

Community Law **Waikato**

Te Tari Ture aa-Hapori o Waikato

Part of the National Community Law Movement



Our mission is to provide free legal help to
those who cannot otherwise access it.

WORK & INCOME NON-RECOVERABLE GRANTS

2025



Extra financial support available from Work and Income

You may be able to get a non-recoverable grant from W&I. A non-recoverable grant is money you **do not** have to pay back. It is better than an advance which is money you **do** have to pay back.

W&I should give you a non-recoverable grant (if you are eligible) instead of an advance.

Special needs grants (Non-recoverable assistance payment)

Special Needs Grants are paid for a variety of purposes and are available to non-beneficiaries as well as beneficiaries. There are both income-test limits and a cash-asset limit.

You usually don't have to repay a Special Needs Grant. In some situations, a Special Needs Grant *and* an Advance of Benefit (or Recoverable Assistance Payment) can be paid, if the Special Needs Grant is insufficient to meet the entire need.

Food grants

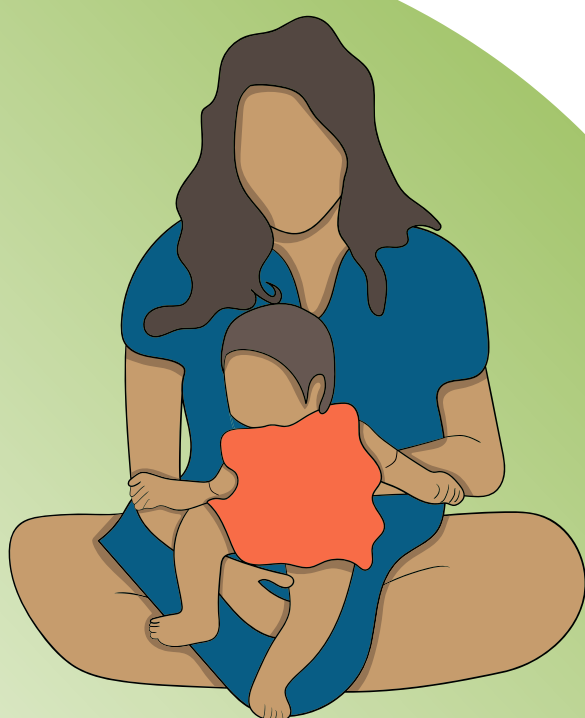
Food grants are paid for when you don't have enough money to buy food because you have had to pay for an essential cost that means you don't have enough money to pay for food.

We go into more detail later in this handout about what you need to qualify for this particular hardship assistance.

Temporary Additional Support

If you're experiencing ongoing hardship, you may qualify for Temporary Additional Support (TAS). This is other help that's available if you don't have enough money left after paying your bills and debts to pay for expenses like food and power.

Temporary Additional Support is available for a maximum of 13 weeks at a time. You need to reapply every 13 weeks if your circumstances haven't changed.



What you can get a non-recoverable grant for

These are some (but not all) of the things that you can get a special needs grant for.

AMPUTEE TRAVEL TO THE LIMB CENTRE, COSTS ASSOCIATED

BEDDING E.G. BECAUSE OF A NEW BABY, OR HEALTH CONDITION

INTERNATIONAL CHILD CUSTODY DISPUTES BETWEEN PARTIES

HOUSE BOND SO YOU CAN MOVE OUT OF SOCIAL/TRANSITIONAL HOUSING

EMERGENCY DENTAL TREATMENT THAT YOU OR YOUR TAMARIKI NEED RIGHT AWAY

MEDICAL TREATMENT THAT YOU OR YOUR TAMARIKI NEED RIGHT AWAY

TRAVEL TO A HEALTH SPECIALIST IF NOT COVERED BY A DISABILITY ALLOWANCE, ACC, OR DHB

SEPTIC TANK (OR EFFLUENT SYSTEM) REPAIRS AND/OR MAINTENANCE

WATER TANK REFILLS IF YOU RUN OUT OF WATER

VASECTOMY, TERMINATION, OR LASER BIRTHMARK REMOVAL

RESETTLING IN THE COMMUNITY IF YOU ARE:

- ESCAPING DOMESTIC VIOLENCE
- A LONG-TERM PATIENT OR LEAVING ORANGA TAMARIKI CARE
- RELEASED FROM CUSTODY AFTER A 31-DAY SENTENCE
- A REFUGEE, PROTECTED PERSON, OR AFGHAN INTERPRETER

The Law

The law requires W&I to check to see if a non-recoverable grant is available instead of an Advance (or to reduce the amount of an Advance). They must do this even if you don't ask.

please note

Specific eligibility criteria apply. Some grants are normally limited to once in a 52-weeks period **but** you can have one more frequently if there are '**exceptional circumstances**'. For most, it is also possible to waive the maximum amount if you have '**exceptional circumstances**'

Contact us for more help

Community Law often helps people to prepare for reviews and appeals and represents them in the process. Please contact us straight away to see how we can help you.

Our lawyers and advocates help for free with benefit and other legal issues in the greater Waikato. Call us (free) on 0800 529 482, email reception@clwaikato.org.nz. We will be happy to see how we can help.

Food Grants

You are entitled to a food grant each time you meet the residence, income, and asset criteria below.

- You must be a New Zealand citizen, resident, or permanent resident, and New Zealand is your permanent home.
- You do not have a current benefit sanction for an obligation failure, AND
- You have no money (like savings) you can use right now is *sensible* for you to use to buy food, AND
- Your last income payment (before tax, not including benefits, Working For Families or Best Start, Independence Allowance or Child Support paid to sole parent beneficiaries) was less than
 - Single 16 or 17 with no children: \$514.41.
 - Single 18+ no children: \$591.20.
 - Couple with or without children: \$858.72.
 - Sole parent with only one child: \$717.40.
 - Sole parents more than one child: \$755.82.



Exceptional Circumstances

An 'exceptional' situation is just something different or unusual from normal. The law does not have a list of what these are. W&I must look carefully at your circumstances when deciding if you have an exceptional situation or not.

The situation does not have to be "more exceptional" just because you get food grants frequently. The law does not require this for you to get a food grant.

How much will they give you?

Ok, so W&I have agreed that you need a food grant, but how much do you get?

W&I *must* grant a *reasonable* amount to buy food to last until your next pay. The amount you receive should not be just what W&I *think* is enough. We suggest you request an amount based on the **University of Otago research**.

The University of Otago has calculated the average cost to eat healthy food for a week. The Social Security Appeal Authority confirmed this is a useful guide when deciding about how much food grant money to give you.

The 2023 Otago amounts are below. Add them together to work out how much to ask for. These amounts are for food only. You can get extra for non-food things like cleaning and period products (the average cost of these is \$35 per week, but you can get more if you need it). You can quote these amounts to W&I as they are the best evidence of average food costs.

Adult man: \$98.

Adult woman: \$80.

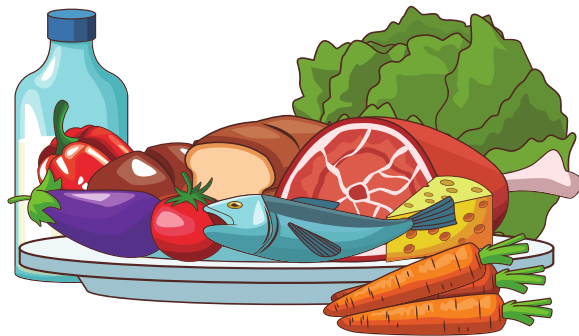
Teenage boy: \$99.

Teenage girl: \$81.

10-year-old: \$68.

Five-year-old: \$57.

One year old: \$39.



Example:

A family with an adult man, an adult woman, and a 10-old, and a four-year old normally needs to spend \$287 to buy healthy food for one week (plus extra for any non-food items).

Unless you genuinely don't need it **Always ask for the Otago amount**. If you tell W&I that you spend *less* every week on food (which is often true because it is often all there is left) then W&I may think that how much you usually spend on food is all you need.

If you get paid sooner than a week away, W&I can grant you less than the amount for a full week of food, but it should not be much less.

If you or your whaanau need to spend extra on special food because they are always sick, ask W&I to cover this in a Disability Allowance.

Food grants and the Law

This guide explains the law on food grants, when you are entitled, how to apply, and your rights about challenging W&I if you are unhappy with their decision.

Here are some common myths about food grants and why they are not true.

MYTH

VS

FACT

It is normal to be declined

NO

In reality being declined only happens in very specific situations so should be very rare.

You are only allowed a certain number of food grants

NO

This has not been true since 1991.

You are only allowed a certain amount every six months

NO

There is no absolute limit.

W&I can just decide what they feel like

NO

They must follow the law.

Whatever W&I decides I just have to accept it.

NO

You have the legal right to challenge their decision.

The Law

W&I **can not** decline you only because you do not have an unexpected cost. The law does not require this for you to get a food grant. You do not require an emergency to get a food grant. The exception to this is if your partner is on strike or you have a benefit non-entitlement and are not in extreme hardship. In these two situations you will require an **emergency**.

The law's purpose is to stop you from suffering hardship. W&I **can not** decline you a food grant 'just because' you have not saved up for what you needed or have not been to budgeting. The law around this is a little complicated, but your need for a food grant should mean W&I does not decline you.

Food grant = not suffering

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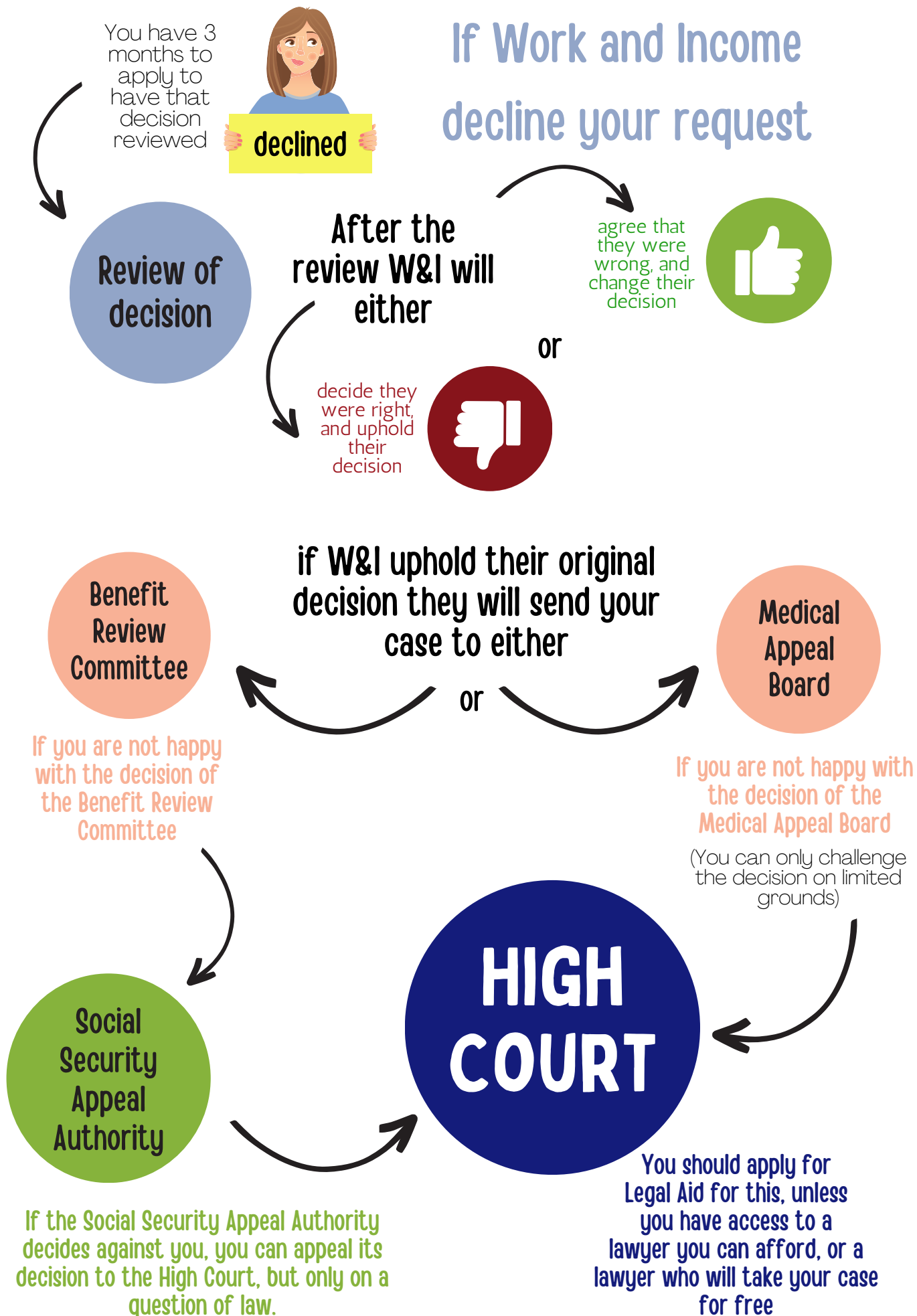
How to respond to common problems

Below are things W&I sometimes say to people applying for a food grant and some responses. Remember, you should be firm but polite.



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If this does not fix the problem, politely insist on talking to a manager. If you do not like what the manager decides, you should accept the decision and apply for a review. 8



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