



Proposed Amendment No 1 to the Superannuation Schemes Unique Identifier Code 1995

Information Paper

The Privacy Commissioner proposes to amend the Superannuation Schemes Unique Identifier Code 1995 (the Code) to bring it up to date.

This information paper is intended to assist people who may wish to make a submission on the proposed amendment.

Amendment No 1 will make two minor changes to the Code. Firstly, it will amend the definition of the term “associated person” in order to replace a reference to section OD7 of the Income Tax Act 1994 (which has since been repealed) with its current equivalent – subpart YB of the Income Tax Act 2007.

Secondly, it will remove clause 3(2). This subsection sets out that terms and expressions used in the Code but which are defined in the Privacy Act 1993 or Acts Interpretation Act 1924 (which has since been replaced by the Interpretation Act 1999) have the same meanings respectively as in those Acts.

We are taking this opportunity to remove this subsection on the basis that general principles of statutory interpretation make this provision redundant and, as such, current practice is not to include this type of provision.

Attachment

Annexed to this paper is the text of the proposed amendment.

Invitations to make submissions

Any person is welcome to make a written submission on the proposed amendment which must be received by 28 August 2015. Submissions should be addressed to code@privacy.org.nz or posted to:

Superannuation Scheme UI Code Amendment Submissions
Office of the Privacy Commissioner
PO Box 10094
Wellington 6143

If you have any questions, or would like to discuss the proposed amendment before making a submission, please feel free to contact us on 0800 803 909.

Submissions may be published on the website of the Office by the Privacy Commissioner or be released on request. If you would like the Commissioner to keep your submission, or part of the submission, confidential, please indicate the reasons with your submission and the Commissioner will consider your request in accordance with the Official Information Act 1982.

Annex**Superannuation Schemes Unique Identifier Code 1995
Amendment No 1****1. Title**

This amendment is the Superannuation Schemes Unique Identifier Code 1995 Amendment No 1.

2. Commencement

This amendment will come into force on 15 October 2015.

3. Amendment to clause 3 (Interpretation)

The definition of associated person in Clause 3(1) is amended in the following manner:

Delete: section OD7 of the Income Tax Act 1994

Substitute: subpart YB of the Income Tax Act 2007

4. Amendment to clause 3 (Interpretation)

Clause 3(2) is revoked.