

8 February, 2002

**Ministry of Justice  
P O Box 180  
WELLINGTON**

Dear Sir/Madam,

### **Re: Property Relationship Amendment Act**

A principal objective of this Act which came into force on 1 February was to give individuals in long term but non marital relationships similar property rights to married couples.

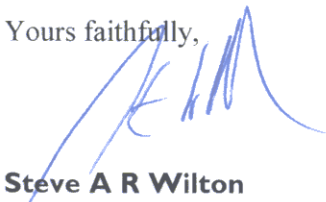
I am therefore interested to learn whether by specific action or possibly by oversight the reason why a consequential change was not made to section OB3(3)(b) of the Income Tax Act 1994.

This section provides for married couples to be treated as single shareholders in what the Tax Act calls qualifying companies for the purposes of the shareholding requirements for qualifying companies.

My company uses qualifying companies within our investment structure and at present because of the constraints of section OB3(3)(b) cannot accept joint applications in the names of de facto couples whereas we can and regularly do accept joint applications from married couples.

A copy of the legal advice on this matter from our Solicitors is enclosed.

Yours faithfully,



**Steve A R Wilton  
Business Director**

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