



09 NOV 2020

Robert Newcombe
By email: fyi-request-14050-6698be82@requests.fyi.org.nz

Ref: PMO 2020-185

Dear Robert Newcombe

I refer to your email of 29 October 2020 regarding social insurance pensions. You wrote:

"In 2015 you stood up in Parliament and condemned Section 70, Social Security Act as unfair and especially the Spousal Provision as a human rights violation. Despite government reviews of 2004/5 condemning the means testing of overseas social insurance pensions as unfair, discriminatory, inequitable and out of date, your govt still forcefully impoverishes over 93,000 elderly with all the financial, physical and emotional problems. This cruel law is not extended to similarly worker/employer social insurance pensions from China so why is this?"

In 2018 your govt signed the UN Global Compact for Migration yet still breaches Objective 22 which calls for the portability of such social insurance pensions, why is this?"

In November the Spousal Provision ends and not before time, it was agreed in 2008 between the govt and Retirement Commissioner but this cash grab off us vulnerable elderly has been ignored along with your condemnation until now. This is an admission of wrong doing by the govt so why is it only around 500 elderly are let off the cash grab hook by the ending of the Spousal yet over 93,000 elderly are still affected by the now rewritten Section 70 by your insistence on abusing our human rights that should be protected under international law, why do you persist with such cruelty?"

As per my response to you on 21 February 2020 (PMO 2020-005), your email does not appear to be requesting official information that is likely to be held by the Prime Minister or this Office. I am therefore unable to address your request under the Official Information Act 1982.

Furthermore, as I specified in that response, responsibility for determining the eligibility for New Zealand Superannuation, the transfer of overseas contributory government pensions, and the Social Security Act 2018 sits with the Ministry of Social Development and the Minister for Social Development. If you have any further questions about this issue, I continue to recommend you contact Minister Sepuloni as the Minister with responsibility for this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Raj Nahna'.

Raj Nahna
Chief of Staff