



ANALYSIS

Title
1. Short Title and commencement

2. Disclosure of student allowance information to Department of Social Welfare

1991, No. 135

An Act to amend the Education Act 1989

[18 December 1991]

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

1. Short Title and commencement—(1) This Act may be cited as the Education Amendment Act (No. 3) 1991, and shall be read together with and deemed part of the Education Act 1989.

(2) This Act shall come into force on the day after the date on which it receives the Royal assent.

2. Disclosure of student allowance information to Department of Social Welfare—The Education Act 1989 is hereby amended by inserting in Part XXV (as inserted by section 48 of the Education Amendment Act 1990), after section 307, the following section:

“307A. (1) In this section, unless the context otherwise requires,—

“‘Beneficiary’ means any person who is receiving, or has received, any benefit; and includes an applicant for a benefit:

“‘Beneficiary information’, in relation to a beneficiary, means information that identifies the beneficiary, which may include—

“(a) The beneficiary’s tax file number:

“(b) The number assigned to the beneficiary by the Department of Social Welfare for benefit purposes:

“‘Benefit’ has the same meaning as in section 3 (1) of the Social Security Act 1964; and includes—

“(a) A lump sum payable under section 61DB or section 61DC or section 61DD of that Act:

“(b) Any special assistance granted out of the Crown Bank Account from money appropriated by Parliament under section 124 (1) (d) or (da) of that Act:

“ ‘Tax file number’ has the same meaning as in section 327A (1) of the Income Tax Act 1976.

“(2) The purpose of this section is to facilitate the exchange of information between the Ministry and the Department of Social Welfare for the purposes of verifying—

“(a) The entitlement or eligibility of any person to or for any benefit; or

“(b) The amount of any benefit to which any person is or was entitled or for which any person is or was eligible.

“(3) For the purpose of this section, any officer or employee or agent of the Department of Social Welfare authorised in that behalf by the Director-General of Social Welfare may from time to time, in accordance with arrangements made from time to time between the Director-General and the Secretary, supply to the Secretary any beneficiary information held by that Department.

“(4) Where beneficiary information is supplied to the Secretary pursuant to subsection (3) of this section, the Secretary may cause a comparison of that information to be made with any information held by the Ministry and which relates to persons who hold, or have held, any allowance established by regulations made under section 303 of this Act.

“(5) Where the result of any comparison carried out pursuant to subsection (4) of this section indicates that any person—

“(a) Who is receiving, or has received, a benefit is or was, while receiving that benefit, also the holder of an allowance established by regulations made under section 303 of this Act; or

“(b) Who is an applicant for any benefit is the holder of such an allowance,—

the Secretary may, for the purpose of this section, supply to any officer, employee, or agent of the Department of Social Welfare authorised in that behalf by the Director-General of Social Welfare details of that result and such other information held by the Ministry in relation to that person as is relevant in the circumstances.”