

25 February 2016

Mr Cannicott
fyi-request-3534-83e77ffc@requests.fyi.org.nz

Dear Mr Cannicott

Thank you for your request made under the Official Information Act 1982 (OIA), received on 22 January 2016. The Ministry of Justice transferred your request to Inland Revenue for reply. You asked:

On how many occasions has an arrest warrant for a student loan borrower who is about to leave New Zealand with the intent to avoid their student loan repayment obligations — under the terms of the Student Loan Scheme Amendment Act (3), been issued (broken down by month)? What was the outcome of each of these arrests?

Inland Revenue has applied for an arrest warrant on two occasions.

The first arrest warrant was issued in May 2015 but was not carried out. This is because the borrower made a payment to clear their outstanding amounts and meet their obligations under the Student Loan Scheme Amendment Act.

The second arrest warrant was granted by the District Court in January 2016 for a student loan borrower about to leave New Zealand. The arrest warrant was executed as the borrower was about to leave New Zealand. The borrower subsequently made arrangements and has since left New Zealand.

On 22 December 2015, you asked why Inland Revenue refused your previous OIA request of 24 November 2015. In my response of 22 December 2015, I should have explained why the tax secrecy provisions applied to the information you requested. I apologise for not providing an explanation.

Inland Revenue officers are bound by the tax secrecy provisions in section 81 of the Tax Administration Act 1994 (TAA). This means that most of the information Inland Revenue holds must be treated as confidential, particularly information about our customers. Releasing information about customers in a specific situation might compromise their privacy, especially if there are only a few individuals in that situation.


As part of making my decision, I looked at the exceptions to secrecy in the TAA to determine if any of the exceptions applied to your request. As none of the exceptions applied, I could not provide the information you requested.

However, the information is now in the public arena, so I see no reason to refuse the information you requested.

This response fully covers the information you asked for in this request and in your original request of 24 November 2015.

Thank you for your request. I trust that the information provided is of assistance to you.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Maurice Lawlor', with a stylized flourish at the end.

Maurice Lawlor
Business Own

