

**Reprint
as at 1 April 2009**



**Student Allowances Amendment
Regulations (No 2) 2008**

(SR 2008/282)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 25th day of August 2008

Present:

His Excellency the Governor-General in Council

Pursuant to section 303 of the Education Act 1989, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Social Development.

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Regulations

1 Title

These regulations are the Student Allowances Amendment Regulations (No 2) 2008.

2 Commencement

(1) Regulation 8 and Schedule 1 are deemed to have come into force on 1 April 2008.

- (2) Regulations 6(1) and 9 and Schedule 2 come into force on 1 October 2008.
- (3) Regulations 4, 5, 6(2), 7, 10, and 11 and Schedule 3 come into force on 1 January 2009.
- (4) The rest of these regulations come into force on the day after the date of their notification in the *Gazette*.

3 Principal regulations amended

These regulations amend the Student Allowances Regulations 1998.

4 Interpretation

- (1) Paragraph (b) of the definition of **dependent student** in regulation 2(1) is amended by omitting “24” and substituting “23”.
- (2) The definition of **partner** in regulation 2(1) is amended by omitting “25” in each place where it appears and substituting in each case “24”.
- (3) Paragraph (c)(i) and (ii) of the definition of **personal income** in regulation 2(1) are amended by omitting “25” and substituting in each case “24”.
- (4) The definition of **spouse** in regulation 2(1) is amended by omitting “25” in each place where it appears and substituting in each case “24”.
- (5) The definition of **supported child** in regulation 2(1) is amended by omitting “25” and substituting “24”.

5 Assessment of parental income

Regulation 4(1) is amended by omitting “25” and substituting “24”.

6 Reassessment of parental income

- (1) Regulation 5(1) is amended by omitting “\$44,333.64” and substituting “\$45,743.88”.
- (2) Regulation 5(1) is amended by omitting “\$45,743.88” and substituting “\$50,318.32”.

7 Eligibility for independent circumstances grant

Regulation 8(1)(a) is amended by omitting “25” in each place where it appears and substituting in each case “24”.

8 Amendments to Schedule 2 coming into force on 1 April 2008

[Revoked]

Regulation 8: revoked, on 1 April 2009, by regulation 6(2) of the Student Allowances Amendment Regulations 2009 (SR 2009/22).

9 Amendments to Schedule 2 coming into force on 1 October 2008

[Revoked]

Regulation 9: revoked, on 1 April 2009, by regulation 6(2) of the Student Allowances Amendment Regulations 2009 (SR 2009/22).

10 Amendments to Schedule 2 coming into force on 1 January 2009

[Revoked]

Regulation 10: revoked, on 1 April 2009, by regulation 6(2) of the Student Allowances Amendment Regulations 2009 (SR 2009/22).

11 Transitional provision

(1) Subclause (2) applies to any student who—

- (a) is partway through a course of study as at 1 January 2009; and
- (b) either—
 - (i) is aged 24; or
 - (ii) is under the age of 24 and has a sibling aged 24 who is studying.

(2) The allowances payable to a student who meets the criteria in subclause (1) must not be reduced as a result only of the amendments made by regulations 4, 5, 7, and 10.

(3) Subclause (2) applies only until the first of the following occurs—

- (a) the student reaches the age of 25; or
- (b) the period of study in respect of which the allowance is paid ends; or

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- (c) a change of circumstances makes the student eligible for a higher rate of entitlement under the principal regulations (as amended by these regulations).
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Schedule 1

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**Amendments to Schedule 2 of principal
regulations coming into force on 1 April
2008**

[Revoked]

Schedule 1: revoked, on 1 April 2009, by regulation 6(2) of the Student Allowances Amendment Regulations 2009 (SR 2009/22).

Schedule 2

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**Amendments to Schedule 2 of principal
regulations coming into force on 1 October
2008**

[Revoked]

Schedule 2: revoked, on 1 April 2009, by regulation 6(2) of the Student Allowances Amendment Regulations 2009 (SR 2009/22).

Schedule 3

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**Amendments to Schedule 2 of principal
regulations coming into force on
1 January 2009**

[Revoked]

Schedule 3: revoked, on 1 April 2009, by regulation 6(2) of the Student Allowances Amendment Regulations 2009 (SR 2009/22).

Rebecca Kitteridge,
Clerk of the Executive Council.

Date of notification in *Gazette*: 28 August 2008.

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Notes

1 *General*

This is a reprint of the Student Allowances Amendment Regulations (No 2) 2008. The reprint incorporates all the amendments to these regulations as at 1 April 2009, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, *see*

<http://www.pco.parliament.govt.nz/legislation/reprints.shtml>
or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Student Allowances Amendment Regulations 2009 (SR 2009/22): regulation 6(2)