

[2016] NZSSAA 56

Reference No. SSA 096/15

IN THE MATTER

of the Social Security Act 1964

AND

IN THE MATTER

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

BEFORE THE SOCIAL SECURITY APPEAL AUTHORITY

Ms M Wallace - Chairperson
Mr K Williams - Member

DECISION ON THE PAPERS

[1] The Authority issued an interim decision in relation to this matter on 11 March 2016 [2016] NZSSA 019. In its decision the Authority adjourned the appeal to enable the appellant to provide accounts for **XXXX** and **XXXX** for the year ending 31 March 2015, so that the Chief Executive could consider whether the income disclosed in these accounts would have resulted in the appellant having entitlement to Disability Allowance in the year ending 31 March 2015.

[2] The accounts have now been made available. The Ministry have advised that it has assessed the appellant's income at the time of her application on 12 May 2014 based on the accounts for the year ending 2015 as follows:

<u>XXXX</u> income - net surplus	\$43,009.73
Salary	\$18,720.00
<u>XXXX</u> – net profit	<u>\$17,018.37</u>
	\$78,758.20

(which equals \$1,514.38 per week).

[3] The income cut-out point for Disability Allowance as at 1 April 2014 was \$607.36 per week. On this basis the Ministry advise that the appellant's income exceeded the limited specified in Schedule 31 of the Act. She did not therefore qualify for Disability Allowance under s 69C of the Act in the year ending 31 March 2015.

[4] The appellant has been invited to comment. The appellant says that her financial circumstances are deteriorating but that she does not wish to spend any more time trying to "prove" that she should get assistance for a disease with no known cure.

[5] We accept that the appellant's income for the year ending 31 March 2015 is such that she was not entitled to Disability Allowance at the time she made application on 12 May 2014 or at any time subsequently during that financial year.

[6] The appeal is dismissed.

DATED at WELLINGTON this 16 day of June 2016

Ms M Wallace
Chairperson

Mr K Williams
Member