

21 August 2026

[REDACTED]
[REDACTED]

Dear [REDACTED]

Thank you for your request made under the Official Information Act 1982 (OIA), received on 26 July 2026. You requested the following:

I respectfully request copies of the following documents held by Inland Revenue.

- 1. Policy papers, briefing papers, reports or memoranda discussing the implementation of the 2013 Trans-Tasman KiwiSaver portability reforms.*
- 2. Any documents discussing the treatment of people who had permanently emigrated to Australia before 1 July 2013 but had not yet become eligible to apply for a permanent emigration withdrawal.*
- 3. Any documents discussing whether transitional arrangements or grandfathering provisions were considered for that group.*
- 4. Any operational guidance, manuals, instructions or practice notes issued to Inland Revenue staff regarding applications from people in that category.*
- 5. Any legal advice obtained or held by Inland Revenue relating to the application of the reforms to people who had already permanently emigrated before 1 July 2013.*
- 6. Any statistical information held by Inland Revenue showing the number of KiwiSaver members affected by these circumstances, if such information exists.*
- 7. If Inland Revenue does not hold some of the requested information, but another agency is believed to hold it, I request that the relevant part of this request be transferred to that agency in accordance with section 14 of the Official Information Act. I would appreciate receiving the information electronically where practicable.*

Information released

Internal documents Inland Revenue (IR) holds that contain information related to the implementation of the 2013 Trans-Tasman portability reforms are attached as Appendix, and are laid out in table 1 below:

Table 1

Item	Date	Document	Decision
1.	06/06/2012	BN2012/055 KiwiSaver: Trans-Tasman portability of superannuation Agreement	Released

Item	Date	Document	Decision
2.	08/05/2013	BN2013/62 Update on implementation date of trans-Tasman portability	Released
3.	25/06/2013	BN2013/81 Trans-Tasman portability of superannuation	Released

Several documents you request are also publicly available on IRs Tax Policy website, and accordingly your request for these documents is refused under section 18(d) of the OIA. The links are provided in table 2 below:

Table 2

Date	Document	Website address
19/11/2009	Taxation (Annual Rates, Trans-Tasman Savings Portability, KiwiSaver, and Remedial Matters) Bill - Commentary on the Bill	https://www.taxpolicy.ird.govt.nz/publications/2009/2009-commentary-arttspkrm
07/09/2010	Taxation (Annual Rates, Trans-Tasman Savings Portability, KiwiSaver, and Remedial Matters) Bill	https://www.taxpolicy.ird.govt.nz/bills/100-1

Questions 2 to 5

IR does not hold any documents (such as papers, reports and legal advice) that specifically address the treatment of people who had permanently emigrated to Australia before 1 July 2013 but had not yet become eligible to apply for a permanent emigration withdrawal, with regards to the 2013 Trans-Tasman portability reforms.

Information IR holds only provides an overview of the agreement and the changes that went into effect on 1 July 2013. It does not hold any guidance, manuals, instructions or practice notes in relation to applications from people in regard to KiwiSaver Trans-Tasman portability, as applications are handled by the relevant KiwiSaver provider.

As such, your request for this information is refused under section 18(e) of the OIA, as the document alleged to contain the information requested does not exist.

Question 6

IR does not hold any statistics related to KiwiSaver members in the manner you request, and after consultation with Financial Markets Authority, it is not believed to be held by another department either. Your request for this information is accordingly refused under section 18(g)(i) of the OIA, as the information is not held by IR and we believe this is not held by another department.

Right of review

If you disagree with my decision on your OIA request, you have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the OIA. You can contact the office of the Ombudsman by email at: info@ombudsman.parliament.nz.

Publishing of OIA response

We intend to publish our response to your request on Inland Revenue's website (ird.govt.nz) as this information may be of interest to other members of the public. This letter, with your personal details removed, may be published in its entirety. Publishing responses increases the availability of information to the public and is consistent with the OIA's purpose of enabling more effective participation in the making and administration of laws and policies and promoting the accountability of officials.

Thank you again for your request.

Yours sincerely



Sharyn Rea

Segment Management Lead, Segment Management - Individuals



Policy Advice Division
Wāhanga Tohutohu Kaupapahere
55 Featherston Street
PO Box 2198
Wellington 6140
New Zealand

T. 04-890 1500
F. 04-903 2413

Briefing note

Reference: PAD BN2012/055

To: Maraina Hak, Revenue Adviser, Minister of Revenue's Office

Date: 6 June 2012

From: Hayley Denoual, Senior Policy Analyst

Subject: **KiwiSaver: Trans-Tasman portability of superannuation Agreement**

Background

Retirement savings cannot presently be transferred from Australia to New Zealand. The ability to transfer savings is one factor individuals may take into account when considering employment opportunities on either side of the Tasman; so the trans-Tasman portability of superannuation portability is intended to remove this impediment to labour movement between New Zealand and Australia.

Further, the inability of individuals to streamline and consolidate their personal retirement savings has led to some individuals paying multiple fees for the administration of their retirement savings accounts; these costs undermine the effectiveness of policies aimed at improving retirement living standards.

When will it start: Timing

The trans-Tasman superannuation portability Agreement was signed by New Zealand and Australia in June 2009. The portability arrangements will come into effect up to two months after New Zealand and Australia have exchanged notes informing each other that the necessary legislation has been enacted.

New Zealand's legislation was enacted in September 2010. Australia is still in the process of developing their necessary legislative amendment. Officials from both countries are work closely together to finalise the establishment of the scheme.

How many transfers: Costings

Inland Revenue's preliminary estimate of the likely number of on-going transfers, (based on immigration/emigration patterns over the last few years) forecast the number of account transfers per year as:

New Zealand to Australia - approximately 3,000
Australia to New Zealand - approximately 600*

* These estimates do **not** take into account an anticipated early 'spike' of transfers to New Zealand from current residents who may have contributed to a compulsory Australian scheme at some point over the last 10-15 years. This spike is unlikely to be matched by transfers to Australia, given KiwiSaver is a fairly new product.

How does it work: Key features

The key features of the new portability arrangements are:

- Participation is voluntary for scheme members and providers.
- Transfers will be initiated by members; their current scheme provider will arrange for the funds to be transferred to the member's selected new scheme provider in the other country.

Transfers to Australia

- Transfers must be from a KiwiSaver scheme to a participating Australian complying superannuation fund regulated by the Australian Prudential Regulation Authority.
- A KiwiSaver member must permanently emigrate to Australia to be able to transfer his or her retirement savings.
- KiwiSaver member tax credits and the \$1000 kick-start payment will be transferred to the Australia scheme.
- KiwiSaver savings transferred to Australia will remain locked in until the member reaches the KiwiSaver age of eligibility (currently 65).
- A KiwiSaver member will no longer be able to withdraw their KiwiSaver savings in cash upon permanent emigration to Australia. Members permanently emigrating to a country other than Australia will still be able to withdraw their KiwiSaver contributions in cash (but not any accumulated member tax credits).

Transfers from Australia

- The arrangement will allow transfers from an Australian complying superannuation fund to a participating KiwiSaver scheme.
- An individual must permanently emigrate to New Zealand and become a KiwiSaver member to be able to transfer his or her Australian retirement savings.
- Any amounts transferred from Australia will be subject to Australian complying scheme rules and can be withdrawn by retired members from the age of 60.
- Australian-sourced savings cannot be used for KiwiSaver housing-related initiatives, such as the first home withdrawal facility.
- Australian-sourced savings transferred to New Zealand cannot later be transferred to a third country.
- Australian-sourced retirement savings will be exempt from tax at the point of entry.

Hayley Denoual
Senior Policy Analyst
 (DD) 04 890 1139



Inland Revenue
Te Tari Taake

Policy and Strategy
Te Wāhanga o te Rautaki me te Kaupapa
55 Featherston Street
PO Box 2198
Wellington 6140
New Zealand

T. 04-890 1500
F. 04-903 2413

Briefing note

Reference: PAS BN2013/62

Date: 8 May 2013

To: Maraina Hak, Revenue Advisor, Office of the Minister of Revenue
Gary White, Revenue Advisor, Office of the Minister of Finance

cc: Struan Little, Deputy Commissioner, Policy and Strategy
Mike Nutsford, Policy Manager
Peter Frawley, Policy Manager

From: Hayley Denoual, Senior Policy Analyst

Subject: **Update on the trans-Tasman portability of superannuation scheme**

Background to trans-Tasman portability of superannuation scheme

New Zealand and Australia signed an agreement in 2009 to implement trans-Tasman portability of individuals' superannuation savings. This will enable Australians and New Zealanders to transfer their retirement savings across the Tasman when they move between countries.

The scheme will enhance labour mobility by making it easier for people to move freely between our two countries; and is seen as a helpful step towards achieving a trans-Tasman Single Economic Market.

Process of implementing scheme

The arrangement for the portability scheme cannot take effect until legislation is in place in both New Zealand and Australia. The necessary legislation was enacted in New Zealand in September 2010.

In November 2012 Australia passed the tax-related parts of its legislation. However further regulations are required in Australia in relation to their superannuation scheme rules. It was expected that these would be completed by May, in time for the portability scheme to go live on 1 July 2013.

The 1 July 2013 launch date was announced by the Australian Minister for Financial Services and Superannuation, Bill Shorten, in his media release of 11 October 2012, to coincide with the introduction of the necessary tax-related legislation to the Australian Senate. It was further noted in the Minister of Finance's media release of 23 November 2012, which welcomed the news that this legislation had been passed by the Australian Senate.

The commencement of the new portability arrangements from 1 July 2013 was also one of the activities noted in the package of CER related measures in the Prime Minister's media release, following his meeting with Prime Minister Gillard in Queenstown in February.

Current position

We now understand from the Australian Treasury that their superannuation regulations are unlikely to be completed in May. This will mean that the portability scheme cannot start on 1 July 2013, as announced.

As yet, we do not know the cause of the delay. Nor have we been able to ascertain how long the Australian regulations may be delayed for.

We are liaising with the Ministry of Foreign Affairs and Trade (MFAT); they are in discussions with their contacts in Canberra to discuss if it is possible to get the regulations process back onto the original timetable, and/or how any slippage can be minimised. MFAT will advise us on what further New Zealand action may be appropriate, at either official and Ministerial level, to ensure that the trans-Tasman superannuation portability Arrangement is implemented as soon as possible.

External communications

MFAT are also considering the publicity that we need to give to any postponement of the scheme; this is critical and urgent because KiwiSaver providers and members have been working towards a launch date of 1 July 2013, based on the various ministerial media releases.

That said, several in the KiwiSaver industry have recently raised questions with Inland Revenue about this 1 July date, because of the absence of draft Australian legislation, which they expected to have seen by Easter. We have undertaken to keep all providers up-to- date with developments as soon as we are able.

Consultation with Treasury

The Financial Markets team in Treasury has been informed about this briefing note

Hayley Denoual
Senior Policy Analyst
04 890 1139



Inland Revenue
Te Tari Taake

Policy and Strategy
Te Wāhanga o te Rautaki me te Kaupapa
55 Featherston Street
PO Box 2198
Wellington 6140
New Zealand

T. 04-890 1500
F. 04-903 2413

Briefing note

Reference: PAS BN2013/81

Date: 25 June 2013

To: Maraina Hak, Revenue Adviser, Minister of Revenue's Office

cc: Struan Little, Deputy Commissioner, Policy and Strategy
David Carrigan, Policy Director,
Emma Grigg, Policy Director
Mike Nutsford, Policy Manager

From: Hayley Denoual, Senior Policy Analyst

Subject: **KiwiSaver: Trans-Tasman portability of superannuation**

Background: What is its purpose?

Retirement savings cannot presently be transferred from Australia to New Zealand. The ability to transfer savings is one factor individuals may take into account when considering employment opportunities on either side of the Tasman.

Further, the inability of individuals to streamline and consolidate their personal retirement savings has led to some individuals paying multiple fees for the administration of their retirement savings accounts; these costs undermine the effectiveness of policies aimed at improving retirement living standards.

The new trans-Tasman portability of superannuation scheme is intended to remove this impediment to labour movement between New Zealand and Australia. It also reduces administration and costs, by making it easier for people to consolidate their retirement savings in their country of residence.

Key features: How does it work?

The key features of the new portability arrangements are:

- Participation is voluntary for scheme members and providers
- Retirement savings may only be transferred between a KiwiSaver scheme and an Australian complying superannuation scheme regulated by the Australian Prudential Regulation Authority (APRA).
- Transfers will be initiated by members. Their current scheme provider will arrange for the funds to be transferred to the member's selected new scheme provider in the other country.
- Scheme providers in both countries will require information and documents from the transferring member; the transfer process may take a few weeks to complete after the necessary information is provided and verified.

Transfers from Australia

- An individual must permanently migrate to New Zealand and become a KiwiSaver member to be able to transfer his or her Australian-sourced retirement savings.
- Any amounts transferred from Australia will be subject to Australian complying scheme rules and can be withdrawn by retired members from the age of 60.
- Australian-sourced savings cannot be used for KiwiSaver housing-related initiatives, such as the first home withdrawal facility. This is consistent Australia's policy regarding the use of its superannuation funds.
- Australian-sourced savings transferred to New Zealand cannot later be transferred to a third country.
- Australian-sourced retirement savings will be exempt from tax at the point of entry.

Transfers to Australia

- A KiwiSaver member must permanently migrate to Australia before the transfer.
- KiwiSaver member tax credits and the \$1,000 kick-start payment will be transferred to their Australian scheme.
- KiwiSaver savings transferred to Australia will remain locked in until the member reaches the KiwiSaver age of eligibility (currently 65).
- A KiwiSaver member will no longer be able to withdraw their KiwiSaver savings in cash upon permanent emigration to Australia.

Note: Members permanently migrating to a country other than Australia will still be able to withdraw their KiwiSaver contributions in cash (but not any member tax credits).

Timing: When will it start?

The trans-Tasman superannuation portability Agreement was signed by New Zealand and Australia in June 2009. New Zealand's legislation was enacted in September 2010. Australia completed its legislative processes last month.

The scheme will become operational from **Monday 1 July 2013**.

Costings: How many transfers are expected?

Inland Revenue's preliminary estimate of the likely number of on-going transfers per year, based on migration patterns over the last few years,

New Zealand to Australia - approximately 3,000
Australia to New Zealand - approximately 600*

We have not been able to estimate the \$dollar amount of these transfers.

***Note:** These estimates do not take into account an anticipated early 'spike' of transfers to New Zealand from returned NZ residents who may have contributed to a compulsory Australian scheme over the last few decades. This spike is unlikely to be matched by transfers to Australia, given that KiwiSaver is a newer product and withdrawal following permanent emigration has always been a feature of KiwiSaver.

Australia's Tax Office has estimated that there is about A\$17.7 billion (NZ\$21 billion) in "lost accounts" in the Australian superannuation system. It is expected that some of this money belongs to New Zealanders who have returned home. The new scheme will allow these funds to be brought back to New Zealand.