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Christchurch, 28 February 2010

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Regarding: Presentation Peter van Bussel 24 February 2010

Dear Claire,

With reference to your request, from my notes the following was said by me during my presentation at the forum:

“ Thank you Susan and Michael and Claire, and everybody else, thank you for being here. It’s quite a privilege to be asked to speak. Over the last fifteen years my involvement in this has led to the establishment of an agency that tries to assist people who are struck by the direct deduction policy.

I came out on the boat when I was four years old, actually happened to be on the same boat as John Albers here. As an immigrant child I was brought to this country by my parents under the immigration treaty of 1950. We didn’t to meet have any points system or any other requirements except that my father had to be a fitter and turner to be qualified to be able to come to New Zealand. I grew up in New Zealand thinking I was a Kiwi and then I got a letter from a girl in Holland who wanted to be my pen-friend, so after four years I went over to Holland and met this girl and we became married and we had children and we’ve been married for 32 years. Fifteen of those were in Holland and now we’ve been back in New Zealand for seventeen years.

When I first came back to New Zealand I didn’t take much notice of any pension policy thing going on but the Dutch community asked me as a Dutch bookkeeper to do something about it. I was quite shocked to hear some of these stories from people in financial strife so I set up an agency. The important thing to remember about that is that I don’t represent Dutch pensioners or Swiss pensioners or German pensioners or Canadians. I don’t actually represent any particular nationality but I do know a lot about all the different things that effect these different nationalities. There’s been no democratic process to let me be the representative and I’m not claiming to be one but I do help people to get through the review process, I’ve assisted Ruth at times, I’ve given people advice over the phone, I’ve made submissions to periodic reporting groups, I’ve made submissions to a select committee last year about the position of people moving away from New Zealand. I do a lot about it although sometimes it doesn’t actually amount to any great success.

I think that running an independent agency is important to give balanced and useful information to people and we now have a lot more information about section 70 and the pension policy through the web-sites of RPRC and New Zealand Pension Abuse and there’s lots of other people who are setting up pages on internet web-sites and I think it’s very positive that there’s a lot more people getting interested in this matter and I’m sure we will move ahead.

When I first started on this thing I wrote a letter to the Dutch government about how military pensions and that kind of thing are being undermined by the deduction policy in New Zealand and the answer, of course, took six weeks to get back to me by sea-post and the answer was the same as everybody is getting these days. The answer was evasive, dismissive, irrelevant, manipulative they didn't seem to understand what I was talking about, everything was mixed up, everything was back to front and it was all illogical.

I thought "Hey, is it me or what ? Have I misunderstood ?" But, it dawned on me, I didn't misunderstand but the authorities didn't want to understand, they didn't want to get involved. So I was asking the Ministry of Social Welfare in The Netherlands why the civil service pensions are reduced for the AOW pensions John is talking about? And if it is a legal deduction could there not be some sort of softening of that deduction to cater for these clients in New Zealand who are being treated like that. So, the answer said that the AOW pension was not reduced by the ABP pension and there was no way the problem in New Zealand could be fixed in Holland. When I asked about the ABP being reduced by the AOW they're saying there's no way the AOW is being reduced by the ABP. They've actually turned everything round on its head and of course, the AOW is not reduced by the ABP but they think that if they play dumb, that we are going to go away. So, this dismissive and unhelpful attitude confirmed that the problems for some Dutch pensioners in New Zealand are not entirely fair or just.

Four years later I was at the High Court in New Zealand and I was presenting the Ruifrok and van Lindt High Court case which is quite often used to justify section 70. It wasn't really about the existence of section 70. In that case it was about the effect that section 70 had on military pensions, but they [MSD] use it every time to justify section 70. The High Court said "Ok, there is a double deduction, we respect that, but we can't do anything about it and the authorities can enter into an arrangement, they can take advice on it, and they may be able to fix it by fixing the social security agreement." Four years later there was a fix in the social security agreement that should solve the problems for this particular Dutch group. Four years after that it was obvious that the Ministry of Social Development has done everything it can not to follow those new rules. I complained to the Office of the Ombudsmen as well as to the Office of the Privacy Commissioner that lists of wrong names were being used to prevent justice being brought to that group that was complaining.

So they've all been dismissed, all our complaints have been dismissed and I had a meeting this morning with Grant Illingworth, he's quite well known as the Queen's Counsel who took the Tetley-Jones case for the Irish pensions against the Ministry of Social Development and we're currently discussing some tactic to get some movement on this double deduction. It may seem that I'm working for one little group but last week I also helped beneficiaries at the Social Security Appeal Authority because it had taken them five and a half years to get to the Social Security Appeal Authority. Five and a half years of dealing with customer services officers of WINZ who lost letters, ignored letters, threw letters away, denied access to an internal review and then denied access to a Benefits Review Committee Review (that was in July last year after five years) and then sent us back to the Ministry saying "You have to negotiate this out with the Ministry" and the Ministry sent us back to the Social Security Appeal Authority and that hearing was last week. It's very embarrassing for WINZ to subject people to five and half to six years of shananigans. In that time we'd done four court hearings in The Netherlands and five appeal hearings in The Netherlands. The Netherlands process is not so quick but it's a lot quicker than getting to the Social Security Appeal Authority in New Zealand. And that I am taking up with the Ombudsman next week – that it takes five and a half years to discuss something with the Ministry of Social Development.

So we are working on lots of bits and pieces, not only Canadians or Dutch or Americans. We're working over the whole group of migrants and kiwis who are affected by the spousal undercut of section 70. I encourage everyone to do what they can, keep battling away, I encourage you all to work together and maybe we will make a difference. Thank you for your time."

Yours sincerely,

Peter van Bussel

A handwritten signature in black ink, appearing to be 'Peter van Bussel', written over a horizontal line.