



Child Support Amendment Act (No 2) 2003

Public Act 2003 No 125
Date of assent 25 November 2003
Commencement see section 2

Contents

1	Title	3	Unpaid financial support to constitute charge on payer's property
2	Commencement		

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Child Support Amendment Act (No 2) 2003.

2 Commencement

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

3 Unpaid financial support to constitute charge on payer's property

Section 169(4) to (7) of the Child Support Act 1991 are replaced by the following:

“(4) Despite section 23(b) of the Personal Property Securities Act 1999, if a charge affects property against which charges may be registered under a registration Act, the Commissioner may register the charge under the registration Act.

“(4B) The Commissioner is not required to pay a fee for the registration of a charge under a registration Act in reliance on this section.

- “(5) For the purpose of this section, **registration Act**, in relation to any property, includes—
- “(a) the Statutory Land Charges Registration Act 1928 in every case where the property is land or an interest in land (including a mortgage):
- “(b) the Personal Property Securities Act 1999.
- “(6) Particulars recorded under subsection (4) are to operate and take priority according to the provisions of the applicable registration Act.
- “(6B) If the registration under this section of a charge over property occurs after the registration of a mortgage over the same property and before an advance of money secured by the mortgage, the charge has priority over the mortgage in respect of that money.
- “(7) On the satisfaction of a charge that is registered under a registration Act in reliance on this section, the Commissioner must release the charge in the manner required by the registration Act, with such modifications as may be necessary.
- “(7B) The Commissioner is not required to pay a fee for the release of a charge that is registered under a registration Act in reliance on this section.”

Legislative history

18 November 2003	Divided from Taxation (Annual Rates, GST, Trans-Tasman Imputation and Miscellaneous Provisions) Bill (Bill 60–2) as Bill 60–3D
19 November 2003	Third reading
25 November 2003	Royal assent

This Act is administered in the Inland Revenue Department.
