



23 March 2022

[REDACTED]
[REDACTED]

Dear [REDACTED]

Thank you for your request made under the Official Information Act 1982 (OIA), received on 25 February 2022. You requested the following:

A copy of the original document signed by the Governor General, Attorney General and Crown stating that beneficiaries are required to apply for child support

Information being released

The information you have requested is enclosed. I have provided the documentation that enabled the Child Support Act 1991 (the Act) to be implemented, signed by the then Governor-General Dame Catherine Tizard on 18 December 1991. I refer you to section 9 of the Act, which states that those who are in receipt of a social security benefit must apply for child support. Section 9(5B) of the Act sets out the circumstances in which a beneficiary is not required to apply for a formula assessment of child support.

You can view the Act and its amendments by visiting the New Zealand Legislation website (legislation.govt.nz) and searching for "Child Support". Further information about the legislative history of child support in New Zealand can be found at <https://taxpolicy.ird.govt.nz/en/publications/2010/2010-dd-supporting-children/appendix-1>.

Published responses to OIA requests

Please note that Inland Revenue regularly publishes responses to requests for information on its website, where they may be of interest to the wider public. We intend to publish this response in due course. Your personal details or any information that would identify you will be removed prior to it being published.

Thank you again for your request. I trust that the information provided is of assistance to you.

Yours sincerely

[REDACTED]

Sue Gillies
Customer Segment Leader – Families



Bills passed by the House of Representatives of New Zealand and awaiting the ROYAL ASSENT.

- The Child Support Act 1991
- The Social Security Amendment Act (No. 5) 1991
- The Family Proceedings Amendment Act 1991
- The Ministry of Maori Development Act 1991
- The Parliamentary Service Amendment Act 1991

Clerk of the House of Representatives

For the opinion of the Attorney-General.

I hereby certify that, in my opinion, the Bills the Short Titles whereof are above set forth contain nothing which requires that HER EXCELLENCY THE GOVERNOR-GENERAL should withhold her assent therefrom.

Attorney-General

HER EXCELLENCY THE GOVERNOR-GENERAL is respectfully advised to assent to the above-named Bills.

Prime Minister

OFFICIAL INFORMATION ACT

Examined and certified:

No. 142


Clerk of the House of Representatives

In the name and on behalf of Her Majesty Queen Elizabeth
the Second I hereby assent to this Act this 18th day
of December 1991


Governor-General

CHILD SUPPORT

ANALYSIS

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| <p>Title</p> <ol style="list-style-type: none">1. Short Title and commencement2. Interpretation3. Act to bind the Crown4. Objects <p style="text-align: center;">PART I</p> <p style="text-align: center;">LIABILITY TO PAY CHILD SUPPORT UNDER
FORMULA ASSESSMENT</p> <p style="text-align: center;"><i>General Principles Concerning Liability to Pay
Child Support</i></p> <ol style="list-style-type: none">5. Children who qualify for child support6. Parents by whom child support payable7. Meaning of "parent" <p style="text-align: center;"><i>Persons Who May Apply for Formula Assessment
of Child Support</i></p> <ol style="list-style-type: none">8. Custodian may apply for formula assessment9. Custodian in receipt of social security benefit must apply for formula assessment10. Non-custodial parent of child may apply for formula assessment <p style="text-align: center;"><i>Persons Who Are Principal Providers of Care or
Who Share Care Substantially Equally</i></p> <ol style="list-style-type: none">11. Person who is principal provider of care for child12. Position where no agreement as to who is principal provider of care13. Substantially equal sharing of care of child <p style="text-align: center;"><i>Procedure on Application for Formula Assessment</i></p> <ol style="list-style-type: none">14. Application requirements15. Dual applications16. Deemed application by beneficiary where child support ceases to be payable under voluntary agreement17. Decision on application <p style="text-align: center;"><i>Commencement of Liability to Pay Child Support</i></p> <ol style="list-style-type: none">18. Liability arises on acceptance of application | <ol style="list-style-type: none">19. Commencement of liability of person declared to be parent after application made20. Suspension of voluntary agreements <p style="text-align: center;"><i>Procedure After Acceptance or Refusal of
Application for Formula Assessment</i></p> <ol style="list-style-type: none">21. Duty to give notice of decision to unsuccessful applicant22. Duty to give notice of decision to custodian23. Duty to give notice to person from whom child support sought24. Duty to make assessment <p style="text-align: center;"><i>Termination of Liability to Pay Child Support
Under Formula Assessment</i></p> <ol style="list-style-type: none">25. When child support ceases to be payable26. Miscellaneous provisions relating to death of custodian <p style="text-align: center;"><i>Election to end Formula Assessment</i></p> <ol style="list-style-type: none">27. Election by eligible custodian to end formula assessment <p style="text-align: center;">PART II</p> <p style="text-align: center;">AMOUNT OF CHILD SUPPORT PAYABLE UNDER
FORMULA ASSESSMENT MADE BY
COMMISSIONER</p> <ol style="list-style-type: none">28. This Part sets out rates of child support29. Basic amount of child support payable30. Meaning of term "living allowance"31. Changes of circumstances that determine amount of living allowance <p style="text-align: center;"><i>Modifications to Basic Formula in Certain
Circumstances</i></p> <ol style="list-style-type: none">32. Position where parent liable to 2 custodians in respect of one child33. Position where parent liable to 2 or more custodians in respect of 2 or more children34. Position where custody of 2 or more children is split between 2 liable parents |
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