

30 September 2026



Dear 

Thank you for your request made under the Official Information Act 1982 (OIA), received on 2 September 2026. You requested the following:

I am requesting information under the Official Information Act 1982 concerning the operation and uptake of the KiwiSaver (Oranga Tamariki Guardians) Amendment Act 2019, which amended section 35 of the KiwiSaver Act 2006. The amendment came into force on 27 August 2019 and enabled children with an Oranga Tamariki guardian to be enrolled in KiwiSaver in circumstances that were previously not permitted.

I would like the following information for the period 27 August 2019 to the most recent date for which information is available:

- 1. The total number of people under 18 who have been enrolled in a KiwiSaver scheme pursuant to section 35 of the KiwiSaver Act where the enrolment involved an Oranga Tamariki guardian.*
- 2. Please provide this figure broken down by financial year, from 2019/20 through to the latest completed financial year.*
- 3. Of those people, please provide the number who were:*
 - a. under 16 years of age at the time of enrolment;*
 - b. and aged 16 or 17 at the time of enrolment.*
- 4. The total amount of KiwiSaver contributions credited to these accounts since the 2019 amendment came into force, broken down by financial year if available.*
- 5. The average and median balance of these KiwiSaver accounts, or alternatively the total balance held in these accounts at the most recent available date.*
- 6. The number of these accounts that are currently active, as opposed to closed, transferred or otherwise inactive.*
- 7. If Inland Revenue does not hold the information in precisely this form, please provide any existing statistics, reports, datasets, correspondence, briefing papers or other information that records or estimates the number of KiwiSaver members enrolled under the Oranga Tamariki guardian provisions of section 35.*
- 8. Please also advise whether Inland Revenue has undertaken any evaluation, monitoring or review of the uptake or effectiveness of the 2019 amendment. If so, I request copies of any such reports, analysis, briefings or internal papers.*

For clarity, I am not requesting any personally identifiable information about individual children. I am seeking aggregated statistical information only. If any part of this request is considered too broad or is not held in the requested form, I would appreciate the opportunity to refine the request rather than having it declined in its entirety.

Items 1, 2, and 3 - People under 18 enrolled in KiwiSaver by an Oranga Tamariki guardian

Guardians appointed by Oranga Tamariki (OT guardian) who want to enrol a person under 18 in KiwiSaver must register with their chosen KiwiSaver scheme provider (the provider) and provide that person's details directly to the provider. It is up to the provider to ensure that whoever enrolls that person has the authority to do so.

Inland Revenue (IR) does not collect and record information that would enable us to identify whether someone under 18 has been enrolled by an OT guardian. Consequently, we are unable to provide the information you request in parts 1, 2, and 3. Your requests for this information are therefore refused under section 18(g) of the OIA, as the information requested is not held by IR, nor is it believed to be held by another agency.

We note that providers report a range of KiwiSaver information annually to the Financial Markets Authority (FMA) as described in 'Schedule 1 – Annual return' of the *KiwiSaver Regulations 2006*: [KiwiSaver Regulations 2006 | New Zealand Legislation](#). While not exactly the information sought by you, the FMA publish some statistics on KiwiSaver membership that may be of assistance in your enquiries through their KiwiSaver annual report. This is publicly available on their website: [KiwiSaver Report | Reports and papers | Financial Markets Authority](#).

Items 6 and 7 - Existing related information

While IR cannot provide the exact information requested in parts 1, 2 and 3, the most closely related information IR does hold is the number of people under 18 who were linked in our system to an OT guardian at the time of enrolment into a KiwiSaver scheme. This is provided in **Table 1**.

However, please note that IR cannot confirm whether an OT guardian was specifically responsible for enrolling that person versus any other guardian—such as a parent—and this should not be inferred from this data. Further, IR relies on information from Oranga Tamariki for the start and end dates of Oranga Tamariki-appointed guardianship and cannot independently verify the accuracy of these dates.

Data was extracted from our systems on 22 September 2026. The data for the 2019/20 financial year only covers the period from 27 August 2019, when the amendment came into force, to 30 June 2020. Data for 2026/27 financial year covers the period from 1 July 2026 to 22 September 2026.

Table 1. Number of enrolments linked in Inland Revenue's system to an OT guardian and age at enrolment - financial year 2020 to date (FY27)

Age at enrolment	Number of enrolments
Less than 16 years old	31
16 or 17 years old	31
Total	62

The number of KiwiSaver enrolments broken down by age at enrolment and financial year is considered sensitive revenue information under section 18(1) of the Tax Administration Act 1994 (TAA), because it is reasonably capable of being used to identify an individual.

Sensitive revenue information can only be released in certain circumstances, as set out in section 18D to 18J and schedule 7 of the TAA. In this case, there are no grounds that permit me to release this information to you. Accordingly, I have decided to refuse your request where it concerns the breakdown by age at enrolment and financial year under section 18(c)(i) of the OIA, as releasing the requested information would be contrary to section 18(1) of the TAA.

Instead, an aggregate figure for the total enrolments and age at enrolment over the whole financial year period in-scope, from 2020 to date (FY27), has been provided.

All 62 KiwiSaver accounts within scope of your request, recorded in Table 1, were active as of the date the data was extracted from our systems. The account status is based on the KiwiSaver account still being open (no cease date or reason recorded). We note that there can be a lag between account closures happening (for example, if a member has died or emigrated) and the information reaching IR. As a result, it is possible that this information may change or be out of date.

Item 4 - Contributions

The contributions figures provided in **Table 2** are the sum of all contributions to accounts IR has on record for the 62 people identified as in-scope in Table 1. Contributions are listed for each year, where the date of the contribution was between 27 August 2019 and 21 September 2026 (inclusive), and rounded to the nearest \$100.

Providers advise IR of contributions made directly to them if they should be considered for eligibility for government contribution amounts. Where members are not eligible (e.g. due to age), providers may not pass on this information. The contributions data provided is accordingly only representative of contributions which have come through IR, or those which have been reported by scheme providers to IR, and as a result this information may not represent all contributions made to these accounts.

Table 2. KiwiSaver contributions reported to Inland Revenue since 27 August 2019

Financial year	Total contributions
2019/20	\$4,700
2020/21	\$11,800
2021/22	\$10,900
2022/23	\$21,600
2023/24	\$37,300
2024/25	\$38,600
2025/26	\$33,800

2026/27	\$9,700
Total	\$168,300*

* Please note that, because total contributions are rounded to the nearest \$100, the figures may not match the calculated total exactly.

Item 5 - KiwiSaver account balances

The information you request about the total, average, or mean account balances is held by scheme providers. IR does not hold this information, and your request is accordingly refused under section 18(g) of the OIA, as the information requested is not held by IR, nor is it believed to be held by another agency.

Item 8 - Evaluation, monitoring, or review

Two reports from 2024 were identified as in-scope of your request and are listed below. These are attached as **Appendix A** to this response.

1. IR2024/089 - KiwiSaver issues for solo parents and children in state care
2. IR2024/158 - KiwiSaver settings for children in Oranga Tamariki care

Please note that information contained in these reports represents settings at a point in time, and these may have changed since then. Some information in both reports has been withheld under section 9(2)(a) of the OIA, to protect the privacy of natural persons, and some information in IR2024/089 has also been withheld as it is out of scope of your request.

Some draft correspondence in IR2024/158 is withheld under section 9(2)(g)(i) of the OIA, as it's disclosure would inhibit the future free and frank expression of opinions by officials to Ministers. Further, the release of such information may prejudice the freedom of Ministers to determine the manner in which their correspondence should be answered.

As required by section 9(1) of the OIA, I have considered whether the grounds for withholding the information requested is outweighed by the public interest. In this instance, I do not consider that to be the case.

Consultation

IR consulted with Oranga Tamariki in preparing this response, who do not believe that they have any further in-scope information that they can provide.

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 IR'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, Individuals



POLICY AND STRATEGY

Tax policy report: **KiwiSaver issues for solo parents and children in state care**

Date:	11 March 2024	Priority:	Medium
Security level:	In Confidence	Report number:	IR2024/089

Action sought

	Action sought	Deadline
Minister of Revenue	Agree to the recommendations Refer a copy of this report to the Minister of Finance, and the Minister of Commerce and Consumer Affairs	

Contact for telephone discussion (if required)

Name	Position	Telephone
Carolyn Elliott	Policy Lead	s 9(2)(a)
Josh Fowler	Senior Policy Advisor	

11 March 2024

Minister of Revenue

KiwiSaver issues for solo parents and children in state care

Purpose

1. You recently sought officials' advice on three matters related to KiwiSaver. You have asked for options to:
 - 1.1 help children in state care to be enrolled in KiwiSaver;
 - 1.2 assist solo parents to enrol their children in KiwiSaver; and

Not in-scope
2. This report provides advice on issues 1.1 and 1.2. Not in-scope

Background

KiwiSaver at a glance

3. KiwiSaver is a work-based, "opt-out" retirement savings scheme established by the KiwiSaver Act 2006. Employees aged 18 or older are "auto enrolled" when they start with a new employer, if they are not already a member. KiwiSaver members in employment who contribute a default 3% of their gross wage or salary to their KiwiSaver accounts receive a matching 3% contribution from their employer.¹
4. Other KiwiSaver members such as those who are not in work or are self-employed can make contributions directly to their accounts through their KiwiSaver scheme providers. As at 31 of March 2023, there were 3.25 million KiwiSaver members (approximately 77% of the working age population). These members have a combined total of \$93.7 billion in funds under management.²
5. KiwiSaver members' access to their accounts is limited to the withdrawal grounds prescribed by Schedule 1 of the KiwiSaver Act 2006. These include reaching the retirement age, buying a first home, and experiencing significant financial hardship.

Oversight and administration

6. Inland Revenue, the Treasury and the Ministry of Business, Innovation and Employment (MBIE) each play different roles in the operation of KiwiSaver. The Minister of Revenue, the Minister of Finance, and the Minister of Commerce and Consumer Affairs therefore share responsibility for KiwiSaver. Broadly speaking, Inland Revenue is responsible for advising on administrative policy, MBIE for KiwiSaver withdrawal settings, while the Treasury applies a financial lens to KiwiSaver policy. Further detail about each agency's responsibilities in relation to the KiwiSaver scheme is contained within the Appendix to this report.

¹ KiwiSaver members can contribute up to 10% of their wage or salary if they choose.

² Annual Report data current as at 31st of March, 2023.

7. This shared agency responsibility for KiwiSaver requires Inland Revenue policy staff to regularly liaise and consult with their colleagues across government when working on KiwiSaver projects. Which agency will lead on a given project depends on where statutory responsibility for the project falls, or interagency agreement.

Enrolment of under 18s

Current enrolment settings

8. A person aged 18 or over who meets the eligibility criteria can join KiwiSaver “as of right” by either contracting directly with a KiwiSaver provider or enrolling through their employer.³ However, the enrolment conditions for people under 18 are more stringent. This reflects the increasing agency and autonomy typically afforded to an individual as they mature. The current enrolment settings in terms of guardian signatory requirements for people under 18 is summarised in the table below:

Status of care	Age of the prospective KiwiSaver member	
	Under 16	16 or 17
One or more guardian	All Guardians	One Guardian
In Oranga Tamariki care	One Guardian	One Guardian
No Guardian	N/A	None

9. The most stringent enrolment requirements apply to under 16s. In this instance, all guardians are required to consent to their enrolment in KiwiSaver (an exception exists for those in state care, discussed further below). Individuals aged 16-17 may enrol with the consent of only one guardian. These settings were developed as a response to issues that emerged not long after KiwiSaver was first implemented.

Background to the requirement for the signature of all guardians for under 16s

10. When the KiwiSaver Act 2006 was first introduced, it did not prescribe *who* could contract with a scheme provider on behalf of a child. This led to people other than parents or guardians (e.g. grandparents) enrolling children into KiwiSaver. This resulted in KiwiSaver scheme providers fielding disputes and complaints between guardians and other individuals related to the “appropriateness” of specific enrolments.
11. In 2010, the KiwiSaver Act 2006 was amended to specify that only legal guardians were able to enrol children under 16. However, while the definition of “guardian” was taken from the Care of Children Act 2004 (COCA), the requirements placed upon guardians by the KiwiSaver Act 2006 when enrolling a person under 16 are more onerous than the those imposed by the COCA.
12. This is because, unlike the KiwiSaver Act 2006, the COCA contains a provision which requires guardians to consult “wherever practicable”⁴. This proviso recognises that it is not necessary or desirable for guardians to consult over every matter affecting the interests of the child, and that it may at times be more efficient for guardians to “act alone” (i.e. without consulting the other guardian).
13. However, in amending the requirements imposed by the KiwiSaver Act 2006 on guardians, the Select Committee explicitly recommended that all legal guardians

³ Section 34, KiwiSaver Act 2006.

⁴ Section 16(6), Care of Children Act 2004.

be required to agree to the enrolment of a child under 16. The Select Committee felt that this requirement would provide guardians with greater certainty and balance the rights of parents, guardians, and children in making significant financial decisions. However, this setting has produced practical challenges where the agreement of all guardians cannot be secured.

Recent petition

14. These challenges received media attention in 2021,⁵ following a petition from a solo parent which highlighted the challenge of securing the agreement of a former partner and suggested providing greater flexibility.

Discussion

Enrolment of people under 18

Existing rules favour those aged 18 and over

15. As noted above, the current settings for the enrolment of people under 18 seek to balance access to KiwiSaver against the rights of parents and guardians to make decisions about the welfare of the young persons for whom they are responsible.
16. Although developing a savings habit from an early age is important, it is not clear that amending the enrolment rules would provide much benefit for young people. The reason for this is that current KiwiSaver settings and incentives tend to favour those aged over 18. For example:
 - KiwiSaver members aged under 18 who are in work are not eligible for employer contributions (meaning their employers are not required to pay a 3% contribution into their KiwiSaver accounts⁶).
 - Members aged under 18 are not eligible for government contributions on KiwiSaver contributions⁷.
 - KiwiSaver members no longer receive a \$1,000 “kick start” upon first joining KiwiSaver⁸.
17. Given these settings, it is not clear that people under 18 are at significant disadvantage if they do not join KiwiSaver until they start full time employment (the time at which most KiwiSaver members are likely to join KiwiSaver).
18. It is also worth noting that individuals under 18 who have difficulty joining KiwiSaver are still able to invest through other avenues (e.g. “Serious Savings” accounts and Portfolio Investment Entities) which have less restrictive enrolment conditions. For example, bank accounts tend to require the signature of one guardian for children under 13 (children over 13 can enrol independently). Such investment vehicles also provide young people with the opportunity to save without the withdrawal conditions associated with a KiwiSaver account.

⁵<https://www.stuff.co.nz/business/money/124711473/call-to-change-archaic-kiwisaver-rule-stopping-solo-parents-signing-up-kids.html>

⁶ Section 101A(1), KiwiSaver Act 2006.

⁷ Section MK2, Income Tax Act 2007.

⁸The \$1,000 “Kick Start” payment was suspended in 2015 on grounds of affordability: <https://www.beehive.govt.nz/release/kiwisaver-1000-kick-start-payment-cease#:~:text=%E2%80%9CBecause%20of%20these%20costs%2C%20the,Government%20of%20up%20to%20%24521>.

Potential benefits of reform

19. KiwiSaver has a strong reputation as a tool for saving for the future. Features such as the withdrawal conditions mean that funds placed in KiwiSaver are ringfenced. These elements can appeal to parents and other relatives who would like to make contributions to the children's long term financial future.
20. If the enrolment signature requirements for those under 16 were eased from the signature of all guardians to one, KiwiSaver accounts could be set up for children with greater ease. Financial contributions could also be made by family members without the administrative efforts associated with setting up a savings vehicle.
21. Such a reform may not lead to a significant uptake in membership due to the limited incentives for those under 16. Easing the enrolment requirements would, however, provide greater simplicity and reflect the large and growing proportion of families headed by one adult.

Options for reform

22. Any changes to current settings would need to be carefully worked through and consulted on to ensure that administrative costs are minimised for KiwiSaver members, scheme providers and Inland Revenue. As noted above, past disputes over the enrolment of young people sometimes required the enrolments to be reversed, creating frontline costs for KiwiSaver scheme providers in returning amounts invested by former KiwiSaver members.
23. Suppose, for example, the Government wished to amend the enrolment conditions for under 16s, by reducing the signature requirement to only one guardian, options for doing so could include:

Inserting a "where practicable" clause into obligations imposed on guardians by the KiwiSaver Act 2006

24. This would mirror the requirements imposed on guardians by the COCA and likely allow one guardian the flexibility to enrol a child where contacting the other guardian is impractical.
25. However, allowing a guardian to rely on this proviso would likely require that guardian to adduce some evidence in support of that position (e.g. a statutory declaration or similar). This could produce conflict where one guardian takes issue with evidence provided, or the decision to enrol the child. This could introduce uncertainty for guardians and KiwiSaver scheme providers regarding the enrolment of under 16s.
26. Targeted consultation with 13 KiwiSaver providers was carried out by Inland Revenue in 2021 regarding the possible use of a statutory declaration. Providers were broadly supportive of loosening requirements for the enrolment of children.

Allowing "as of right enrolment" for children under 16 with the signature of one guardian

27. This would involve amending the current KiwiSaver settings for people under 16 to mirror those of persons aged 16-17. This approach would allow people under 16 to be enrolled with the signature of one guardian rather than all guardians (as is currently the case). This would reflect the requirements of banks for allowing children under 13 to open a bank account and would likely minimise the costs arising from conflict between guardians.
28. Although consultation was carried out on the statutory declaration (above) three years ago, we recommend reengaging with KiwiSaver providers on allowing

enrolment “as of right” to understand their current perspectives and timeframes for implementation.

Enrolment by an Oranga Tamariki guardian

29. We understand you may be concerned about the ability of wider family members to make protected contributions to the long-term financial future of a child in the care of Oranga Tamariki.
30. The enrolment rules for children in state care reflect the unique challenges faced by those in that position where securing the agreement of all guardians may not be possible. Accordingly, the enrolment of children in state care requires the signature of only one guardian (which may be an Oranga Tamariki guardian⁹).
31. This reduced signatory requirement arose from the KiwiSaver (Oranga Tamariki Guardians) Amendment Act 2019 (KSAA). The original intention of the KSAA was to give foster parents the ability to open a KiwiSaver account for children in their care. However, at the Select Committee stage, both members and submitters questioned the appropriateness of short-term carers being able to make significant, long term financial decisions for a child. Their concern was that extending this right to temporary carers for KiwiSaver enrolment could be seen to erode or undermine existing rights for legal guardians.
32. This led to the current compromise, whereby the KSAA allows caregivers who have committed to a long-term care arrangement and have guardianship to enrol children in their care into KiwiSaver. Prior to the KSAA only the Chief Executive of Oranga Tamariki, if appointed as a guardian, could enrol a child in state care into KiwiSaver without the consent of other guardians. The current enrolment requirement seeks to balance the ability of children in state care to access KiwiSaver with ensuring adequate consent to enrolment.
33. We have not considered mandating the enrolment of children of state care, or of children generally, in the KiwiSaver scheme. The reason for that is this would be a significant departure from the current KiwiSaver enrolment settings. KiwiSaver is largely understood as a workplace-based opt-out retirement savings scheme which supports a long-term savings habit. The implications of mandating the enrolment of a specific group would need to be carefully considered.
34. Officials consider the current legislative settings are appropriate, however Inland Revenue does not have information about the operational use of these settings. If you would like further information, we can consult with Oranga Tamariki about the use of these settings in practice.

Conclusion

35. We appreciate current enrolments settings can create challenges for young people and their guardians seeking to enrol in KiwiSaver. Current settings reflect historic compromises and trade-offs between promoting access to KiwiSaver and preserving the rights of children and guardians.
36. While there is scope to reconsider current enrolment settings for young people, any reform needs to consider the likely benefits against its potential costs. On balance we consider that allowing enrolment of people under 16 with the signature of only one guardian should be progressed. The change could be included in the upcoming August omnibus taxation bill. However, we recommend first consulting with

⁹ An Oranga Tamariki Guardian is court appointed and can be any of the following people: the chief executive, an iwi social service, a cultural social service, the director of a child and family support service or any other person.

KiwiSaver Scheme providers to understand their perspectives and potential implementation timeframes.

Consultation

37. Officials have consulted with their colleagues at the Ministry of Business, Innovation and Employment (MBIE), who support Inland Revenue's advice.

Recommended actions

We recommend that you:

- a. **Agree** to progress work to amend the existing enrolment settings to allow people under 16 to enrol in KiwiSaver "as of right" with the signature of one guardian.

Agreed/Not agreed

- b. **Agree** that officials consult with KiwiSaver scheme providers on the impacts of this proposed change.

Agreed/Not agreed

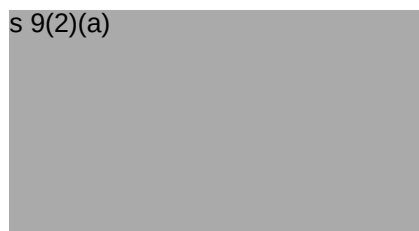
- c. **Agree** to schedule a discussion with Minister of Commerce and Consumer Affairs regarding future KiwiSaver work.

Agreed/Not agreed

- d. **Refer** a copy of this report to your colleagues, the Minister of Finance, and the Minister of Commerce and Consumer Affairs for their information.

Referred

s 9(2)(a)



Carolyn Elliott

Policy Lead

Policy and Regulatory Stewardship

Hon Simon Watts

Minister of Revenue

/ /20

Appendix

	Agency		
	Inland Revenue	MBIE	The Treasury
Responsibility	Administrative lead	Policy lead	Financial lead
	Preliminary provisions (Part 1)	KiwiSaver Schemes (Part 4)	
	Membership (Part 2)	KiwiSaver Scheme Rules (Part 1)	
	KiwiSaver contributions (Part 3)	Registration applications and proposals (Part 2)	Voluntary/compulsory membership
		Appointment of default providers (shared) (s177)	Appointment of default providers (shared) (s177)



POLICY AND REGULATORY STEWARDSHIP

Tax policy report: **KiwiSaver settings for children in Oranga Tamariki care**

Date:	16 April 2024	Priority:	Medium
Security level:	In Confidence	Report number:	IR2024/158

Action sought

	Action sought	Deadline
Minister of Revenue	Agree to the recommendations Note the contents of this report	

Contact for telephone discussion (if required)

Name	Position	Telephone
Carolyn Elliott	Policy Lead	s 9(2)(a)
Ella Patterson	Policy Analyst	

16 April 2024

Minister of Revenue

KiwiSaver settings for children in Oranga Tamariki care

Purpose

1. This report provides you with:
 - a. Further information on current KiwiSaver settings for children in Oranga Tamariki care following on from IR2024/089;
 - b. A draft letter to the Minister for Children which informs her of your interest in this area and requests a meeting to discuss further work.

Background

Historic KiwiSaver settings

2. When KiwiSaver was first introduced, a child in State care could be enrolled by a guardian under the Children, Young Persons, and Their Families Act 1989 (CYPFA).
3. A guardian appointed under the CYPFA could include the chief executive of the Child, Youth and Family agency (as it was then), an iwi social service, a cultural social service, the director of a child and family support service, or any other person. Prior to the removal of the \$1,000 "Kick Start" government contribution in 2015 the Chief Executive of Oranga Tamariki would typically enrol children in Oranga Tamariki care in KiwiSaver.
4. However, the proactive enrolment of children in Oranga Tamariki care reduced when the Kick Start incentive was removed. Without the Kickstart payment, many children did not have money in their KiwiSaver accounts to benefit from compound interest and were at risk of fees eroding saving amounts.

Legislative changes

5. In 2018 the KiwiSaver (Oranga Tamariki Guardians) Amendment Act 2019 (KSAA) was introduced with the intention of giving foster parents the ability to open a KiwiSaver account for children in their care.
6. However, at the Select Committee stage, both members and submitters questioned the appropriateness of short-term carers being able to make significant, long term financial decisions for a child. The concern was that extending the right to KiwiSaver enrolment for temporary carers could be seen to erode existing rights of legal guardians.
7. A compromise was reached, whereby the definition of a "CYPFA Guardian" was replaced with "Oranga Tamariki Guardian" and expanded to include a person appointed by the court as a *special guardian*, which can include long-term carers. As a result, caregivers who have committed to a long-term care arrangement and have guardianship may enrol children in their care into KiwiSaver.
8. Oranga Tamariki does not hold documentation of how many children are enrolled in KiwiSaver by long-term caregivers who have a guardianship order, as these children are no longer in the custody of the Chief Executive.

Discussion

Current enrolment settings

9. The current enrolment settings for children in Oranga Tamariki care are as follows:
 - a. A person who is 16 or 17 may opt into KiwiSaver if they jointly contact a provider with one guardian, including an Oranga Tamariki Guardian.
 - b. A person who is under 16 and has a Oranga Tamariki Guardian may opt in if one of the person's Oranga Tamariki Guardians consents.
10. These enrolment settings for children in Oranga Tamariki care are designed to address the possibility that securing the agreement of all guardians may not be possible. Oranga Tamariki were consulted regarding their view of the current settings. Oranga Tamariki maintain their perspective which is that the settings following the KiwiSaver Amendment Act 2019 are largely appropriate.
11. Where the child is in short term care and the caregiver would like to support the child to enrol in KiwiSaver, the child can be enrolled with the signature of one of their existing guardians. As noted above, this can include the chief executive of Oranga Tamariki, who may enrol the child at the request of their caregiver. This can mean that children in short term care face the greatest challenges to enrol in KiwiSaver, as the pathway to gain consent of one guardian tends to be more complex.

Consultation with Oranga Tamariki

12. Oranga Tamariki believes that expanding enrolment authorities to short-term carers could undermine the rights of long-term caregivers. They are concerned about the appropriateness of short-term carers making long-term financial decisions for the children in their care.
13. Additionally, Oranga Tamariki has received few requests to enrol the children in its care in KiwiSaver. This is primarily due to enrolment being unlikely to be financially advantageous for the child if neither the State nor guardians are contributing to the account.
14. Since the removal of Kickstart there has only been one known instance where the chief executive of Oranga Tamariki enrolled a child in KiwiSaver. This was completed on a one-off basis, where the child requested a KiwiSaver account be opened with the support of their caregiver.

Next steps

15. We understand you are concerned about the challenges which KiwiSaver enrolment settings pose for wider family members and other interested parties looking to make protected contributions to children in Oranga Tamariki care.
16. The grounds for making a KiwiSaver withdrawal are limited by statute and the confined grounds of withdrawal make KiwiSaver an appealing savings vehicle for parents and other relatives who would like to make contributions to a child's long term financial future.
17. We recommend that you discuss these matters in relation to the operational use of the current enrolment settings, and any other options you wish to develop, with the Minister for Children with a view to commissioning joint agency advice.
18. This meeting will be an opportunity for you to discuss the issues which have been raised with you by members of the community.

19. We have provided you with a draft letter in the appendix to this report for your consideration.

Recommended action

20. We recommend that you:
- a. **Agree** to schedule a discussion with the Minister for Children.
Agreed/Not Agreed
 - b. **Agree** to send the attached letter to the Minister for Children; and
Agreed/Not Agreed
 - c. **Note** the contents of this report.
Noted

s 9(2)(a)



Carolyn Elliott

Policy Lead

Policy and Regulatory Stewardship

Hon Simon Watts

Minister of Revenue

/ /2024

s 9(2)(g)(i)

