



Graham Carter
fyi-request-12047-b10f10dc@requests.fyi.org.nz

Dear Mr Carter

On 24 January 2020, your request for information was transferred from the Minister for Social Development's office to the Chief Executive of the Ministry of Social Development (the Ministry), under the Official Information Act 1982. The following questions were transferred:

- *Can you please provide a link to the Veteran's Pension page www.veteransaffairs.mil.nz which shows the information regarding when a veteran is travelling overseas and the penalties for not advising them of such?*
- *Please provide a copy of any documents, policies or legislation which authorise the Ministry of Social Development and/or WINZ and/or Veterans Affairs New Zealand (VANZ) to stop payments of a veteran's pension at any time?*
- *Please provide information regarding why MSD, WINZ or [VANZ] do not advise pensioners travelling overseas of their rights and any likely penalties?*
- *Please provide a copy of the review as requested to International Services for Mr Graham Bruce Carter regarding the suspension of his Veteran's Pension.*

Please note that the fourth part of your request refers to personal information. This part of your request has been transferred to the Ministry's Privacy Officer. In this respect, you will receive a response from the Privacy Team.

For reasons of clarity, I will answer your request in turn.

1) Link to the Veteran's Pension page www.veteransaffairs.mil.nz which shows the information regarding when a veteran is travelling overseas and the penalties for not advising them of such

Please note that this information is publicly available, which means that, according to section 18(d) of the Official Information Act, the Ministry is not obliged to provide information. For your convenience, please find links to the requested information below.

www.veteransaffairs.mil.nz/eligibility/living-outside-nz/

www.veteransaffairs.mil.nz/for-clients/your-rights-and-responsibilities/when-things-change/

Please note that the Ministry is responsible for assessing and paying Veteran's Pension and its associated allowances on behalf of the Secretary for War Pensions (New Zealand Defence Force). More in-depth material on Work and Income's policies on Absence from New Zealand with regards to payment and of Veteran's Pension can be found here:

<https://www.workandincome.govt.nz/map/income-support/main-benefits/veterans-pension/changes-and-reviews-veterans-pension/absence-from-new-zealand-01.html>

2) Documents, policies or legislation which authorise the Ministry of Social Development and/or WINZ and/or Veterans Affairs New Zealand to stop payments of a veteran's pension

Payment of a Veteran's Pension depends on the payee's stay in New Zealand. Section 176 of the Veterans' Support Act 2014 provides that a person is not entitled to a Veteran's Pension while that person is absent from New Zealand. There are certain exceptions from this rule which are listed in section 177-196 of the Veterans' Support Act. For example, section 177 allows for payment to continue during temporary absences not exceeding 26 weeks. Other provisions set out in these sections do allow for longer absences under certain circumstances.

If no other provisions apply the payee must return within 26 weeks otherwise their Veteran's Pension will be suspended from the beginning of the 27th week. If the payee does not return within 30 weeks they will lose entitlement from the day after their initial departure and may have to repay any Veteran's Pension received during this time.

All legislation and policies which authorise Work and Income to stop payment of a Veteran's Pension are publicly available. Please note that according to section 18(d) of the Official Information Act, the Ministry is therefore not obliged to provide information regarding this part of your request.

Please find below some helpful information at the following web-links:

https://msdsupport.custhelp.com/app/answers/detail/a_id/493/kw/overseas

General information on the Work and Income website on travelling or moving overseas if you are receiving a Veteran's Pension:

www.workandincome.govt.nz/pensions/travelling-or-moving/going-overseas-super/index.html

More specific information if you are going for 26 weeks or less:

www.workandincome.govt.nz/pensions/travelling-or-moving/going-overseas-super/telling-us-about-changes.html

3) Information regarding why MSD, WINZ or [VANZ] do not advise pensioners travelling overseas of their rights and any likely penalties

It is standard practice for Work and Income to inform clients of their obligations to tell us when they travel overseas, so any consequences of delayed return can be discussed in a timely manner.

Those applying for a veteran's pension are provided with a form that tells them about their obligations in case of overseas travel. It reads:

If you intend to travel overseas for 28 days (four weeks) or more, let us know your travel dates before you go. We can advise you of your options and confirm whether your payments will continue or change while you are away. This will help you to avoid having to pay back an unexpected overpayment or being left stranded overseas without any money.

The form requires a signature confirming that the obligations have been read and understood, and is a compulsory part of the application process.

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 and any attached documents available to the wider public. The Ministry will do this by publishing this letter on the Ministry of Social Development'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, 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.

Yours sincerely

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Bridget Saunders
Manager, Issue Resolution, Service Delivery