



MINISTRY OF SOCIAL DEVELOPMENT

Te Manatū Whakahiato Ora

MINISTRY OF SOCIAL DEVELOPMENT, Bowen State Building, Bowen Street, Wellington 6011, PO Box 1556, Wellington 6140
• Telephone: 0-4-916 3300 • Facsimile: 0-4-918 0099

24 SEP 2014

Robert Latimer
fyi-request-1975-8422c4dd@requests.fyi.org.nz

Dear Mr Latimer

Thank you for your email of 2 September 2014 requesting, under the Official Information Act 1982, the following information:

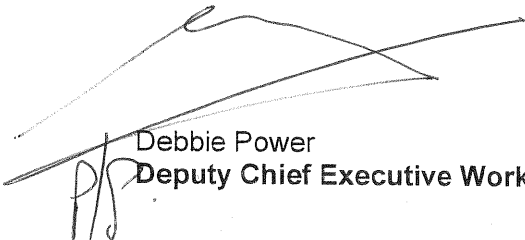
- *a copy of the written delegation that the chief executive of the Ministry of Social Development made under section 41 of the State Sector Act 1988 that delegates the chief executive's authority under section 70 of the Social Security Act 1964, either generally or particularly, to the person who made the decision to deduct my and my wife's Canada Pension Plan benefits from my New Zealand Superannuation benefit.*

At the time of your original application for New Zealand Superannuation, the Chief Executive had delegated responsibility for his functions and powers in relation to the Social Security Act to the Deputy Chief Executive of Students, Seniors and Integrity Services. Please note, that as of 9 June 2014, these functions have been delegated to me in my capacity as the Deputy Chief Executive of Work and Income.

I hope you find this information helpful. You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-152
WELLINGTON 6143

Yours sincerely



Debbie Power
Deputy Chief Executive Work and Income



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Ministry of Social Development, Bowen State Building, Bowen Street, Wellington 6011, PO Box 1556, Wellington 6140 • Facsimile: 0-4-918 0099

Ms Hilary Reynolds
Deputy Chief Executive, Students, Seniors and Integrity Services
Level 7
Tower Block
Bowen Street
WELLINGTON

Dear Hilary

STUDENTS, SENIORS AND INTEGRITY SERVICES DELEGATIONS

Under section 41 of the State Sector Act, I delegate to you my functions and powers as set out in the Schedule.

This delegation takes effect on 1 July 2010 and replaces all previous delegations in respect of these matters.

You must act in accordance with the law and relevant state sector rules and conventions, such as those in the Cabinet Manual, in exercising these delegated functions and powers.

You may on-delegate these functions and powers to such employees of Students, Seniors and Integrity Services in the Ministry of Social Development as you think fit but having considered the risk related to the exercise of any particular function or power being delegated.

You are accountable to me for setting these on-delegations appropriately. A suggested draft delegations document is attached as a guide as to the appropriate on-delegation levels for particular functions and powers.

Please ensure that you have a signed delegations document in place by 1 July 2010 when this delegation takes effect.

Please sign below to indicate your acceptance.

Kind regards

Peter Hughes
Chief Executive

I accept the above-referred delegations.


Hilary Reynolds
Deputy Chief Executive, Students, Seniors and Integrity Services

23 June 2010
Date



Schedule

My functions and powers under the following legislation are delegated:

- Disabled Persons Community Welfare Act 1975
- Education Act 1989
- Family Proceedings Act 1980
- New Zealand Superannuation and Retirement Income Act 2001
- Privacy Act 1993
- Social Security Act and all delegated legislation under this Act except sections 25,26 and 27 of the Social Security (Childcare Assistance) Regulations 2004
- Social Welfare (Transitional Provisions Act) 1990
- My authority as a lawful occupier of land under section 3 of the Trespass Act 1980
- War Pensions Act 1954

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



MINISTRY OF SOCIAL DEVELOPMENT

Te Manatū Whakahiato Ora

**Delegations relating to the
operational functions of Students,
Seniors and Integrity Services**

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Delegation under section 41(2) of the State Sector Act 1988

Pursuant to section 41(2) of the State Sector Act 1988, I, Hilary Reynolds, Deputy Chief Executive Students, Seniors and Integrity Services of the Ministry of Social Development (the Ministry), give the delegations set out in Schedule 2 to the persons holding or acting in the positions in Students, Seniors and Integrity Services referred in Schedule 2.

I have been delegated these functions and powers by the Chief Executive of the Ministry of Social Development and have been given prior written approval to delegate those functions and powers to employees of the Ministry in Students, Seniors and Integrity Services by instrument dated 29 June 2010.

This delegated authority does not include the power to authorise or incur the expenditure of public money.

The delegated authority must be exercised strictly in accordance with the delegation, any specified or applicable conditions and the rules in Schedule 1.

All previous delegations are revoked when this instrument comes into effect.

This instrument comes into effect on 1 July 2010.


Hilary Reynolds
Deputy Chief Executive Students, Seniors and Integrity Services

Date: *29 June 2010*

Schedule 1 – Delegation rules

1. For the avoidance of doubt, the delegation of a power to a class of office holder shall include delegation of that power to a person validly acting in that class.
2. Only employees can exercise these powers and functions: consultants and independent contractors and people seconded from private or overseas organisations cannot.
3. Authority to exercise the delegated functions or powers also rests with any managers higher in the relevant reporting structure than the position identified in Schedule 2.
4. Staff in the positions listed in Schedule 2 must:
 - a. ensure they are appropriately trained to exercise the powers and functions
 - b. seek appropriate advice if they are unsure about the power or function
 - c. act in accordance with Ministry policies and procedures, in particular the Code of Conduct.
5. Staff must document how they have exercised any power or function so that decisions can be appropriately audited.
6. If staff act without appropriate authority they may be disciplined and may be made personally liable for unlawful expenditure.
7. Changes to the Delegations or to any part of this document will not be effective unless they are under the signature of the Chief Executive or the Deputy Chief Executive Students, Seniors and Integrity Services.

Schedule 2 – Delegated operational functions of Students, Seniors and Integrity Services

Provision containing the functions or powers	Position(s)
Disabled Persons Community Welfare Act 1975	
The whole Act (except Parts 2 and 2A), including any regulations made under section 31 of that Act, and any Ministerial Special Arrangements under section 30 of that Act	<ul style="list-style-type: none"> ○ All employees of Senior Services
Education Act 1989	
Part 25 (student allowances and administration of student loans), including any regulations made under sections 303, 306, and 307 of that Act except the power to review a decision under section 305(2) of the Act	<ul style="list-style-type: none"> ○ All employees of StudyLink and Integrity Services
Power to review a decision under section 305(2) of the Act	<ul style="list-style-type: none"> ○ All employees of StudyLink and Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Operations Manager Outreach, StudyLink ○ Operations Manager Student Support Centre, StudyLink ○ Operations Manager Contact Centre, StudyLink ○ Service Manager, StudyLink ○ Manager Report Writing, StudyLink ○ Service Manager Finance Team, StudyLink ○ Team Coordinator, StudyLink ○ Outreach Manager, StudyLink

Provision containing the functions or powers	Position(s)
	<ul style="list-style-type: none"> ○ Fraud Investigation Manager National Fraud Investigation Unit, Integrity Services ○ Assistant Fraud Investigation Manager National Fraud Investigation Unit, Integrity Services ○ Senior Fraud Investigation Manager National Fraud Investigation Unit, Integrity Services ○ Operations Manager National Fraud Investigation Unit, Integrity Services ○ Investigator National Fraud Investigation Unit, Integrity Services ○ Operations Manager, National Programmes Centre, Integrity Services ○ Service Manager, National Programmes Centre, Integrity Services
Family Proceedings Act 1980	
Section 101 (restriction on payment of maintenance in advance) and section 101A (deductions from benefits) (as substituted by section 254 of the Child Support Act 1991 and as saved by section 259 of that Act)	<ul style="list-style-type: none"> ○ All employees of Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Debt Management Officer
New Zealand Superannuation and Retirement Income Act 2001	
Part 1 (entitlements to New Zealand superannuation) and Schedule 1 (New Zealand superannuation entitlements)	<ul style="list-style-type: none"> ○ All employees of Integrity Services and Senior Services

Provision containing the functions or powers	Position(s)
Privacy Act 1993	
All information matching provisions set out in Schedule 3 of the Privacy Act 1993 (information matching provisions) relating to the chief executive of the Ministry of Social Development and the functions and powers set out in Part 10 of that Act relating to those provisions except those relating to the Education Act 1989	<ul style="list-style-type: none"> ○ All employees of Integrity Services and Senior Services
Education Act 1989 information matching provisions set out in Schedule 3 of the Privacy Act 1993 relating to the chief executive of the Ministry of Social Development and the functions and powers set out in Part 10 of that Act relating to those provisions	<ul style="list-style-type: none"> ○ All employees of StudyLink and Integrity Services
Social Security Act 1964	
Section 11 (power to obtain information), in relation to all the purposes in section 1(2)	<ul style="list-style-type: none"> ○ All employees of the Ministry of Social Development who hold the positions of: <ul style="list-style-type: none"> ○ Service Manager National Data Match, Integrity Services ○ Operations Manager National Data Match, Integrity Services ○ Data Match Officer, Integrity Services ○ Data Match Quality Assurance Officer, Integrity Services ○ Centre Manager, National Programmes Centre, Integrity Services ○ Integrity Intervention Officer National Programmes Centre, Integrity Services ○ Operations Manager, National Programmes Centre, Integrity Services ○ Service Manager, National

Provision containing the functions or powers	Position(s)
	<ul style="list-style-type: none"> Programmes Centre, Integrity Services ○ Quality Officer, National Programmes Centre, Integrity Services ○ National Manager, National Fraud Investigation Unit, Integrity Services ○ Fraud Investigation Manager, National Fraud Investigation Unit, Integrity Services ○ Assistant Fraud Investigation Manager, National Fraud Investigation Unit, Integrity Services ○ Senior Fraud Investigation Advisor, National Fraud Investigation Unit, Integrity Services ○ Operations Manager, National Fraud Investigation Unit, Integrity Services ○ Investigator, National Fraud Investigation Unit Integrity Services ○ Technical Officer, National Fraud Investigation Unit, Integrity Services ○ Information Analyst, Intelligence Unit, Integrity Services ○ National Manager, Intelligence Unit, Integrity Services ○ Senior Intelligence Analyst, Intelligence Unit, Integrity Services ○ Intelligence Analyst, Intelligence Unit, Integrity Services ○ Business Analyst, Integrity

Provision containing the functions or powers	Position(s)
	<p>Services</p> <ul style="list-style-type: none"> ○ Technical Advisor, Internal Fraud, Integrity Services ○ Manager, Internal Fraud, Integrity Services ○ Senior Investigator, Internal Fraud, Integrity Services ○ Senior Advisor, Specialised Processing Services, Senior Services ○ Service Manager, Specialised Processing Services, Senior Services ○ Case Manager, Specialised Processing Services, Senior Services <ul style="list-style-type: none"> ○ Service Manager, Seniors Support Centre, Senior Services ○ Client Services Representative, Seniors Support Centre, Senior Services ○ Client Services Officer, Seniors Support Centre, Senior Services ○ Veterans Pension Officers, Seniors Support Centre, Senior Services <ul style="list-style-type: none"> ○ Operations Manager Outreach, StudyLink ○ Operations Manager Student Support Centre, StudyLink ○ Operations Manager Contact Centre, StudyLink ○ Manager Training and Quality,

Provision containing the functions or powers	Position(s)
	<ul style="list-style-type: none"> StudyLink ○ Service Manager, StudyLink ○ Service Manager, Finance Team, StudyLink ○ Manager Report Writing, StudyLink ○ Outreach Manager, StudyLink
<p>Section 11 (power to obtain information), in relation to the purposes set out in section 11(2)(e) only</p>	<ul style="list-style-type: none"> ○ All employees of Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Collections Service Manager ○ Debt Management Officer ○ Crown Processing Officer, National Crown Revenue ○ Operations Manager, Collections
<p>Section 11A (power to obtain information for matching purposes)</p>	<ul style="list-style-type: none"> ○ All employees of Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Operations Manager, National Programmes Centre ○ Assistant Fraud Investigation Manager, National Fraud Investigation Unit ○ Fraud Investigation Manager, National Fraud Investigation Unit ○ Manager, Internal Fraud
<p>Section 27X (recovery of unpaid contributions) and section 27Y (deduction notices) (as saved by section 256 of the Child Support Act 1991)</p>	<ul style="list-style-type: none"> ○ All employees of Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Collections Service Manager ○ Debt Management Officer ○ Operations Manager, Collections

Provision containing the functions or powers	Position(s)
<p>Section 86 (recovery of payments made in excess of authorised rates) except 86(2). This delegation excludes:</p> <p>(a) decisions in relation to 86(9A) and</p> <p>(b) the power to write-off debt,</p> <p>which are covered by the Financial Delegations Document.</p>	<ul style="list-style-type: none"> o All employees of the Ministry of Social Development who hold the positions of <ul style="list-style-type: none"> o Integrity Intervention Officer, National Programmes Centre, Integrity Services o Service Manager National Programmes Centre, Integrity Services o Service Manager, National Data Match Centre, Integrity Services o Datamatch Officer, Integrity Services o Debt Management Officer, Integrity Services o Collections Service Manager, Integrity Services o Investigator, National Fraud Investigation Unit, Integrity Services o Technical Officer, National Fraud Investigation Unit, Integrity Services o Operations Manager, National Fraud Investigation Unit, Integrity Services o Senior Fraud Investigation Advisor, National Fraud Investigation Unit, Integrity Services o Service Manager, Specialised Processing Services, Senior Services o Case Manager, Specialised Processing Services, Senior Services

Provision containing the functions or powers	Position(s)
	<ul style="list-style-type: none"> ○ Service Manager, Seniors Support Centre, Senior Services ○ Client Services Representative, Seniors Support Centre, Senior Services ○ Client Services Officer, Seniors Support Centre, Senior Services ○ Veterans Pension Officers, Seniors Support Centre, Senior Services ○ Operations Manager Outreach, StudyLink ○ Operations Manager Student Support Centre, StudyLink ○ Operations Manager Contact Centre, StudyLink ○ Manager Training and Quality, StudyLink ○ Service Manager, StudyLink ○ Service Manager Finance Team, StudyLink ○ Manager, Report Writing StudyLink ○ Outreach Manager, StudyLink ○ Team Coordinator, StudyLink ○ Report Writer, StudyLink ○ Finance Officer StudyLink ○ StudyLink Officer, StudyLink ○ StudyLink Outreach Officer, StudyLink
Section 86(2)	<ul style="list-style-type: none"> ○ All employees of Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Senior Fraud Investigation Advisor National Fraud Investigation Unit

Provision containing the functions or powers	Position(s)
	<ul style="list-style-type: none"> ○ Operations Manager National Fraud Investigation Unit, ○ Fraud Investigation Manager National Fraud Investigation Unit ○ Assistant Fraud Investigation Manager National Fraud Investigation Unit ○ Investigator, National Fraud Investigation Unit ○ Operations Manager, National Programmes Centre ○ Centre Manager, National Programmes Centre
<p>Section 86A (deduction of benefit debts)</p> <p><i>Note the exercise of this power is subject to a Ministerial direction on debt deduction notices given under section 5 of the Act on 12 July 1993.</i></p>	<ul style="list-style-type: none"> ○ All employees of Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Debt Management Officer ○ Collections Service Manager
<p>Section 86I(2)</p>	<ul style="list-style-type: none"> ○ All employees of Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Operations Manager Collections ○ National Manager Collections and Compliance
<p>Section 90 (unemployment benefit: grounds of hardship)</p> <p><i>Note there is an associated Ministerial direction on emergency benefit and benefits on ground of hardship given under section 5 of the Act on 6 October 1998.</i></p>	<ul style="list-style-type: none"> ○ All employees of StudyLink

Provision containing the functions or powers	Position(s)
Section 125 ¹ (advances to beneficiaries and war pensions for repair and maintenance of home, etc)	<ul style="list-style-type: none"> ○ All employees of Integrity Services who hold the positions of: <ul style="list-style-type: none"> ○ Debt Management Officer ○ Collections Service Manager
The Student Allowance Transfer Grant Programme, a welfare programme made under section 124(1)(d) of the Act dated 23 July 2002	<ul style="list-style-type: none"> ○ All employees of StudyLink
Any other welfare programme made under section 124(1)(d) and not specifically listed in this Schedule	<ul style="list-style-type: none"> ○ All employees of StudyLink and Senior Services
Every other power or function vested in the Chief Executive by or under the Act, and any regulations made under the Act that are not specifically listed in this Schedule	<ul style="list-style-type: none"> ○ All employees of Integrity Services, Senior Services and Studylink
Social Security (Debt Recovery Suspension) Regulations 2007	
All	<ul style="list-style-type: none"> ○ All employees of Integrity Services
Social Security (SuperGold Card) Regulations 2007	
All	<ul style="list-style-type: none"> ○ All employees of Senior Services
Social Welfare (Transitional Provisions) Act 1990	
Part 1 (monetary benefits), and any agreement with the government of any country in force pursuant to an Order in Council made under section 19 of that Act (adoption of reciprocity agreements with other countries)	<ul style="list-style-type: none"> ○ All employees of Senior Services

¹ Section 125 of the Social Security Act 1964 was repealed, as from 1 July 1996, by section 3(1) Social Security Amendment Act 1996 (1996 No 49). Integrity Services continues to administer the recovery and finalisation of Loans for Major Repairs to Homes, also known as Major Repairs Advances.

Provision containing the functions or powers	Position(s)
War Pensions Act 1954²	
<p>Section 70 to 74C, and any other provisions in Part 6 of the War Pensions Act 1954 (except for section 74D), the Social Security Act 1964, or the Social Welfare (Transitional Provisions) Act 1990 that relate to Veterans' Pensions</p> <p><i>This delegation is subject to the condition that no Veteran's Pension can be granted on the grounds of service until confirmation has been received from Veterans Affairs New Zealand that the applicant served in a war or emergency in which New Zealand forces have served</i></p>	<ul style="list-style-type: none"> ○ All employees of Senior Services who hold the positions of: <ul style="list-style-type: none"> ○ Service Manager, Seniors Support Centre ○ Veteran's Pension Officer ○ Operations Manager, Seniors Support Centre
<p>Section 74D³ (abatment)</p>	<ul style="list-style-type: none"> ○ All employees of Senior Services who hold the positions of: <ul style="list-style-type: none"> ○ Operations Manager, Seniors Support Centre ○ Service Manager, Seniors Support Centre
Trespass Act 1980	
<p>Warning to leave premises under section 3 of the Trespass Act 1980 and authority to on-delegate in writing to employees working on the premises</p>	<ul style="list-style-type: none"> ○ All employees of the Ministry of Social Development who hold the position of: <ul style="list-style-type: none"> ○ Operations Manager National Fraud Investigation Unit, Integrity Services ○ Fraud Investigation Manager National Fraud Investigation Unit,

² The exercise of these powers is by virtue of a delegation from the Secretary for War Pensions dated 4 August 2008. The delegation is made under section 69 of the War Pensions Act 1954 and by the Minister for Veterans' Affairs New Zealand under section 28 of the State Sector Act 1988.

³ Note that the delegation from the Secretary for War Pensions (dated 4 August 2008) is subject to the condition that the power to make any decision under section 74D must not be delegated to the holder of any office below the level of Service Manager.

Provision containing the functions or powers	Position(s)
	Integrity Services <ul style="list-style-type: none"> o National Manager Service Delivery, Senior Services o Operations Manager Outreach, Studylink o Outreach Manager, Studylink

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