

Student Loan Scheme Amendment Act 2000

Public Act 2000 No 33
Date of assent 18 September 2000

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The Parliament of New Zealand enacts as follows:**1 Title**

- (1) This Act is the Student Loan Scheme Amendment Act 2000.
- (2) In this Act, the Student Loan Scheme Act 1992 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

Part 1**Amendments to principal Act****3 Interpretation**

- (1) Section 2 of the principal Act is amended by inserting, after the definition of **challenge**, the following definition:
“**chief executive** means the chief executive of the department that is, with the authority of the Prime Minister, for the time being responsible for the administration of the Social Security Act 1964.”
- (2) Section 2 of the principal Act is amended by omitting from the definition of **lender** the words “Minister of Education”, and substituting the words “Minister who is, with the authority of the Prime Minister, for the time being responsible for the administration of the Social Security Act 1964”.

4 Power to require objection to be determined by chief executive

- (1) Section 8 of the principal Act is amended by omitting the words “Secretary of Education” wherever they occur, and substituting in each case the words “chief executive”.
- (2) The heading to section 8 of the principal Act is amended by omitting the words “Secretary of Education”, and substituting the words “chief executive”.

5 Chief executive to consider objections

- (1) Section 9 of the principal Act is amended by omitting the words “Secretary of Education” wherever they occur, and substituting in each case the words “chief executive”.
- (2) Section 9(2) of the principal Act is amended by omitting the words “Secretary of Education’s”, and substituting the words “chief executive’s”.
- (3) The heading to section 9 of the principal Act is amended by omitting the words “Secretary of Education”, and substituting the words “Chief executive”.

6 Extension of time for objection

Section 10 of the principal Act is amended by omitting the words “Secretary of Education”, and substituting the words “chief executive”.

7 Right to apply to Disputes Tribunal or District Court

Section 11(1) of the principal Act is amended by omitting the words “Secretary of Education” wherever they occur, and substituting in each case the words “chief executive”.

8 Deductions from income-tested benefits

Section 23 of the principal Act is amended by omitting the words “of the department for the time being responsible for the administration of the Social Security Act 1964”.

9 Disclosure of information

- (1) Section 62 of the principal Act is amended—
 - (a) by omitting the words “Secretary of Education” wherever they occur, and substituting in each case the words “chief executive”;
 - (b) by omitting the words “Ministry of Education” wherever they occur, and substituting in each case the words “specified department”.
- (2) Section 62 of the principal Act is amended by adding the following subsection:
 - “(6) In this section, **specified department** means the department that is, with the authority of the Prime Minister, for the time

being responsible for the administration of the Social Security Act 1964.”

10 New section 63A inserted

- (1) The principal Act is amended by inserting, after section 63, the following section:

“63A Loan contract enforceable against minor

A loan contract entered into by a borrower (whether before or after the commencement of this section) who is under 18 years of age must be treated, for the purposes of the Minors’ Contracts Act 1969, as if the borrower were aged 18 years.”

- (2) Nothing in subsection (1) applies to or affects any loan contract that is the subject of proceedings commenced before 5 October 1999, being the date on which this Act was introduced as a Bill into the House of Representatives.

Part 2

Transitional provisions

11 Transitional provision relating to transfer of loans entered into before 31 December 1999

Sections 8 to 11 of the principal Act, as they read immediately before the commencement of this Act, continue to apply to any objection as to a loan balance relating to a student loan—

- (a) entered into on or before 31 December 1999; and
- (b) under which money is first advanced to the borrower on or before 31 December 1999.

12 Transitional provision relating to disclosure of information

Section 62 of the principal Act, as it read immediately before the commencement of this Act, applies to information relating to a student loan—

- (a) entered into on or before 31 December 1999; and
- (b) under which money is first advanced to the borrower on or before 31 December 1999.

Legislative history

5 October 1999

Introduction, first and second reading, and referral to Social Services Committee (Bill 327-1)

29 May 2000

Reported from Social Services Committee (Bill 327-2)

26 July 2000

Committee of the whole House

14 September 2000

Third reading
