

# Taxation (Parental Tax Credit) Act 1999

Public Act 1999 No 62  
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**An Act to—**

- (a) Introduce the parental tax credit, a credit of tax to provide support for working families with a newborn child; and**
- (b) Rename the independent family tax credit and guaranteed minimum family income as the child tax credit and the family tax credit respectively; and**
- (c) Introduce family plus, which comprises the child tax credit, the parental tax credit and the family tax credit**

**BE IT ENACTED by the Parliament of New Zealand as follows:****1 Short Title**

This Act may be cited as the Taxation (Parental Tax Credit) Act 1999.

**2 Application**

This Act applies on and after 1 October 1999.

**Part 1****Amendments to Income Tax Act 1994**

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**3 Income Tax Act 1994***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**4 New heading and section replaced***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**5 New Subpart heading***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**6 New section inserted***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**7 Sections replaced***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**8 Credit of tax by instalments***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**9 Rates for interim instalments for period ending on or after 1 July 1998***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**10 Chief executive to deliver credit of tax***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**11 Refund of excess tax***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**12 Definitions***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**13 Consequential amendments***[Repealed]*

Part 1 (sections 3 to 13) was repealed, as from 1 April 2005, by section YA 2 Income Tax Act 2004 (2004 No 35).

**Part 2****Amendments to Tax Administration Act  
1994****14 Tax Administration Act 1994**

This Part amends the Tax Administration Act 1994.

**15 Interpretation**

In section 3, the definition of **family tax credit** is repealed.

**16 Annual income tax returns not required**

Section 33A(1)(f) is replaced by:

- “(f) Or the spouse of the person, is not paid by the chief executive of the department for the time being responsible for the administration of the Social Security Act 1964 a Part KD credit under section KD 2 of the Income Tax Act 1994 for which the amount of family credit abatement under that section is greater than nil; and”.

**17 Annual returns by persons who receive Part KD credit**

Section 41 is replaced by:

**“41**

- (1) If a person is eligible to receive a credit of tax under Part KD of the Income Tax Act 1994, the person must apply

to the Commissioner for the credit of tax in the manner specified by the Commissioner.

- “(2) A person’s application must be signed and provide the information the Commissioner requires.
- “(3) Subsection (4) applies if, apart from this section, a person is not required to furnish a return of income for an income year and—
- “(a) For the whole of part of the income year the person is issued with a family certificate of entitlement under Part KD of the Income Tax Act 1994; or
- “(b) After the end of the income year, the person applies to the Commissioner for a Part KD credit or a family tax credit for that income year.
- “(4) A person must furnish a return to the Commissioner for the income year, whether or not the person derived gross income in the income year, together with—
- “(a) The details of every Part KD credit paid to the person in the income year; and
- “(b) Such other details as may be prescribed or required by the Commissioner.
- “(5) The provisions of this Act, so far as they are applicable and with any necessary modifications, apply to every return furnished or required to be furnished under subsection (4) as if the return were furnished or required to be furnished under section 33.”

**18 Accident Rehabilitation and Compensation Insurance Corporation to provide information as to recipients of weekly compensation**

- (1) In section 46A(1) and 46A(3), “independent family tax credit” is replaced by “child tax credit”.
- (2) In section 46A(5), the definition of **independent family tax credit** is replaced by:

“**Child tax credit** has the same meaning as in section OB 1 of the Income Tax Act 1994”.

**19 Disclosure of information for purposes of entitlement card**

In section 83(2), “family tax credit” is replaced by “Part KD credit”.

**20 Disclosure of information for family support double payment identification**

(1) In section 84(1)(a) and 84(4), “family tax credit” is replaced by “Part KD credit”.

(2) In section 84(6), after the definition of **beneficiary information**, the following is inserted:

“**Part KD credit** means an interim instalment of a Part KD credit, as that term is defined in section OB 1 of the Income Tax Act 1994”.

**21 Power to make interim payments of Part KD credit**

Section 225A is replaced by:

**“225A**

(1) The Governor-General may from time to time, by Order in Council—

“(a) Specify a class of persons being paid an income-tested benefit to whom the chief executive of the department for the time being responsible for the administration of the Social Security Act 1964 may make payments under section KD 6(1)(b) of the Income Tax Act 1994, or to whom the chief executive must stop making such payments:

“(b) Appoint a date on which the chief executive of that department may start making payments under section KD 6(1)(b) of the Income Tax Act 1994 or a date on which the chief executive must stop making such payments.

“(2) An Order in Council made under subsection (1) may—

“(a) Provide that the chief executive of that department may make payments, or must stop making payments, under section KD 6(1)(b) of the Income Tax Act 1994 to all persons receiving an income-tested benefit; or

“(b) Specify a class of persons being paid an income-tested benefit to whom the chief executive of that

department may make payments, or must stop making payments, under section KD 6(1)(b) of the Income Tax Act 1994, by reference to one or more of the following:

- “(i) The type of income-tested benefit received by the person:
  - “(ii) The amount of the income-tested benefit received by the person:
  - “(iii) The amount of the Part KD credit to which the person may be entitled, as determined by the chief executive of that department:
  - “(iv) Any amount used or calculated by the chief executive of that department in determining the amount of the Part KD credit to which a person may be entitled.
- “(3) Every Order in Council made under subsection (1) is treated as being a regulation for the purpose of the Regulations (Disallowance) Act 1989 and the Acts and Regulations Publication Act 1989.”
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## Consequential Amendments

### Regulation Amended

| Regulation   | Amendment   |
|--|---|
| <p>Health Entitlement<br/>Cards Regulations<br/>1993 (SR 1993/169)</p> | <p>By omitting from paragraph (b) of the definition of <b>family credit income</b> in regulation 2 the words “family credit” and “guaranteed minimum family income”, and substituting the words “Part KD credit” and “family tax credit” respectively.</p> <p>By inserting, after the definition <b>ordinarily resident in New Zealand</b> in regulation 2, the following definition:<br/> <b>“Part KD credit</b> has the same meaning as in section OB 1 of the Income Tax Act 1994</p> <p>By omitting from regulation 8(1)(c)(ii) the words “family tax credit”, and substituting the words “Part KD credit”.</p> <p>By omitting from regulation 8(1)(d)(iii) the words “family credit”, and substituting the words “Part KD credit”.</p> <p>By omitting from regulation 8(4) the words “family credit” in both places where they occur, and substituting the words “Part KD credit”.</p> <p>By omitting from regulation 8(4)(b) the words “family support credit of tax”, and substituting the words “Part KD credit”.</p> |