

House of Representatives

Supplementary Order Paper

Tuesday, 16 August 2016

Taxation (Business Tax, Exchange of Information, and Remedial Matters) Bill

Proposed amendments

Hon Michael Woodhouse, in Committee, to move the following amendments:

New clause 120B

Insert after *clause 120* (page 69, after line 4):

120B New section 227B (Regulations providing for transitional exemptions and other matters)

After section 227, insert:

227B Regulations providing for transitional exemptions and other matters

- (1) The Governor-General may, by Order in Council on the recommendation of the Minister of Revenue, make regulations—
 - (a) providing transitional and savings provisions concerning the coming into force of new provisions of this Act that may be in addition to, or in place of, other regulations made under this Act:
 - (b) prescribing how the new provisions and the old provisions must be applied or modified in order to ensure the continued administration of the tax system:
 - (c) providing that, subject to such conditions as may be specified in the regulations, during a specified transitional period,—
 - (i) specified provisions of this Act, including definitions, do not apply, or apply with modifications or additions, or both:

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- (ii) specified terms have the meaning given to them by the regulations:
 - (iii) specified provisions repealed or amended or revoked by this Act are to continue to apply:
 - (d) specifying—
 - (i) categories of persons who may be exempted from some or all of an obligation under this Act:
 - (ii) the grounds for the grant of an exemption:
 - (e) providing for any other matters necessary for facilitating or ensuring an orderly transition from the provisions of any enactments replaced by this Act to the provisions of this Act.
- (2) Regulations made under this section must include a date on which the regulations are repealed, and that date must be no later than 3 years after the date on which they are made.
- (3) The Minister may recommend the making of regulations under this section only if satisfied that the regulations—
- (a) are consistent with the purposes of this Act and are necessary or desirable for the orderly implementation of the business transformation process; and
 - (b) are consistent with the purposes of the specified enactments; and
 - (c) have been the subject of a consultative process.
- (4) This section and any unexpired regulations made under this section expire and are repealed on 31 December 2021.

Explanatory note

This Supplementary Order Paper inserts a provision amending the Tax Administration Act 1994 to provide a regulation-making power to resolve any potential transitional issues arising during the period of co-existence of 2 Inland Revenue Department software platforms. *New clause 120B* inserts *new section 227B* to provide the regulation-making power and to include a requirement for the repeal within 3 years of any regulations made under the provision and for the repeal of the provision itself.

Departmental disclosure statement

Inland Revenue is required to prepare a disclosure statement to assist with the scrutiny of this Supplementary Order Paper. The disclosure statement provides access to information about any material policy changes to the Bill and identifies any new significant or unusual legislative features of the Bill as amended.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=sop&subtype=government&year=2016&no=190&>.

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Wellington, New Zealand:

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