

[2018] NZSSAA 48

Reference No. SSA 011/17

**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**

**Mr G Pearson** - Chairperson

**Mr K Williams** - Member

**Mr C Joe** - Member

Appearances

For the Appellant: In person.

For Chief Executive of the Ministry of Social Development: Mr R Signal

### **DECISION**

[1] This appeal has been resolved by agreement, accordingly by consent the Authority orders:

[1.1] The overpayment is reduced from \$15,211.65 to \$2,864.25.

[1.2] The balance owing is \$1,822.39 after interim payments.

[2] The Authority reserves leave to adjust the balance after interim payments in the event the parties identify any need to adjust the balance.

[3] The Authority notes the appellant raised serious issues regarding the estimation of her income in the period following the period to which the overpayment relates. It is not an issue that arises directly in this appeal, and accordingly we have not made factual findings. We do note that the appellant raised some serious issues that are of concern, and that at least on the information we have it appears the appellant suffered serious hardship due to questionable decisions. We are grateful to Mr Signal, who indicated he would raise the issue with the appropriate officials, with a view to ensuring that frontline staff are

aware of the correct rules, and the importance of dealing appropriately with people in circumstances similar to the appellant. The appellant appreciates that will not change her situation, but is concerned that others should not face the same difficulties.

- [4] We express our appreciation to both the appellant and Mr Signal for the constructive and insightful way in which they have addressed the issues.

**Dated at Wellington** this 28<sup>th</sup> day of September 2018

**G Pearson**  
Chair

**K Williams**  
Member

**C Joe JP**  
Member