

Taxation (Income Tax Rates) Act 1997

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Schedule 11
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An Act to amend individual rates of income tax and to fix the rates of income tax for the 1997-98 income year

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title

This Act may be cited as the Taxation (Income Tax Rates) Act 1997.

Part 1
Amendments to Income Tax Act 1994
Amendment Act 1996

Part 1: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

2 Income Tax Act 1994 Amendment Act 1996

[Repealed]

Section 2: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

3 Basic tax deductions

[Repealed]

Section 3: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

4 Low income rebate

[Repealed]

Section 4: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

5 Guaranteed minimum family income credit of tax

[Repealed]

Section 5: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

6 Basic rates of income tax for individuals and certain other taxpayers

[Repealed]

Section 6: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

7 Heading repealed

[Repealed]

Section 7: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

8 Commencement

[Repealed]

Section 8: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

9 Rates for interim instalments for period beginning on or after 1 July 1998

[Repealed]

Section 9: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

10 Director-General to deliver credit of tax

[Repealed]

Section 10: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

11 Resident withholding tax deductions

[Repealed]

Section 11: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

12 Basic tax deductions

[Repealed]

Section 12: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

13 Heading repealed*[Repealed]*

Section 13: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

14 Section repealed*[Repealed]*

Section 14: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

15 Low income rebate*[Repealed]*

Section 15: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

16 Guaranteed minimum family income credit of tax*[Repealed]*

Section 16: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

17 Definitions*[Repealed]*

Section 17: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

18 Basic rates of income tax for individuals and certain other taxpayers*[Repealed]*

Section 18: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

Part 2**Amendments to Income Tax Act 1994**

Part 2: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

19 Income Tax Act 1994*[Repealed]*

Section 19: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

20 Basic rates of income tax for individuals and certain other taxpayers

[Repealed]

Section 20: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

21 Low income rebate

[Repealed]

Section 21: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

22 Guaranteed minimum family income credit of tax

[Repealed]

Section 22: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

23 Credit of tax by instalments

[Repealed]

Section 23: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

**24 Transitional rates for interim instalments during period
1 July 1997 to 30 June 1998**

[Repealed]

Section 24: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

25 Director-General to deliver credit of tax

[Repealed]

Section 25: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

26 Definitions

[Repealed]

Section 26: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

Part 3
Amendments to Tax Administration Act
1994

27 Tax Administration Act 1994

This Part amends the Tax Administration Act 1994.

28 Annual income tax returns for 1996–97 income year

(1) *[Repealed]*

(2) Subsection (1) applies with respect to the 1996–97 income year.

(3) Subsections (1) and (2) are deemed to have come into force on 1 April 1996.

Section 28(1): repealed, on 1 April 1998, by section 29.

29 Repeal

Section 28(1) is repealed on 1 April 1998.

30 Annual income tax returns for 1997–98 income year

(1) Section 33A (as replaced by section 28 of this Act) is replaced by:

“33A Annual income tax returns not required from taxpayers

“(1) For the purposes of this Act, subject to subsections (2) and (3), a natural person shall not be required to furnish a return of income in relation to a year if, in the year, the person—

“(a) Is not a New Zealand superannuitant; and

“(b) Does not derive gross income other than—

“(i) Income from employment from which a tax deduction is liable to be made in accordance with the PAYE rules;

“(ii) Interest or dividends from which resident withholding tax is liable to be deducted in accordance with the RWT rules; and

“(c) Derives annual gross income that does not exceed \$34,200; and

“(d) Does not derive gross income as a shearer or as a shearing shed hand; and

“(e) Is not an absentee; and

- “(f) Is not issued with a family certificate of entitlement for any part of the year; and
 - “(g) Does not have a spouse who is issued with a family certificate of entitlement for any part of the year; and
 - “(h) Is not required to pay any financial support under the Child Support Act 1991; and
 - “(i) Does not have any IRD loan balance (as defined in section 2 of the Student Loan Scheme Act 1992).
- “(2) Notwithstanding anything in subsection (1), a person who is a New Zealand superannuitant shall not be required to furnish a return of income in relation to a year if, in the year, the person—
- “(a) Satisfies paragraphs (b) to (i) of subsection (1); and
 - “(b) Receives payments of which the following amounts do not exceed \$7,722 in aggregate—
 - “(i) Income from employment other than New Zealand superannuation:
 - “(ii) Interest and dividends:
 - “(iii) 50% of any pension from a superannuation fund:
 - “(iv) 50% of any annuity to which section CB 9(f) applies.
- “(3) Notwithstanding anything in subsections (1) and (2), a person shall be required to furnish a return of income in relation to a year if, in the year,—
- “(a) The person receives income from employment from which a tax deduction is made and the amount of the tax deduction is determined wholly or partly by a special tax code certificate issued under section NC 14 of the Income Tax Act 1994:
 - “(b) The Director-General of Social Welfare pays to the person or to the person’s spouse a family credit under section KD 6 of the Income Tax Act 1994 for which the amount of family credit abatement (as given by section KD 2(4) of the Income Tax Act 1994) is greater than nil.
- “(4) For the purposes of subsections (1) and (2), resident withholding tax is deemed to be deducted from a dividend if application of the formula in section NF 2(1)(b) of the Income Tax Act 1994 results in the payer of the dividend being required to deduct a nil amount.”.

- (2) Subsection (1) applies with respect to the 1997–98 and subsequent income years.
- (3) Subsections (1) and (2) are deemed to have come into force on 1 April 1997.
- (4) Part 2 of the Taxation (Superannuitant Surcharge Reduction) Act 1996 is repealed.
- (5) Subsection (4) is deemed to have come into force on 2 September 1996.

31 Annual income tax returns for 1998-99 and subsequent income years

- (1) In section 33A (as substituted by section 30(1)), “\$34,200” is replaced by “\$38,000”.
- (2) Subsection (1) applies with respect to the 1998–99 and subsequent income years.
- (3) This section comes into force on 1 April 1998.

Part 4

**Amendments to Tax Administration
Amendment Act 1996**

32 Tax Administration Amendment Act 1996

This Part amends the Tax Administration Amendment Act 1996.

33 Commencement

This Part is deemed to come into force on 1 April 1996.

34 Sections repealed

Sections 5 and 6 are repealed.

35 Annual income tax returns for 1997-98 income year

Sections 7(1), (3) and (4) are repealed.

Part 5

Annual rates of income tax for 1997–98

Part 5: repealed, on 26 November 1998, pursuant to section 2(2) of the Taxation (Annual Rates of Income Tax 1998–99) Act 1998 (1998 No 109).

36 Rates of income tax for 1997–98 income year*[Repealed]*

Section 36: repealed, on 26 November 1998, by section 2(2) of the Taxation (Annual Rates of Income Tax 1998–99) Act 1998 (1998 No 109).

s 20(1)

Schedule
New Part B of Schedule 1 to Income Tax
Act 1994

Schedule: repealed, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

This Act is administered by the Inland Revenue Department
