 1997 ('the Former Programme'), a person-

- (a) Had been assessed as eligible to receive a Youth Care Supplement on a continuing basis; and
- (b) Would have continued to be eligible to receive that Supplement but for the revocation of the Former Programme,-

then-

- (d) The Chief Executive may continue to pay the Supplement as if it were granted under this programme until it ends in accordance with Clause 7.2 of this programme; and
- (e) The provisions of this programme apply to such Supplement instead of the provisions of the Former Programme.

Historical information:

2002

Clause 5.1(a)(iii) "Was discharged, on or after 1 July 1999, from the custody or guardianship of the Director-General under that Act into the care of the Former Foster Parent" was replaced from 1 July 2002 under Amendment (2002) dated 30 June 2002.