

Government Superannuation Fund Amendment Act 1962

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Contents

		Page
	Title	2
1	Short Title	2
Part 1		
Miscellaneous provisions		
2	Education service	3
4	Election by employee to become a contributor	3
5	Contribution in respect of prior service	3
6	Election in respect of previous contributory service	3
7	Election to contribute in respect of previous service as contributing employee under a National Provident Fund scheme	3
8	Retiring allowance	3
9	Retiring allowance where contributor medically unfit for further duty	4
10	Increasing allowance for dependant widower	4
11	Election to continue contributory service after retirement	4
12	Death of female contributor	4
13	Effect of desertion and absence without leave	4
15	Saving	4

Part 2
Police and Prisons Service

16	Commencement	5
17	Interpretation	5
17A	Restricted application of this Part to certain members of Police	5
17B	Restricted application of this Part to Prisons Service	5
18	Contributors	6
19	Rate of contribution	6
20	Rates of contribution by existing contributors	6
21	Computation of contributory service	7
22	Transfer to or from other branches of Government Service	8
23	Reimbursement of Fund	8
24	No election to contribute in respect of certain employment	9
25	Special provisions as to service in island territories	9
26	Application of principal Act	9
27	Repeals and amendment	9

Schedule 10

**Rates of contributions to Superannuation Fund by
members of the Police or of the Prisons Service**

**An Act to amend the Government Superannuation Fund Act
1956**

BE IT ENACTED by the General Assembly of New Zealand
in Parliament assembled, and by the authority of the same, as
follows:

1 Short Title

This Act may be cited as the Government Superannuation
Fund Amendment Act 1962, and shall be read together with
and deemed part of the Government Superannuation Fund
Act 1956 (hereinafter referred to as the principal Act).

Part 1

Miscellaneous provisions

2 Education service

(1)

(2) *This subsection added subs (3) to s 2 of the principal Act.*

(3) The following enactments are hereby consequentially repealed:

(a)

(b) Subsection (3) of section 24 of the Universities Act 1961.

Subsection 2(1) was repealed by section 2(4)(b) of the Government Superannuation Fund Amendment Act 1976.

Subsection 2(3) was impliedly repealed by section 2(4)(a) of the Government Superannuation Fund Amendment Act 1976.

3

Section 3 was repealed, as from 1 October 1995, by section 31 Government Superannuation Fund Amendment Act 1995 (1995 No 28).

4 Election by employee to become a contributor

(1)

(2)

5 Contribution in respect of prior service

(1)

(2)

6 Election in respect of previous contributory service

7 Election to contribute in respect of previous service as contributing employee under a National Provident Fund scheme

8 Retiring allowance

(1)

(2) The following enactments are hereby consequentially repealed:

(a) Subsection (1) of section 26 of the Police Act 1958:

- (b) Subsection (3) of section 5, section 9, and subsection (2) of section 26, of the Government Superannuation Fund Amendment Act 1959.

9 Retiring allowance where contributor medically unfit for further duty

10 Increasing allowance for dependant widower

11 Election to continue contributory service after retirement

12 Death of female contributor

(1)

(2)

(3)

(a)

(b)

Subsection 12(1) was repealed by section 9(2)(b) of the Government Superannuation Fund Amendment Act 1976.

Subsection 12(2) was repealed by section 9(2)(b) of the Government Superannuation Fund Amendment Act 1976.

Subsection 12(3)(a) was repealed by section 22(3) of the Government Superannuation Fund Amendment Act 1985.

13 Effect of desertion and absence without leave

14

Section 14 was repealed by section 6(4) of the Government Superannuation Fund Amendment Act 1980.

15 Saving

Nothing in this Act shall affect any retiring allowance or annuity or refund which became payable under the principal Act before the commencement of this Act, and the principal Act shall apply to all such allowances and annuities and refunds as if this Act had not been passed.

Part 2

Police and Prisons Service

16 Commencement

This Part of this Act shall come into force on the 21st day of March 1963.

17 Interpretation

In this Part of this Act, unless the context otherwise requires,—

Member of the Prisons Service means an employee of a department of State who occupies a position that carries custodial or supervisory responsibility over prisoners; and **Prisons Service** has a corresponding meaning

Member of the Prisons Service: this definition was substituted, as from 1 October 1995, by section 10(3) Department of Justice (Restructuring) Act 1995 (1995 No 39).

Member of the Prisons Service: this definition was amended, as from 1 June 2005, by section 206 Corrections Act 2004 (2004 No 50) by substituting the word “prisoners” for the words “prison inmates”. *See* clause 2 Corrections Act Commencement Order 2005 (SR 2005/52).

Police means the Police of New Zealand within the meaning of the Police Act 1958.

17A Restricted application of this Part to certain members of Police

Notwithstanding anything in this Part of this Act applying to members of the Police, nothing in this Part of this Act shall apply in respect of any person who is a member of the Police on the 1st day of May 1985 or any person who becomes a member of the Police after that date.

Section 17A was inserted by section 9 of the Government Superannuation Fund Amendment Act 1985.

17B Restricted application of this Part to Prisons Service

Notwithstanding anything in this Part of this Act applying to members of the Prisons Service, nothing in this Part of this Act shall apply in respect of any person who is a member of the Prisons Service on the 11th day of December 1986 (unless that person has made an election under section 88O(3) of the

principal Act), or any person who becomes a member of the Prisons Service after that date.

Section 17B was inserted by section 32 of the Government Superannuation Fund Amendment Act 1986.

18 Contributors

- (1) Every person who at any time after the commencement of this Part of this Act becomes a member of the Police or of the Prisons Service shall be a contributor to the Fund subject to this Part of this Act:

Provided that any temporary employee who has obtained the approval of the relevant controlling authority shall not be required to be a contributor to the Fund.

(2)

- (3) Every member of the Police or of the Prisons Service who is or becomes a contributor shall remain a contributor subject to the provisions of this Part of this Act during such time as he remains a member of the Police or of the Prisons Service.

- (4) Nothing in section 28 of the principal Act shall apply to a member of the Police or of the Prisons Service.

Compare: 1958 No 109 s 18

Subsection 18(2) was repealed by section 10 of the Government Superannuation Fund Amendment Act 1967.

19 Rate of contribution

The contribution to be made by a member of the Police or of the Prisons Service shall be in accordance with the scale set out in the Schedule to this Act and shall be deducted from his salary as the salary becomes payable from time to time.

Compare: 1958 No 109 s 19

20 Rates of contribution by existing contributors

The rate of contribution payable in respect of future service in the Police or the Prisons Service by any member of the Police or of the Prisons Service who is a contributor to the Fund at the commencement of this Part of this Act shall be the appropriate rate payable under this Part of this Act having regard to his age at the date of the commencement of his contributory service.

Compare: 1958 No 109 s 20

21 Computation of contributory service

- (1) Subject to the provisions of this Part of this Act, for the purposes of computing the length of contributory service of a member of the Police or of the Prisons Service, every complete year of service in the Police or the Prisons Service shall be deemed to be one year and one-seventh:

Provided that where the contributory service of a member commenced before he attained the age of 25 years, every complete year of service in the Police or the Prisons Service shall, if necessary, be deemed to be increased by such proportion of a year, being less than one-seventh, as would entitle the member, having regard to his age at the commencement of his contributory service, to 40 years contributory service at the age of 60 years if his contributory service had all been in the Police or the Prisons Service:

Provided also that every fraction of a year of contributory service in the Police or the Prisons Service shall, for the purpose of computing the length of contributory service, be deemed to be increased proportionately in accordance with this subsection.

- (2) Notwithstanding the provisions of subsection (1) of this section, any member of the Police or of the Prisons Service shall not on retirement be deemed to have completed more than 40 years of contributory service during the period before the commencement of this Part of this Act unless his actual period of contributory service during that period is longer than 40 years.
- (3) Where a period of contributory service is partly in the Police or the Prisons Service and partly outside those branches of the Government service, only the period served in those branches of the Government service shall be computed in accordance with subsection (1) of this section.
- (4) Nothing in this section shall apply to the computation of any period of contributory service unless the contributor is a member of the Police or the Prisons Service at the date of his death or retirement.

Compare: 1958 No 109 s 21

22 Transfer to or from other branches of Government Service

- (1) Where a contributing member of the Police or of the Prisons Service transfers from the Police or the Prisons Service to another branch of the Government service, the rate of contribution payable in respect of his service in that branch shall be the appropriate rate payable under the principal Act having regard to his age at the date of the commencement of his contributory service. In any such case any period of service in the Police or the Prisons Service shall be computed as if that service were ordinary contributory service in the branch to which the contributor transfers and he shall be entitled to a refund of an amount equal to the difference between his actual contributions and the contributions he would have paid if he had been employed in that branch during his service in the Police or the Prisons Service.
- (2) Where a contributor transfers from another branch of the Government service to the Police or the Prisons Service, the rate of contributions payable by him in respect of his service in the Police or the Prisons Service shall be the appropriate rate payable under this Part of this Act, having regard to his age at the date of the commencement of his contributory service.

Compare: 1958 No 109 s 22

23 Reimbursement of Fund

- (1) There shall be paid to the Fund out of money appropriated by Parliament for the purpose such sum as is certified by the Government Actuary as being equal to the difference between the amount paid as contributions to the Fund by contributors who were members of the Prisons Service at the commencement of this Part of this Act and the amount that would have been paid by those contributors if this Part of this Act had been in force when the contributions were made.
- (2) The amount certified under subsection (1) of this section may be paid to the Fund by instalments as approved by the Minister of Finance.
- (3) The annual instalments that would have been payable to the Fund pursuant to section 23 of the Police Act 1958 had that

section not been repealed shall continue to be payable as if that section were still in force.

Compare: 1958 No 109 s 23

24 No election to contribute in respect of certain employment

A member of the Police or of the Prisons Service contributing to the Fund under this Part of this Act may not, without the consent of the relevant controlling authority and except on such terms and conditions as may be prescribed by the Minister of Finance, elect to contribute in respect of any training or service referred to in subsection (2) of section 2 of the principal Act or in respect of notional service within the meaning of section 23A of the principal Act (as inserted by section 3 of the Government Superannuation Fund Amendment Act 1964.

Compare: 1958 No 109 s 24

The words in single square brackets were added by section 3(3) of the Government Superannuation Fund Amendment Act 1964.

25 Special provisions as to service in island territories

Where any period of contributory service by a member of the Police or of the Prisons Service is computed in accordance with section 51 of the principal Act, the provisions of this Part of this Act shall not, without the consent of the relevant controlling authority and except on such terms and conditions as may be prescribed by the Minister of Finance, apply to that member in respect of that period.

Compare: 1958 No 109 s 25

26 Application of principal Act

Except as otherwise provided in this Part of this Act, all the provisions of the principal Act, as far as they are applicable and with any necessary modifications, shall apply to members of the Police or of the Prisons Service as they apply to other persons in the Government service.

Compare: 1958 No 109 s 26(2)

27 Repeals and amendment

- (1) The Police Act 1958 is hereby amended by repealing sections 18 to 26 and Schedule 1.

(2) *This subsection amended s 29(3) of the principal Act.*

Schedule Section 19
**Rates of contributions to Superannuation
Fund by members of the Police or of the
Prisons Service**

This Schedule was substituted for the original Schedule by section 2(2) Government Superannuation Fund Amendment Act 1969.

1

Members who have not duly elected (in accordance with subsection (4) of section 2 of the Government Superannuation Fund Amendment Act 1969) to contribute under Part 2 of this schedule

Age of Commencement of Contributory Service	Percentage of Salary to be Deducted as Contributions to Superannuation Fund
Not exceeding 21 years	6.0
Exceeding 21 years but not exceeding 22 years	6.2
Exceeding 22 years but not exceeding 23 years	6.4
Exceeding 23 years but not exceeding 24 years	6.6
Exceeding 24 years but not exceeding 25 years	6.8
Exceeding 25 years but not exceeding 30 years	7.0
Exceeding 30 years but not exceeding 35 years	8.2
Exceeding 35 years but not exceeding 40 years	9.4
Exceeding 40 years but not exceeding 45 years	10.6

1—*continued*

Age of Commencement of Contributory Service	Percentage of Salary to be Deducted as Contributions to Superannuation Fund
Exceeding 45 years but not exceeding 50 years	11.8
Exceeding 50 years	13.0

2

Members who have duly elected (in accordance with subsection (4) of section 2 of the Government Superannuation Fund Amendment Act 1969) to contribute under this part

Age of Commencement of Contributory Service	Percentage of Salary to be Deducted as Contributions to Superannuation Fund
Not exceeding 21 years	5.0
Exceeding 21 years but not exceeding 22 years	5.2
Exceeding 22 years but not exceeding 23 years	5.4
Exceeding 23 years but not exceeding 24 years	5.6
Exceeding 24 years but not exceeding 25 years	5.8
Exceeding 25 years but not exceeding 30 years	6.0
Exceeding 30 years but not exceeding 35 years	7.2

2—continued

Age of Commencement of Contributory Service	Percentage of Salary to be Deducted as Contributions to Superannuation Fund
Exceeding 35 years but not exceeding 40 years	8.4
Exceeding 40 years but not exceeding 45 years	9.6
Exceeding 45 years but not exceeding 50 years	10.8
Exceeding 50 years	12.0