



## **Tax Administration (Extension of Notification Deadline for Research and Development Tax Credits) Order 2022**

Cindy Kiro, Governor-General

### **Order in Council**

At Wellington this 29th day of August 2022

Present:

Her Excellency the Governor-General in Council

This order is made under section 226 of the Tax Administration Act 1994 on the advice and with the consent of the Executive Council.

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### **Order**

#### **1 Title**

This order is the Tax Administration (Extension of Notification Deadline for Research and Development Tax Credits) Order 2022.

#### **2 Commencement**

This order comes into force on 1 September 2022.

### 3 Extension of time to 30 April 2023 for notification deadline under section 68CB(1)(d) of Act

- (1) This clause applies to a person if—
  - (a) the person’s research and development activities have been approved for more than 1 income year under section 68CB of the Tax Administration Act 1994 (a **multi-year general approval**); and
  - (b) the person is required to submit a notice under section 68CB(1)(d) of the Tax Administration Act 1994 on or before the 7th day of the 2nd month after the end of the 2021–22 income year in relation to that multi-year general approval.
- (2) 30 April 2023 is appointed as a further date on or before which that notice must be submitted.

Rachel Hayward,  
Acting Clerk of the Executive Council.

### Explanatory note

*This note is not part of the order, but is intended to indicate its general effect.*

This order, which comes into force on 1 September 2022, extends the notification deadline under section 68CB(1)(d) of the Tax Administration Act 1994 for the 2021–22 income year to 30 April 2023.

This order is being made because, for a number of persons, the notification deadline has passed without the required notice having been filed. Without this order, those persons would be ineligible for a research and development tax credit under subpart LY of Part L of the Income Tax Act 2007. However, in some cases, it was unreasonable or impossible for those persons to make the required notification.

See section 226(2) of the Tax Administration Act 1994 (which will have the effect that a notice submitted on or before 30 April 2023 for the 2021–22 income year is as valid as if it had been done on or before the original deadline).

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 1 September 2022.

This order is administered by the Inland Revenue Department.