

**Reprint
as at 1 August 2020**



Education Amendment Act (No 2) 2010

Public Act 2010 No 103
Date of assent 23 August 2010
Commencement see section 2

Education Amendment Act (No 2) 2010: repealed, on 1 August 2020, pursuant to section 669(3)(b) of the Education and Training Act 2020 (2020 No 38).

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Education Amendment Act (No 2) 2010.
- 2 Commencement**
This Act comes into force on 27 September 2010.
- 3 Principal Act amended**
This Act amends the Education Act 1989.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Social Development.

4 Student allowances

Section 303 is amended by inserting the following subsections after subsection (3A):

- (3B) The rates of student allowances set under this section (except the rates of allowances provided in respect of accommodation expenses) must be adjusted, by regulations made under subsection (1), as at 1 April each year so that in each case the new rate (after the deduction of standard tax) is the rate at that date (after the deduction of standard tax and before the adjustment under this section is made) adjusted by an amount equal to the percentage movement upwards in the CPI between the CPI for the quarter ended with 31 December 1 year before the immediately preceding 31 December and the CPI for the quarter ended with the immediately preceding 31 December.
- (3C) The adjustments (by any percentage movement upwards in the CPI) required under subsection (3B) as at 1 April 2011, 1 April 2012, and 1 April 2013 must, despite subsections (3B) and (3F), be calculated,—
- (a) if, and insofar as, they relate to movements during quarters that end before 29 April 2010, using index numbers for those quarters of the consumers price index-all groups published by Statistics New Zealand; and
 - (b) if, and insofar as, they relate to movements during quarters that end after 28 April 2010, using index numbers for those quarters of the consumers price index-all groups excluding cigarettes and other tobacco products published by Statistics New Zealand.
- (3D) An adjustment under subsection (3B) must not reduce the weekly amounts of student allowances payable.
- (3E) Every adjustment made under subsection (3B) comes into force, or is considered to have come into force, on 1 April of the calendar year in which it is made, and applies to student allowances payable on and after that date.
- (3F) In this section,—
- CPI** means the consumers price index-all groups published by Statistics New Zealand
- standard tax** means the amount of tax reckoned on a weekly basis that would be withholdable in accordance with tax code “M” stated in section 24B of the Tax Administration Act 1994.

Reprints notes

1 *General*

This is a reprint of the Education Amendment Act (No 2) 2010 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Education and Training Act 2020 (2020 No 38): section 669(3)(b)