

# **Student Loan Scheme (Exemptions and Miscellaneous Provisions) Amendment Bill**

Government Bill

## **Explanatory note**

### **General policy statement**

The Student Loan Scheme (Exemptions and Miscellaneous Provisions) Amendment Bill amends the Student Loan Scheme Act 1992. The Bill extends interest-free loans to—

- borrowers who are present in Niue, the Cook Islands, Tokelau, or the Ross Dependency for 183 or more consecutive days in order to encourage borrowers from those countries (or that territory) to return to their country and contribute to its development; and
- students who are enrolled with a New Zealand education provider and engaged in full-time study overseas under either a formal exchange programme approved by the New Zealand Government, or a formal agreement between a New Zealand tertiary education provider and an overseas tertiary education provider.

The Bill also makes 8 minor or technical amendments to the Student Loan Scheme Act 1992, having the following effect:

- removing the current limitation on the prior tax years for which borrowers may seek relief on hardship grounds from payment

of a repayment obligation. At present such relief is limited to the year immediately preceding the current tax year:

- allowing the Commissioner of Inland Revenue to increase the standard rate for repayment deductions from salary and wages from 10 cents in the dollar to up to 15 cents for borrowers who have failed either to have the correct deductions made, or to pay any amount that has become due and payable under the Student Loan Scheme Act 1992. The increased deductions will apply until the total amount due and payable by the borrower has been fully repaid:
- inserting a formula to determine the total interest rate:
- allowing the loans of borrowers who return to New Zealand to be interest-free for the time that they are back in New Zealand if they fully repay the loan before they have been back in New Zealand for 183 days:
- increasing the period in which a loan may be fully repaid without incurring any additional interest from 15 to 30 days:
- limiting world-wide income in an income-contingent assessment to the period that a borrower is entitled to an interest-free loan:
- clarifying that a borrower may only obtain the benefit of the exemption in section 38AE(1)(b) if the organisation for which the borrower is working was listed in the Student Loan Scheme (Charitable Organisations) Regulations 2006 at the time the borrower did that work:
- changing the manner in which relevant countries are identified for the purposes of section 38AEA of the Student Loan Scheme Act 1992 from those recognised by the United Nations as a developing country to those listed on the Organisation of Economic Cooperation and Development's list of countries receiving development assistance.

### **Clause by clause analysis**

*Clause 1* sets out the Title of the Bill.

*Clause 2* is the commencement clause. *Clauses 4, 26(1), 31, and 32* (all of which concern amendments to the definition of total interest rate) come into force on 1 April 2010. The rest of this Bill is to come into force on the day after the date on which it receives the

Royal assent. However, certain provisions in this Bill have effect from earlier dates (*see clauses 10(5), 14, and 16*).

*Clause 3* states that this Act amends the Student Loan Scheme Act 1992.

## **Part 1 Amendments to principal Act**

*Clause 4* replaces the definition of total interest rate in section 2. The current definition refers to a rate prescribed by regulations. The new definition sets out the formula by which the total interest rate for a tax year is to be determined. The repeal of section 87(1)(ab) and (ac) in *clause 26* and the revocation of the Student Loan Scheme (Interest Rates Formulas) Regulations 2006 and the Student Loan Scheme (Total Interest Rate) Regulations 2009 in *clauses 31 and 32* are all consequential upon this amendment.

*Clause 5* amends section 14 in order to ensure that if a borrower is overseas based for part of a tax year, only the income that that borrower derived during the part of the year that the borrower was New Zealand based is used when determining that borrower's income-contingent repayment obligation for that tax year.

*Clause 6* makes 2 consequential amendments to section 19 that are required because of the amendment made in *clause 7*.

*Clause 7* inserts a *new section 20A*. This provision allows the Commissioner to issue an increased repayment deduction rate notice that applies to a specified borrower and, for that borrower, increases the standard deduction rate (which is 10 cents in each dollar) up to a maximum rate of 15 cents in each dollar. The Commissioner can only take this action if the amount of the borrower's repayment deductions is, or was, less than the amount required under the Act, or if the borrower has failed to pay any amount that has become due and payable in accordance with the Act.

The notice must specify the total amount payable by the borrower and is sent directly to the borrower's employers (with a copy going to the borrower). The borrower's employers must make repayment deductions at the increased rate until those repayment deductions equal the total amount payable by the borrower, or until the Commissioner notifies the employers otherwise.

*Clause 8* is a consequential amendment required because of the amendment made in *clause 14*.

*Clause 9* is a consequential amendment that is also required because of the amendment made in *clause 14*.

*Clause 10* amends section 38AE. First, it amends section 38AE(1)(b) to make it clear that a borrower can only obtain the benefit of that provision if the charitable organisation for whom the borrower worked was named in regulations made under the principal Act at the time when the borrower did that work.

Secondly, it creates a new exemption under which certain borrowers can obtain a full interest write-off if they were personally absent from New Zealand because they were in 1 or more of Niue, the Cook Islands, Tokelau, or the Ross Dependency. Two other amendments are made to section 38AE as a consequence of this amendment, which also ties in with the amendment made in *clause 13*.

Finally, it inserts a *new subsection (9)*, which provides that the new exemption has effect from 31 March 2009.

*Clause 11* amends section 38AEA, which sets out the conditions for certain borrowers to receive a full interest write-off if they are doing voluntary work in a country that is recognised by the United Nations as a developing country. The United Nations does not maintain a list of developing countries. Therefore, this amendment changes the way in which the appropriate countries are identified in section 38AEA by referring to countries listed on the Organisation for Economic Co-operation and Development's list of countries receiving development assistance.

*Clause 12* makes a consequential amendment to section 38AI(d) that is required because of the amendment made in *clause 14*.

*Clause 13* inserts a *new section 38AIA*, which sets out the conditions for certain borrowers to receive a full interest write-off if they were personally present in 1 or more of New Zealand, Niue, the Cook Islands, Tokelau, or the Ross Dependency for a period of 183 or more consecutive days after 31 March 2009.

*Clause 14* inserts *new section 38AJA*, which sets out an exemption, and the conditions for certain borrowers to receive a full interest write-off if they are undertaking full-time study overseas under a formal exchange programme or as part of a formal agreement between

a New Zealand tertiary education provider and an overseas tertiary education provider.

*New section 38AJA* has effect from 31 March 2007.

*Clause 15* contains a consequential amendment required because of the amendment in *clause 14*.

*Clause 16* inserts a *new section 38AM*, which reduces a borrower's interest to zero for specified periods if that borrower fully repays his or her loan balance within a specified 183-day period.

*New section 38AM* has effect from 31 March 2006.

*Clause 17* corrects a mistake in punctuation in section 44(1)(d).

*Clause 18* corrects a threshold in section 51(3)(a) by changing it from \$333 to \$334. This threshold concerns situations where the Commissioner may refrain from collecting payment of a repayment obligation.

*Clause 19* amends section 54, which relates to the Commissioner's ability to grant a borrower hardship relief. Currently hardship relief can only be granted for the current tax year, the next tax year, and the tax year immediately prior to the current tax year. This amendment allows hardship relief to be granted for any prior tax year.

*Clause 20* substitutes *new sections 55 to 55B*. This amendment is related to the amendment made to section 54 by *clause 19*. *New sections 55 to 55B* set out the conditions that must be met before the Commissioner may grant hardship relief to a borrower and also specify the varying nature of the hardship relief that may be granted depending upon whether that relief is sought for a prior tax year, the current tax year, or the next tax year. *New section 55* concerns hardship relief for any tax year prior to the current tax year. *New section 55A* concerns hardship relief for the tax year immediately prior to the current tax year. *New section 55B* concerns hardship relief for the current tax year or the next tax year.

*Clause 21* amends section 55C. The amendments change 2 cross-references to section 55 and are consequential to the amendments made in *clause 20*.

*Clause 22* amends section 55D. The amendment changes a cross-reference to section 55 and is consequential to the amendments made in *clause 20*.

*Clause 23* amends the heading to section 56 so that it better reflects the contents of that section.

*Clause 24* amends section 60A. That section provides for the cancellation of interest on a borrower's outstanding IRD loan balance if that loan balance is repaid early. The amendment changes the period within which a borrower must pay that loan balance in order for that section to apply, from 15 days to 30 days.

*Clause 25* makes 4 consequential amendments to section 65A that are required because of the amendments made in *clauses 13 and 14*.

*Clause 26* repeals section 87(1)(ab) and (ac). The regulation-making powers in those provisions are no longer required because of the amendment made to the definition of total interest rate by *clause 4*. The revocation of the Student Loan Scheme (Interest Rates Formulas) Regulations 2006 and the Student Loan Scheme (Total Interest Rate) Regulations 2009 in *clauses 31 and 32* are also related to this amendment.

*Clause 26* also repeals section 87(1)(b) because the section to which this paragraph refers has been repealed, and consequently amends section 87(4).

## Part 2

### Consequential amendments to, and revocations of, other enactments

#### *Consequential amendments to other enactment*

*Clause 27* provides that *clauses 28 and 29* amend the Tax Administration Act 1994.

*Clause 28* repeals section 33A(1)(h) and (i) of the Tax Administration Act 1994 because it refers to provisions of the Student Loan Scheme Act 1992 that have been repealed and it is therefore now redundant.

*Clause 29* amends section 81(4)(g) of the Tax Administration Act 1994 to remove a cross-reference to the Student Loan Scheme Act 1992 that is now redundant.

#### *Consequential revocations of other enactments*

*Clause 30* revokes the Student Loan Scheme (Income Amount for Full Interest Write-off) Regulations 2005. These regulations are revoked because the provisions of the Student Loan Scheme Act 1992 that the regulations concern have been repealed, and the regulations are therefore no longer required.

*Clause 31* revokes the Student Loan Scheme (Interest Rates Formulas) Regulations 2006. These regulations are revoked as a consequence of the amendment made to the definition of total interest rate in *clause 4*.

*Clause 32* revokes the Student Loan Scheme (Total Interest Rate) Regulations 2009. These regulations are revoked as a consequence of the amendment made to the definition of total interest rate in *clause 4*.

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*Hon Peter Dunne*

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and Miscellaneous Provisions)  
Amendment Bill**

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

- 1 Title**  
This Act is the Student Loan Scheme (Exemptions and Miscellaneous Provisions) Amendment Act **2009**.
- 2 Commencement**
- (1) **Sections 4, 26(1), 31, and 32** come into force on 1 April 2010. 5
- (2) The rest of this Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**  
This Act amends the Student Loan Scheme Act 1992. 10

**Part 1**  
**Amendments to principal Act**

- 4 Interpretation**  
Section 2(1) is amended by repealing the definition of **total interest rate** and substituting the following definition: 15  
“**total interest rate** means the total interest rate that applies in respect of any tax year, calculated in accordance with the formula—
- $$a\% + 0.74\% = y\%$$
- where— 20
- a% is the average, rounded to the nearest 2 decimal places, of the monthly average 10-year government bond yield rates published by the Reserve Bank of New Zealand for the 5 years ending in December in the year that precedes the relevant tax year 25
- y% rounded to the nearest 1 decimal place, is the total interest rate for the relevant tax year.

**5 Repayment obligation for New Zealand based borrowers**

Section 14 is amended by repealing subsection (2) and substituting the following subsections:

“(2) However, if the borrower was overseas based for part of the relevant tax year, then (in calculating that borrower’s repayment obligation under subsection (1)) only the net income that the borrower derived during the period that the borrower was New Zealand based during that tax year must be taken into account. 5

“(3) Despite subsections (1) and (2), the repayment obligation for any tax year must not exceed the amount of the IRD loan balance on the last day of that tax year.” 10

**6 Employer or PAYE intermediary to make repayment deductions**

(1) Section 19(1) is amended by inserting “, or the Commissioner has given a notice under section 20A,” after “under section 18”. 15

(2) Section 19(2) is amended by inserting “or an increased repayment deduction rate” after “a special deduction rate”.

**7 New section 20A inserted** 20

The following section is inserted after section 20:

**“20A Standard deduction rate may be increased in certain circumstances**

“(1) This section applies if—

“(a) the amount of a borrower’s repayment deductions in the current tax year or in any tax year prior to the current tax year is, or was, less than the amount required under this Act; or 25

“(b) a borrower has failed to pay any amount that has become due and payable in accordance with this Act. 30

“(2) If this section applies, the Commissioner may, in relation to the borrower, issue an increased repayment deduction rate notice that—

“(a) varies the standard deduction rate by increasing it up to a maximum rate of 15 cents in each complete dollar; 35  
and

- “(b) specifies the total amount payable by the borrower (which may include any penalties, interest, or other amount that has become due and payable); and
- “(c) requires the borrower’s employers to make repayment deductions at the increased rate until those repayment deductions equal the amount specified under **paragraph (b)**. 5
- “(3) If the Commissioner issues an increased repayment deduction rate notice, the Commissioner must send that notice, together with a notice that complies with section 18(2), directly to the borrower’s employers. 10
- “(4) The increased repayment deduction rate applies until the earlier of the date on which—
- “(a) the repayment deductions made in accordance with the increased repayment deduction rate notice equal the amount specified in **subsection (2)(b)**; or 15
- “(b) the Commissioner notifies the employer otherwise.
- “(5) An increased repayment deduction rate notice issued in relation to a borrower under this section revokes—
- “(a) any special repayment deduction rate certificate previously issued to that borrower; and 20
- “(b) any notice previously given to an employer by that borrower in accordance with section 18.
- “(6) The Commissioner must give a borrower a copy of any notice that is given to that borrower’s employers under this section as soon as practicable after it is issued. 25
- “(7) Nothing in this section limits the application of sections 53 to 55D.”
- 8 Full interest write-off for certain borrowers**
- Section 38AA(1)(b) is amended by omitting “or section 38AJ” and substituting “, 38AJ, or **38AJA**”. 30
- 9 Full interest write-off ceases if borrower is personally absent from New Zealand for 184 days**
- Section 38AC(5) is amended by omitting “or section 38AJ” and substituting “, 38AJ, or **38AJA**”. 35

**10 Power of Commissioner to grant exemptions to borrowers who do not satisfy 183-day requirement**

(1) Section 38AE(1)(b) is amended by inserting “that, at the time the borrower did that work, was” after “charitable organisation”.

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(2) Section 38AE(1) is amended by adding “; or” and also by adding the following paragraph:

“(g) the borrower was personally absent from New Zealand because he or she was in 1 or more of Niue, the Cook Islands, Tokelau, or the Ross Dependency.”

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(3) Section 38AE is amended by inserting the following subsection after subsection (7):

“(7A) The conditions in **section 38AIA** apply to **subsection (1)(g)**.”

(4) Section 38AE(8) is amended by omitting “(f)” and substituting “(g)”.

15

(5) Section 38AE is amended by adding the following subsection:

“(9) **Subsections (1)(g) and (7A)** apply with effect from 31 March 2009.”

**11 Conditions to charitable organisation exemption**

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Section 38AEA is amended by omitting “recognised by the United Nations as a developing country” in each place where it appears and substituting in each case “listed on the Organisation for Economic Cooperation and Development’s list of countries receiving development assistance”.

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**12 Conditions to marriage, civil union, or de facto exemption**

Section 38AI(d) is amended by adding “; or” and also by adding the following subparagraph:

“(iv) the applicant’s partner satisfies the conditions in **section 38AJA(2)**.”

30

**13 New section 38AIA inserted**

The following section is inserted after section 38AI:

**“38AIA Conditions to Niue, Cook Islands, Tokelau, and Ross  
Dependency exemption**

“(1) An applicant under **section 38AE(1)(g)** must—

“(a) provide proof that he or she—

“(i) was personally present in 1 or more of New Zealand, Niue, the Cook Islands, Tokelau, or the Ross Dependency for a period of 183 or more consecutive days after 31 March 2009 (a **183-day period**); and

“(ii) was personally present in New Zealand, Niue, the Cook Islands, Tokelau, or the Ross Dependency for the first day of the 183-day period; and

“(iii) was not personally absent from New Zealand, Niue, the Cook Islands, Tokelau, and the Ross Dependency for a period, or periods in the aggregate, of more than 31 days during a period of what would otherwise have been a 183-day period; and

“(b) pay his or her repayment obligation in full when, or before, it falls due each tax year; and

“(c) provide the Commissioner with the information described in section 14A(2), and section 14A(3) and (4) apply accordingly.

“(2) In specifying under section 38AE(2) when, or the basis on which, an applicant under **section 38AE(1)(g)** is treated as being personally present in New Zealand for the purposes of section 38AB, the Commissioner must apply sections 38AC(1) to (4) and 38AD as if references in those sections to ‘New Zealand’ are references to ‘New Zealand (which includes Niue, the Cook Islands, Tokelau, and the Ross Dependency)’, and section 38AK(2)(b) must be interpreted accordingly.”

**14 New section 38AJA inserted**

The following section is inserted after section 38AJ:

**“38AJA Power of Commissioner to grant exemption to borrowers undertaking full-time overseas study under formal exchange programme or formal agreement**

- “(1) On the application of a borrower who does not satisfy the 183-day requirement in section 38AB, the Commissioner may, if the Commissioner considers that it is fair and reasonable to do so, grant an exemption to the 183-day requirement to that borrower if the principal reason that the borrower does not satisfy the 183-day requirement is that the borrower is undertaking study that—
- “(a) the borrower is enrolled in with a New Zealand tertiary education provider; and
  - “(b) if it is completed successfully, will count towards a qualification offered by a New Zealand tertiary education provider; and
  - “(c) is assessed by the NZQA as being equivalent to level 7 or above on the New Zealand Register of Quality Assured Qualifications developed by the NZQA under section 253(1)(c) of the Education Act 1989; and
  - “(d) is full-time and undertaken overseas as part of either—
    - “(i) a formal exchange programme approved by the New Zealand Government; or
    - “(ii) a formal agreement between a New Zealand tertiary provider and an overseas tertiary provider.
- “(2) An applicant under **subsection (1)**—
- “(a) must provide the Commissioner with evidence from the applicant’s New Zealand tertiary education provider verifying that the applicant’s study meets the requirements of **subsection (1)(b), (c), and (d)(i) or (ii)**; and
  - “(b) must supply the Commissioner with all other information, and in the manner, that the Commissioner may reasonably require in order to establish whether the ground for the grant of an exemption under **subsection (1)** applies; and
  - “(c) must provide the Commissioner with the information specified in section 14A(2), and section 14A(3) and (4) apply accordingly.
- “(3) If the Commissioner grants an exemption under **subsection (1)**, the Commissioner must specify either—

- “(a) the start and end dates for the period for which the relevant borrower is treated as being personally present in New Zealand for the purposes of section 38AB; or
- “(b) the conditions that must apply or be met in order for the relevant borrower to be treated as being personally present in New Zealand for the purposes of section 38AB. 5
- “(4) In this section, **NZQA** means the New Zealand Qualifications Authority established under Part 20 of the Education Act 1989.
- “(5) This section applies with effect from 31 March 2007.”
- 15 Terms of full interest write-off 10**  
Section 38AK(2)(a)(ii) is amended by omitting “or section 38AE(2) or section 38AJ(3)” and substituting “, 38AE(2), 38AJ(3), or **38AJA(3)**”.
- 16 New section 38AM inserted 15**  
The following section is inserted after section 38AL:  
**“38AM Full interest write-off for quick repayment of loan balance**
- “(1) This section applies to a borrower who—
- “(a) satisfies the 183-day requirement in section 38AB(1) and (2); and 20
- “(b) fully repays his or her loan balance before the end of the 183-day period.
- “(2) The amount of interest calculated on the loan balance of a borrower to whom this section applies must be reduced to zero for the period— 25
- “(a) beginning on the first day of the 183-day period; and
- “(b) ending on the day on which the borrower fully repays his or her loan balance.
- “(3) This section applies with effect from 31 March 2006.”
- 17 Late payment penalties 30**  
Section 44(1)(d) is amended by omitting “.” and substituting “; or”.

**18 Power of Commissioner in respect of small amounts**

Section 51(3)(a) is amended by omitting “\$333” and substituting “\$334”.

**19 Borrowers may apply for hardship relief**

Section 54(1) is amended by repealing paragraph (a) and substituting the following paragraph: 5

“(a) hardship relief for any tax year prior to the current tax year:”.

**20 Sections 55 to 55B substituted**

Sections 55 to 55B are repealed and the following sections substituted: 10

**“55 Hardship relief for any tax year prior to current tax year**

“(1) If an application is made under **section 54(1)(a)**, the Commissioner may, for any period the Commissioner considers equitable, retrospectively decrease that borrower’s repayment obligation for any tax year prior to the current tax year if the Commissioner— 15

“(a) is satisfied that payment of that repayment obligation is causing, or would cause, serious hardship to the borrower; or 20

“(b) considers that there are other special reasons that make it fair and reasonable to do so.

“(2) Except as set out in **section 55A**, the Commissioner must not refund any amount that was deducted or paid (if any) to meet a repayment obligation for any tax year prior to the current tax year. 25

**“55A Hardship relief for tax year immediately prior to current tax year may include refund**

“(1) If an application is made under **section 54(1)(a)**, the Commissioner may, for any period the Commissioner considers equitable, refund any amount that was deducted or paid to meet a repayment obligation in the tax year immediately prior to the current tax year if the Commissioner— 30

“(a) is satisfied that payment of that repayment obligation is causing, or would cause, serious hardship to the borrower; or 35

- “(b) considers that there are other special reasons that make it fair and reasonable to do so.
- “(2) If the Commissioner refunds any amount to a borrower under **subsection (1)**, the Commissioner must—
- “(a) retrospectively decrease that borrower’s repayment obligation for the relevant tax year; and 5
- “(b) refund the whole or part of the portion of the repayment obligation that is the difference in assessment amounts.
- “(3) A refund that is made under this section must be made in the manner required under section 184A of the Tax Administration Act 1994. 10

“**55B Hardship relief for current tax year or next tax year**

- “(1) If an application is made under section 54(1)(b) or (c), the Commissioner may, for any period the Commissioner considers equitable, reduce any amount that must be deducted or paid in order to meet the repayment obligation assessed or to be assessed for the current tax year or the next tax year if the Commissioner— 15
- “(a) is satisfied that the amount being deducted or paid, or to be deducted or paid, has caused or will cause serious hardship to the borrower; or 20
- “(b) considers that there are other special reasons that make it fair and reasonable to do so.
- “(2) If the Commissioner reduces the amount to be deducted or paid by a borrower under **subsection (1)**, the Commissioner must, as appropriate, do 1 of the following: 25
- “(a) issue to that borrower a special repayment deduction rate certificate that varies the standard deduction rate in accordance with the Commissioner’s decision under **subsection (1)** and, when assessed, reduce that borrower’s repayment obligation accordingly; or 30
- “(b) reduce the percentage payable by that borrower under section 27(1) in accordance with the Commissioner’s decision under **subsection (1)** and, when assessed, reduce that borrower’s repayment obligation accordingly; 35
- or

- “(c) reduce that borrower’s repayment obligation under section 34 in accordance with the Commissioner’s decision under **subsection (1)**.
- “(3) If the Commissioner reduces the amount to be deducted from, or paid by, a borrower to zero, section 18 does not apply to that borrower for the period for which that reduction applies. 5
- “(4) If a borrower has given his or her employer notice in accordance with section 18 and the Commissioner subsequently reduces the amount to be deducted from, or paid by, a borrower to zero, the borrower must give a copy of the special repayment deduction rate certificate to his or her employer as soon as practicable after it is issued. 10
- “(5) Section 24F of the Tax Administration Act 1994 applies, with all necessary modifications, to any special repayment deduction rate certificate issued under this section.” 15
- 21 Effect of Commissioner’s decision under section 55**
- (1) The heading to section 55C is amended by omitting “**section 55**” and substituting “**section 55, 55A, or 55B**”.
- (2) Section 55C(1) is amended by omitting “section 55” and substituting “**section 55, 55A, or 55B**”. 20
- 22 Borrowers must inform Commissioner of change of circumstances and Commissioner may review**
- Section 55D(1)(b) is amended by omitting “section 55” and substituting “**section 55, 55A, or 55B**”.
- 23 Excess repayments made by residents** 25
- The heading to section 56 is amended by omitting “**residents**” and substituting “**borrowers**”.
- 24 Cancellation of interest if IRD loan balance repaid early**
- Section 60A(1)(b) is amended by omitting “15” and substituting “30”. 30
- 25 Objection to decision concerning grant of exemption**
- (1) Section 65A(a) is amended by omitting “or section 38AJ” and substituting “, 38AJ, or **38AJA**”.

- (2) Section 65A(b) is amended by omitting “section 38AF, 38AG, 38AH, 38AI, or 38AJ(2)” and substituting “section 38AEA, 38AF, 38AG, 38AH, 38AI, **38AIA**, 38AJ(2), or **38AJA(2)**”.
- (3) Section 65A(c) is amended by omitting “or section 38AJ(3)(a)” and substituting “, 38AJ(3)(a), or **38AJA(3)(a)**”. 5
- (4) Section 65A(d) is amended by omitting “or section 38AJ(3)(b)” and substituting “, 38AJ(3)(b), or **38AJA(3)(b)**”.

**26 Regulations**

- (1) Section 87(1)(ab) and (ac) are repealed.
- (2) Section 87(1)(b) is repealed. 10
- (3) Section 87(4) is amended by omitting “or subsection (1)(ac) or subsection (1)(b) of this section”.

**Part 2**

**Consequential amendments to, and  
revocations of, other enactments**

15

*Consequential amendments to other enactment*

**27 Amendments to Tax Administration Act 1994**

**Sections 28 and 29** amend the Tax Administration Act 1994.

**28 Annual returns of income not required**

- (1) Section 33A(1)(g) is amended by omitting “; and”. 20
- (2) Section 33A(1)(h) and (i) are repealed.

**29 Officers to maintain secrecy**

Section 81(4)(g) is amended by omitting “, (2AA),”.

*Consequential revocations of other enactments*

**30 Student Loan Scheme (Income Amount for Full Interest  
Write-off) Regulations 2005 revoked**

25

The Student Loan Scheme (Income Amount for Full Interest Write-off) Regulations 2005 (SR 2005/345) are revoked.

- 31 Student Loan Scheme (Interest Rates Formulas)  
Regulations 2006 revoked**  
The Student Loan Scheme (Interest Rates Formulas) Regulations 2006 (SR 2006/36) are revoked.
- 32 Student Loan Scheme (Total Interest Rate) Regulations 5  
2009 revoked**  
The Student Loan Scheme (Total Interest Rate) Regulations 2009 (SR 2009/30) are revoked.
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