Backdated ACC weekly compensation payments

What happens if you get backdated ACC weekly compensation payments for the time you were getting a benefit

If ACC approves weekly compensation for a period in the past, the Ministry of Social Development (MSD) needs to review any benefits or extra help you received for the same time. This is to make sure you got the right amount of financial support.

This information sheet explains the review process, and what happens if an overpayment is identified.

How backdated ACC payments affect payments from MSD

People get two types of payments from MSD. Weekly compensation payments from ACC affects them both in different ways.

- **Main benefits** are payments like Jobseeker Support, Sole Parent Support or Supported Living Payment – including Winter Energy Payment when it's paid.
- **Extra help** are payments like Accommodation Supplement, Disability Allowance or Temporary Additional Support.

Main benefit payments

If you're entitled to backdated ACC weekly compensation for a period when you were receiving a main benefit, MSD may determine the benefit should not have been paid.

This would result in a debt with MSD because you can't get both for the same time. The debt must be repaid from your backdated ACC payment by law, then any remaining amount is paid to you.

Extra help payments

ACC weekly compensation is treated as income, so you could still be entitled to some or all of the extra help payments you received. MSD will work this out and you may have a debt.

You'll need to pay your debt back by:

- having it deducted from your backdated ACC payment before it's paid to you, or
- making an arrangement with MSD.

What happens during the review

ACC and MSD work together and share the information for the assessment the law allows them to. There's nothing you need to do or share at this stage.

The process usually works like this:

1. ACC asks MSD to confirm whether you received benefits and extra help during the period covered by your weekly compensation entitlement.
2. MSD identifies any benefits that may need to be reviewed and advises ACC.
3. If you're moving from a benefit to ACC payments, MSD provides a handover date so there's no gap in your payments and it's a smooth transition.
4. ACC provides MSD with weekly compensation rates and dates for the assessment.
5. MSD starts its assessment and may contact you to let you know your case has been assigned for processing.
6. MSD reviews your entitlement and determines whether any debt has been created.

Keeping you informed

Most assessments take around 6 to 8 weeks, although more complex cases can take longer. We'll keep you informed throughout the process, including:

- when the assessment starts and is completed
- what the outcome is
- any repayment options that may apply.

Thank you for your patience while we make sure everything is correct.

How you'll find out the result

Once the assessment is finished, MSD will contact you to explain the outcome. They'll also provide the final payment information to ACC.

Debts on your main benefit will be paid by ACC from your backdated ACC payment before you get it, and they'll pay any tax to Inland Revenue.

If a debt has been identified on your extra help payments, MSD will talk about the repayment options with you. If MSD can't reach you, they'll send a letter explaining:

- the assessment outcome
- any debt that has been identified
- how you can choose to repay the extra help debt.

If you get a letter asking you to reply to MSD, you need to do it within 10 business days.

If MSD doesn't hear from you, their Collections Team will contact you.

Helpful links to more information

If you want to know more about ACC payments and benefits and how MSD protects your privacy, you can check on the links below.

- **Workandincome.govt.nz/acc**
- **Workandincome.govt.nz/privacy**

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