

**Reprint**  
**as at 1 April 2012**

**Student Loan Scheme Amendment  
Act (No 2) 2003**

Public Act 2003 No 124  
Date of assent 25 November 2003

Student Loan Scheme Amendment Act (No 2) 2003: repealed, on 1 April 2012,  
pursuant to section 225 of the Student Loan Scheme Act 2011 (2011 No 62).

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

**This Act is administered by the Inland Revenue Department.**

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

**1 Title**

This Act is the Student Loan Scheme Amendment Act (No 2) 2003.

**2 Commencement**

- (1) This Act comes into force on the day on which it receives the Royal assent, except as provided in this section.
- (2) Section 8(1) and (4) are treated as coming into force on 1 April 1997.
- (3) Section 8(3) is treated as coming into force on 26 March 2003.

**3 Student Loan Scheme Act 1992**

Sections 4 to 9 amend the Student Loan Scheme Act 1992.

**4 Interpretation**

- (1) In section 2, after the definition of **primary employment earnings**, the following is inserted:  
“**repayment code** means the repayment code specified in section 17B”.
- (2) Subsection (1) applies for pay periods ending on and after the date on which this Act receives the Royal assent.

**5 Borrowers to whom repayment deduction provisions of this Part apply**

- (1) In section 17, “Sections 18 to 25” is replaced by “Sections 17B to 25”.

- (2) Subsection (1) applies for pay periods ending on and after the date on which this Act receives the Royal assent.

**6 New section 17B inserted**

- (1) After section 17, the following is inserted:

**“17B Repayment codes for application of PAYE rules**

For the purpose of the application of the PAYE rules of the Income Tax Act 1994 under section 25 of this Act, the repayment code of any borrower in relation to any salary or wages is ‘SL’.”

- (2) Subsection (1) applies for pay periods ending on and after the date on which this Act receives the Royal assent.

**7 Section 18 replaced**

- (1) Section 18 is replaced by the following:

**“18 Borrower’s notice to employer of requirement for repayment deductions**

- “(1) A person who is a borrower and is in the employment of an employer (including an employer from whom secondary employment earnings are received) must give written notice under this section to the employer as soon as practicable after the later of—

- “(a) the time at which the person becomes an employee of the employer; and  
“(b) the time at which the person becomes a borrower.

- “(2) A notice under this section must inform the employer that—

- “(a) the borrower is required to have repayment deductions made under this Part from any amount paid to the borrower by way of salary or wages; and  
“(b) the tax code prescribed by section NC 8(1) of the Income Tax Act 1994 for the borrower should be followed by the repayment code ‘SL’ for the purpose of making a repayment deduction from salary or wages paid to the borrower.”

- (2) Subsection (1) applies for pay periods ending on and after the date on which this Act receives the Royal assent.

**8 PAYE rules of Income Tax Act 1994 to apply to repayment deductions**

- (1) In section 25(1), “as defined in section OZ 1(1)” is inserted after “PAYE rules” where it first appears.
- (2) In section 25(1)(b), “deductions,—” is replaced by “deductions; and” and the following is added:  
“(c) every reference to a tax code were a reference to a repayment code,—”.
- (3) In section 25(2), “, NC 16, and” is replaced by “and NC 16”.
- (4) In section 25(2), “and sections 143A(1)(d) and (e) and 143B(1)(d), and Part 9 (except section 146) of the Tax Administration Act 1994” is omitted.
- (5) Subsection (2) applies for pay periods ending on and after the date on which this Act receives the Royal assent.
- (6) Subsection (3) applies for the 2002-03 and subsequent income years.

**9 Underestimation penalty where interim repayments underestimated as at final instalment date**

- (1) In section 44A(1)—
    - (a) in the words preceding paragraph (a), “interim” is inserted before “repayment”;
    - (b) in paragraph (a), “residual” is inserted before “repayment”, where it first appears;
    - (c) in paragraph (a), “interim” is inserted before “repayment”, where it second appears;
    - (d) in paragraph (b), “residual” is inserted before “repayment”.
  - (2) In the definition of item “a” in section 44A(2), “residual” is inserted before “repayment”.
  - (3) Subsections (1) and (2) apply to estimated interim repayment obligations arising in respect of the 1998-99 and subsequent income years.
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## **Notes**

### **1 General**

This is an eprint of the Student Loan Scheme Amendment Act (No 2) 2003. The eprint incorporates all the amendments to the Act as at 1 April 2012. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

### **2 About this eprint**

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

### **3 List of amendments incorporated in this eprint (most recent first)**

Student Loan Scheme Act 2011 (2011 No 62): section 225

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