Income Tax (Universalisation of In-Work Tax Credit) Amendment Bill

22 August 2012

ATTORNEY-GENERAL

Legal Advice

Consistency with the New Zealand Bill of Rights Act 1990: Income Tax (Universalisation of In-Work Tax Credit) Amendment Bill

1. We have considered whether the Income Tax (Universalisation of In-work Tax Credit) Amendment Bill (‘the Bill’), a Member’s Bill in the name of Metiria Turei MP, is consistent with the New Zealand Bill of Rights Act 1990 (‘Bill of Rights Act’). The Bill was introduced into the House of Representatives on 16 August 2012 and is currently awaiting its first reading. We understand that the next Members’ day is scheduled for Wednesday, 29 August 2012.

2. The Bill amends the Income Tax Act 2007 to extend the in-work tax credit to the children of beneficiary and student families. The stated purpose of the bill is to provide greater fairness in the provision of Working for Families social assistance by removing the discriminatory elements of the in-work tax credit.

3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed by the Bill of Rights Act. This advice has been prepared by the Public Law Group and the Office of Legal Counsel.

Melanie Webb
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Office of Legal Counsel