

[2015] NZSSAA 021

Reference No. SSA 62/13

**IN THE MATTER**

of the Social Security Act 1964

**AND**

**IN THE MATTER**

of an appeal by **XXXX** of **XXXX**  
against a decision of a Benefits  
Review Committee

**BEFORE THE SOCIAL SECURITY APPEAL AUTHORITY**

Ms M Wallace - Chairperson  
Mr K Williams - Member  
Lady Tureiti Moxon - Member

**HEARING** at AUCKLAND on 10 March 2015

**APPEARANCES**

No appearance for the appellant  
Ms N Jaura for Chief Executive of the Ministry of Social Development

**RECORD OF ORAL DECISION**

[1] The appellant lodged an appeal with the Authority on 20 June 2013. It related to the failure of the Ministry to backdate payment of New Zealand Superannuation to the appellant.

[2] Prior to the appeal being heard the Chief Executive decided to backdate the grant of New Zealand Superannuation to the appellant to a date in 2008 when the appellant received a Super Gold card.

[3] The appellant was then invited to withdraw her appeal. The appellant who is represented by her daughter declined to withdraw the appeal initially on the basis that she wanted the Ministry to explain how the back payment had been calculated – a very reasonable request. The appellant was provided with the calculation of the back payment and again asked whether the appeal could be withdrawn.

[4] No response has been received from the appellant or her agent. The appeal has still not been withdrawn. In the circumstances the matter was set down for a directions hearing today at 3.30 pm. Neither the appellant nor her agent has appeared today to explain why they wish to proceed with the appeal.

[5] In the circumstances we can only assume that the appellant is now satisfied with the outcome of the appeal. As the appellant was successful in what she was asking from the Ministry the appeal is allowed.

**DATED** at WELLINGTON this 31<sup>st</sup> day of March 2015

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Ms M Wallace  
Chairperson

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Mr K Williams  
Member

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Lady Tureiti Moxon  
Member

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