



Note No. 25/14

The Australian High Commission presents its compliments to the Ministry of Foreign Affairs and Trade and has the honour to convey to the Government of New Zealand the enclosed Interpretative Declaration dated 19 March 2025 regarding the interpretation of the Agreement on Social Security between the Government of Australia and the Government of New Zealand, done at Wellington on 8 December 2016 (the Agreement).

The Department of Social Services, as the lead agency with responsibility for the Agreement and Interpretative Declaration on behalf of the Australian Government, has been consulting with New Zealand's Ministry of Social Development on this matter.

In line with Australia's longstanding interpretation of Article 5(1) of the Agreement, Australia considers that New Zealand citizens living in Australia on a Special Category Visa (SCV) can rely on the terms of the Agreement to satisfy the residence requirements in Australia's domestic legislation to qualify for the Australian Age Pension, Disability Support Pension and Carer Payment in certain circumstances. Australia also considers that the Agreement enables a person caring for an SCV holder to qualify for the Carer Payment and a widow whose deceased partner was an SCV holder to qualify for the Age Pension.

On that understanding, on 19 March 2025, the Australian Government made an Interpretative Declaration to clarify Australia's interpretation of Article 5(1) of the Agreement.

The Interpretative Declaration is a unilateral document and does not purport to modify either Party's obligations under the Agreement. It only acts to clarify Australia's understanding of our existing obligations under the Agreement, consistent with longstanding Australian policy and practice.

Should the New Zealand Government approve of Australia's Interpretative Declaration we would be grateful confirmation via diplomatic note that the attached Interpretative Declaration will be considered by New Zealand as an authoritative interpretation of Article 5(1) of the Agreement.

Should your officials have any queries or wish to discuss, the relevant point of contact for this matter at the Department of Social Services is Residency and International Payments, internationalpolicy@dss.gov.au

The Australian High Commission avails itself of this opportunity to renew to the Ministry of Foreign Affairs and Trade the assurances of its highest consideration.



Wellington
16 April 2025

Encl. Interpretative Declaration.