



WHEREAS the Minister for International Development and the Pacific of the Government of Australia has approved the making of an Interpretative Declaration ('Declaration') in relation to the *Agreement on Social Security between the Government of Australia and the Government of New Zealand* ('the Agreement') done at Wellington on 8 December 2016;

NOW THEREFORE THESE PRESENT CERTIFY that Australia's Declaration is as follows:

The purpose of this Declaration is to clarify Australia's interpretation of Article 5(1) of the Agreement.

The Agreement is relevantly intended to enable New Zealand citizens who are lawfully residing in Australia on a special category visa to:

- qualify for Australian age pension, disability support pension and carer payment under the Agreement, and
- where applicable, enable another relevant person to qualify for Australian age pension and carer payment under the Agreement.

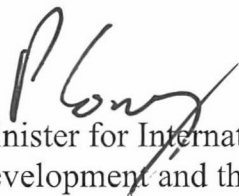
It is the understanding of Australia that Article 5(1) of the Agreement extends the definition of "Australian resident" in subsection 7(2) of Australia's *Social Security Act 1991* (the Act) to include a person who is an "Australian resident" under Article 5(1) of the Agreement.

This means if a person is an "Australian resident" under Article 5(1) of the Agreement, the person may be able to satisfy the Australian resident requirements in the Act, for example:

- paragraphs 43(1)(a), 43(1A)(c) and 43(1A)(d) of the Act, for the purposes of Australian age pension qualification,
- paragraphs 94(1)(e), 94(1)(ea), 95(1)(c) and 95(1)(d) of the Act, for the purposes of Australian disability support pension qualification, and
- subsection 197D(3), paragraph 197D(4)(b), subsection 198(4) and paragraphs 198(5)(b) and 198(7)(b) of the Act, for the purposes of Australian carer payment qualification.

IN WITNESS WHEREOF, I, Pat Conroy, have hereunto set my hand and affixed my seal.

DONE at Belmont, this 19th day of March
Two Thousand and Twenty-Five.


Minister for International
Development and the Pacific

