



7 June 2024



Dear 

Thank you for your request made under the Official Information Act 1982 (OIA), received on 21 May 2024. You requested the following (numbered for ease of response):

- 1) *I would like Ird policy on shared care arrangement 50/50 and how that effects minimum family tax entitlement.*
- 2) *How many staff are trained for the minimum family tax families with 50/50 shared care and the amount of minimum family tax they receive.*

Question One

Inland Revenue does not have a specific policy on how shared care arrangements affect the Minimum Family Tax Credit (MFTC) entitlement. This part of your request is therefore refused under section 18(e), as the document alleged to contain the information requested does not exist.

Inland Revenue is required to follow the legislation that governs how Working for Families Tax Credits (WfFTC) are applied. There are specific provisions in the Income Tax Act 2007 (ITA) that cover shared care arrangements for other components of WfFTC (In Work Tax Credit, Family Tax Credit and Best Start Tax Credit).

There are no provisions that cover shared care specifically for MFTC. This means that each caregiver's position must be considered to determine whether they meet the specific MFTC criteria for the time the child is in their care. The minimum qualifying period for MFTC detailed in subpart ME of the ITA, advises that only one person can be the Primary Caregiver (PCG) at any one time. If each person has the child for a week or more at a time, they will have a series of periods throughout the year where they are entitled to MFTC. The amount received is based on the family income and circumstances of the PCG.

For caregivers with 50/50 shared care (7 days per fortnight), their entitlement is halved to account for the weeks the child is not in the PCG's care.

Question Two

All Working for Families staff, numbering around 140 people, are trained in MFTC and the impact of shared care on entitlement. A dedicated team of 16 staff manage updates and communication for MFTC customers to ensure accuracy and consistency.

Should you have any further questions, please contact us on 0800 227 773. Alternatively, you can send a web message through MyIR, which if relating to MFTC will be assigned to and responded by one of the 16 staff members mentioned above.

Right of review

If you disagree with my decision on your OIA request, you can ask an Inland Revenue review officer to review my decision. To ask for an internal review, please email the Commissioner of Inland Revenue at: CommissionersCorrespondence@ird.govt.nz.

Alternatively, under section 28(3) of the OIA, you have the right to ask the Ombudsman to investigate and review my decision. You can contact the office of the Ombudsman by email at: info@ombudsman.parliament.nz.

If you choose to have an internal review, you can still ask the Ombudsman for a review.

Publishing of OIA response

We intend to publish our response to your request on Inland Revenue's website (www.ird.govt.nz) as this information may be of interest to other members of the public. This letter, with your personal details removed, will be published in its entirety. Publishing responses increases the availability of information to the public and is consistent with the OIA's purpose of enabling more effective participation in the making and administration of laws and policies and promoting the accountability of officials.

Thank you for your request.

Yours sincerely



Sue Gillies

Customer Segment Leader - Families