

8 July 2022

By email to: [REDACTED]

Dear [REDACTED]

### Official Information request and response

Thank you for your request under the Official Information Act ("OIA") dated 5<sup>th</sup> July 2022

You have requested:

- 1) *To allow those that received the Superannuation, whilst they were stranded overseas (in circumstances beyond their control) in Australia, not to require them to pay back the six months Superannuation.*
- 2) *But not to allow those who also received the Superannuation, whilst they were also stranded overseas (in circumstances beyond their control) in other countries any such exemption.*

Te Ara Ahunga Ora does not hold government documentation relating to how the Ministry of Social Development made this decision. You will need to request this from MSD: [Official Information Act 1982 \(OIA\) - Ministry of Social Development \(msd.govt.nz\)](#)

The Commissioner advocated for a change in position and was successful in part. A recent response from us to an OIA request sets out the context for this with links to external documents [2022-06-15-OIA-Response-MSD-and-NZS\\_Redacted.pdf \(retirement.govt.nz\)](#)

You have corresponded with us before about your own situation. Have you appealed? We recommend that you do (and BAIS can help you if you need it). The process is here [Review of a decision - Work and Income](#). The Benefits Review Committee appeal process has been unsuccessful to date, but we understand the next level appeals are being scrutinized carefully and many are being overturned.

You have the right to refer this response to the Ombudsman if you are dissatisfied with it. More information on how to do this is [here](#). Te Ara Ahunga Ora proactively releases information in accordance with the Government's commitment to the Open Government Partnership National Action Plan. This includes publishing responses to requests for information under the OIA. Please note that this response (with your name removed) will be published on the Te Ara Ahunga Ora website shortly and will remain on our website for 12 months.

Please let us know if we can help you further. Thank you for your interest in our work.

Yours sincerely



Jane Wrightson

**RETIREMENT COMMISSIONER / MANA AHUNGARUA**