

Income Tax (Determinations) Amendment Regulations 2001

Pursuant to sections 224 and 225 of the Tax Administration Act 1994, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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1 Title

- (1) These regulations are the Income Tax (Determinations) Amendment Regulations 2001.
- (2) In these regulations, the Income Tax (Determinations) Regulations 1987¹ are called “the principal regulations”.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

¹ SR 1987/114

3 Interpretation

Regulation 2 of the principal regulations is amended by inserting in the definition of the term **determination**, after the expression “section 90(1)”, the words “or section 90AC(1)”.

4 Applications

- (1) Regulation 3(1) of the principal regulations is amended by inserting, after the expression “section 90”, the words “or sections 90AB to 90AE”.
- (2) Regulation 3(5) of the principal regulations is amended by inserting, after the expression “section 90”, the words “or sections 90AB to 90AE”.

5 Determination of application

- (1) Regulation 4(2) of the principal regulations is amended by inserting, after the expression “section 90(1)”, the words “or section 90AC(1)”.
- (2) Regulation 4(4) of the principal regulations is amended by inserting, after the expression “section 90(1)”, the words “or section 90AC(1)”.

6 Commissioner to prepare draft determination

- (1) Regulation 5(1) of the principal regulations is amended by inserting, after the expression “section 90(3)”, the words “or section 90AB”.
- (2) Regulation 5(1) of the principal regulations is further amended by inserting, after the expression “section 90(1)”, the words “or section 90AC(1)”.

7 Determinations without consultation

Regulation 6(c) of the principal regulations is amended by inserting, after the expression “section 90(3)”, the words “or section 90AB”.

8 Payment of fees

- (1) Regulation 12(1) of the principal regulations is amended by inserting, after the expression “section 90(3)”, the words “or section 90AB”.

- (2) Regulation 12(2) of the principal regulations is amended by inserting, after the expression “section 90(7)”, the words “or section 90AD(1)”.

9 Schedule amended

- (1) The heading of the Schedule of the principal regulations is amended by inserting, after the expression “section 90(7)”, the words “or section 90AD(1)”.
- (2) Item 2 in the Schedule of the principal regulations is amended by inserting, after the expression “section 90(1)”, the words “or section 90AC(1)”.

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the 28th day after the date of their notification in the Gazette, amend the Income Tax (Determinations) Regulations 1987.

The amendments—

- update the Income Tax (Determinations) Regulations 1987 to include references to sections 90AA to 90AE of the Tax Administration Act 1994 (which relate to the new accrual rules as enacted in Part EH Division 2 of the Income Tax Act 1994):
- extend the meaning of the term determination to include determinations for the purposes of those accrual rules:
- extend the power of the Commissioner of Inland Revenue to charge fees for dealing with applications for accrual rules determinations issued under the Tax Administration Act 1994.