

Social Security Appeals Authority

Member Position Description June 2021

The Authority

The Authority is an independent statutory tribunal, established under Schedule 8 section 1 of the Social Security Act 2018 (the Act).

Membership

The Authority consists of at least four persons. One of the members must be appointed as the Authority's Chair and another member as the Deputy Chair.

While it is not a requirement of the Act, the practice in recent years has been to have a Chair/Deputy Chair with a strong legal background able to interpret and make rulings on complex legal matters.

The role of the two Members positions by comparison is to assist the Chair/Deputy Chair by providing a broader community perspective to the Authority's decision-making processes, as well as additional expertise on issues likely to come before it.

Function

The Authority's function is to hear appeals against decisions on income support entitlements made by the Ministry of Social Development that have been confirmed or varied by a local Benefits Review Committee.

Appointment

Appointments are made by the Governor-General, on the recommendation of the Minister for Social Development and Employment after consultation with the Minister of Justice.

Members may be appointed for a term of up to five years, with three-year terms most common. All members are eligible for reappointment.

Workload

The workload of members varies, but typically involves one week a month, for 10 months of the year (the Authority does not currently sit in January and July).

The Authority alternates its hearing between Auckland and Wellington, but also regularly travels to other centres around the country from time to time.

Remuneration and Expenses

Authority members are paid a fee (currently \$497.50) for each day spent on Authority business.

They are also entitled to a meal and incidental allowances (currently \$70.70 per day) when travelling away from home, and can claim for expenses such as travel, parking, telephone calls and postage costs.

Knowledge, Skills, & Experience

While specific knowledge, skills and experience requirements are not prescribed in legislation, it is expected that members have a strong connection to the wider community.

In addition, members should have:

- a knowledge of the legal framework and jurisdiction of the Authority
- good statutory interpretation skills and an understanding of administrative law
- sound judgement, an appreciation of tribunal procedures and of the concept of natural justice, and an ability to conduct hearings in a manner that enables proper participation by all involved
- practical knowledge of New Zealand social security legislation and regulations
- an awareness and respect for diversity in all its forms, including differences in belief, gender, race, religious customs, age, disability, mental capacity, sexual orientation, social or economic status and lifestyles
- an ability to communicate clearly and effectively
- a high level of personal independence and integrity.

Administrative Support Services

Administrative and registry support services are provided by the Tribunal Division of the Ministry of Justice, which has offices in Wellington and Auckland.