



Education Amendment Act (No 2) 2010

Public Act 2010 No 103
Date of assent 23 August 2010
Commencement see section 2

Contents

	Page
1 Title	1
2 Commencement	1
3 Principal Act amended	1
4 Student allowances	1

The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Education Amendment Act (No 2) 2010.
- 2 Commencement**
This Act comes into force on 27 September 2010.
- 3 Principal Act amended**
This Act amends the Education Act 1989.
- 4 Student allowances**
Section 303 is amended by inserting the following subsections after subsection (3A):

- “(3B) The rates of student allowances set under this section (except the rates of allowances provided in respect of accommodation expenses) must be adjusted, by regulations made under subsection (1), as at 1 April each year so that in each case the new rate (after the deduction of standard tax) is the rate at that date (after the deduction of standard tax and before the adjustment under this section is made) adjusted by an amount equal to the percentage movement upwards in the CPI between the CPI for the quarter ended with 31 December 1 year before the immediately preceding 31 December and the CPI for the quarter ended with the immediately preceding 31 December.
- “(3C) The adjustments (by any percentage movement upwards in the CPI) required under subsection (3B) as at 1 April 2011, 1 April 2012, and 1 April 2013 must, despite subsections (3B) and (3F), be calculated,—
- “(a) if, and insofar as, they relate to movements during quarters that end before 29 April 2010, using index numbers for those quarters of the consumers price index-all groups published by Statistics New Zealand; and
- “(b) if, and insofar as, they relate to movements during quarters that end after 28 April 2010, using index numbers for those quarters of the consumers price index-all groups excluding cigarettes and other tobacco products published by Statistics New Zealand.
- “(3D) An adjustment under subsection (3B) must not reduce the weekly amounts of student allowances payable.
- “(3E) Every adjustment made under subsection (3B) comes into force, or is considered to have come into force, on 1 April of the calendar year in which it is made, and applies to student allowances payable on and after that date.
- “(3F) In this section,—
- “**CPI** means the consumers price index-all groups published by Statistics New Zealand
- “**standard tax** means the amount of tax reckoned on a weekly basis that would be withholdable in accordance with tax code ‘M’ stated in section 24B of the Tax Administration Act 1994.”
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Legislative history

17 August 2010	Divided from Social Assistance (New Work Tests, Incentives, and Obligations) Amendment Bill (Bill 125–2) by committee of the whole House as Bill 125–3B
18 August 2010	Third reading
23 August 2010	Royal assent

This Act is administered by the Ministry of Social Development.
