

**Reprint
as at 11 December 2015**



Parliamentary Superannuation Determination 2003

(SR 2003/306)

Pursuant to section 12(1)(ba) of the Remuneration Authority Act 1977, the Remuneration Authority, after consultation with the Government Actuary, makes the following determination (to which is appended an explanatory memorandum).

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Determination

1 Title

This determination is the Parliamentary Superannuation Determination 2003.

2 Commencement

This determination comes into force on 1 November 2003.

3 Interpretation

In this determination, unless the context otherwise requires,—

member means a member of the House of Representatives; and includes any person who is for the time being receiving a salary fixed by a determination

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This determination is administered by the Remuneration Authority.

made under section 8 of the Members of Parliament (Remuneration and Services) Act 2013

ordinary member means a member of the House of Representatives who holds no other office in respect of which a salary is payable under the Members of Parliament (Remuneration and Services) Act 2013

salary, in relation to a member, means the salary payable to that member under the Members of Parliament (Remuneration and Services) Act 2013

year means—

- (a) a period of 12 months from polling day for the election at which the member is elected or from the day the person is declared to be elected under section 193 of the Electoral Act 1993; and
- (b) a period of 12 months from each anniversary of that date.

Clause 3 **member**: amended, on 16 December 2013, by section 66 of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

Clause 3 **ordinary member**: amended, on 16 December 2013, by section 66 of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

Clause 3 **registered superannuation scheme**: revoked, on 11 December 2015, by clause 4 of the Parliamentary Superannuation Determination 2003 Amendment Determination 2015 (LI 2015/317).

Clause 3 **salary**: amended, on 16 December 2013, by section 66 of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

4 **Entitlement to superannuation subsidy**

A member who is not a contributor under Part 6 of the Government Superannuation Fund Act 1956 is entitled to a superannuation subsidy if the member chooses to contribute to a retirement scheme.

Clause 4: amended, on 11 December 2015, by clause 5 of the Parliamentary Superannuation Determination 2003 Amendment Determination 2015 (LI 2015/317).

5 **Maximum amount of superannuation subsidy**

- (1) The maximum amount that in any year may be paid by way of superannuation subsidy in respect of a member is 16% of an ordinary member's salary for the part of the year until 31 October 2003, increasing to 20% of an ordinary member's salary on and after 1 November 2003.
- (2) The maximum amount is inclusive of specified superannuation contribution withholding tax.
- (3) If a member has a period of service as a member that is less than a year, the maximum amount that may be paid by way of superannuation subsidy is 20% of an ordinary member's salary for that period of service.

6 **Ratio of subsidy to member's contribution**

The ratio of superannuation subsidy to the member's contribution is 2.5 to 1, so that a member must make a contribution to the retirement scheme of \$1 for every \$2.50 of superannuation subsidy.

Clause 6: amended, on 11 December 2015, by clause 6 of the Parliamentary Superannuation Determination 2003 Amendment Determination 2015 (LI 2015/317).

7 Revocation

The Parliamentary Superannuation Determination 1999 (SR 1999/423) is revoked.

Dated at Wellington this 28th day of October 2003.

H D Peacock, Chairman.

B A Wakem, Member.

David Oughton, Member.

Explanatory memorandum

Note: The following explanatory memorandum should be read in conjunction with the explanatory memorandum(s) appended to the:

- Parliamentary Superannuation Determination 2003 Amendment Determination 2015

This memorandum is not part of the determination, but is intended to indicate its general effect.

This determination applies to members of Parliament who are not contributors to the parliamentary superannuation scheme under the Government Superannuation Fund Act 1956 (**GSF**).

The determination is substantially the same as the Parliamentary Superannuation Determination 1999. That determination provides for a maximum superannuation subsidy of 16% of the salary payable to an ordinary member, subject to a 2:1 ratio of subsidy to contribution.

This determination provides for a maximum superannuation subsidy of 20% of the salary payable to an ordinary member, subject to a 2.5:1 ratio of subsidy to contribution. The rationale is to achieve a more equitable position for members of Parliament who are not members of the parliamentary superannuation scheme under the GSF.

People who became members of Parliament before 1 July 1992 are eligible to remain members of the parliamentary superannuation scheme under the GSF. The Govern-

ment Actuary has assessed that the inherent subsidy in the parliamentary superannuation scheme under the GSF is currently 23% gross.

For people who became members of Parliament after 1 July 1992, the available subsidy is currently limited to 16% of the gross salary payable to a backbencher. Parliamentarians do not have any security of tenure. To the contrary, there is a high turnover of members. Recognising the need for parliamentarians to provide for their future and in order to get more equality between the 2 groups, the Authority has raised the available subsidy to post-1992 members to 20% of the gross salary payable to a backbencher.

Note: The preceding explanatory memorandum should be read in conjunction with the explanatory memorandum(s) appended to the:

- Parliamentary Superannuation Determination 2003 Amendment Determination 2015

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 30 October 2003.

Reprints notes

1 *General*

This is a reprint of the Parliamentary Superannuation Determination 2003 that incorporates all the amendments to that determination as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Parliamentary Superannuation Determination 2003 Amendment Determination 2015 (LI 2015/317)
Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93): section 66