

Government Superannuation Fund Amendment Act 1987

Public Act 1987 No 187
Date of assent 29 October 1987

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An Act to amend the Government Superannuation Fund Act 1956

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

- (1) This Act may be cited as the Government Superannuation Fund Amendment Act 1987, and shall be read together with

and deemed part of the Government Superannuation Fund Act 1956 (hereinafter referred to as the principal Act).

- (2) This Act shall be deemed to have come into force on the 1st day of April 1987.

2 New Part 6 substituted

This section substituted Part 6 of the principal Act, comprising sections 82 to 88.

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Section 7 was repealed, as from 1 April 1988, by section 2(2)(e) Government Superannuation Fund Amendment Act 1988 (1988 No 19).

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Transitional provisions

10 Extended time within which to make elections

- (1) Notwithstanding anything in Part 6 of the principal Act (as substituted by section 2 of this Act), any person who ceased to be a member of the House of Representatives in the period beginning on the 1st day of April 1987 and ending with the passing of this Act and who was entitled at any time in that period to make an election under Part 6 of the principal Act (as so substituted) may make that election at any time in the period beginning with the date of the passing of this Act and ending with the close of the 31st day of March 1988.
- (2) Nothing in this section limits any right conferred on any person by any provision of Part 6 of the principal Act (as so substituted) to make an election under that Part at any time after the 31st day of March 1988.

11 Limited right to revoke or amend elections or to make new elections

- (1) Notwithstanding anything in Part 6 of the principal Act, where any person has, at any time in the period beginning on the 1st day of April 1987 and ending with the passing of this Act, made an election under Part 6 of the principal Act as it stood at the time of that election, that person may, in accordance with this section,—
- (a) Revoke or amend that election; or
 - (b) Revoke that election and make a different election under Part 6 of the principal Act (as substituted by section 2 of this Act).
- (2) Where—
- (a) Any revocation of an election; or
 - (b) Any amendment of an election; or
 - (c) Any election,
- is made under subsection (1) of this section, that revocation, amendment, or election shall be made in writing and delivered to the Superintendent not later than the 31st day of March 1988.
- (3) Where any person who has received a payment pursuant to an election made by that person under Part 6 of the principal Act at any time in the period beginning on the 1st day of April 1987 and ending with the passing of this Act exercises the right conferred on that person by subsection (1) of this section and, as a consequence of the exercise of that right, ceases to be entitled to receive that payment, the exercise of that right shall be subject to the condition that that person pay into the Parliamentary Superannuation Account, within such time and in such manner as the Minister of Finance may allow in that behalf, the amount of the payment so received.
- (4) Any person who, pursuant to subsection (3) of this section, has paid, or is required to pay, into the Parliamentary Superannuation Account—
- (a) The amount of any payment received pursuant to an election made under section 85 of the principal Act; or
 - (b) The amount of any refund received under section 85 of the principal Act,—

shall be deemed, for the purposes of section 85(3) of the principal Act, not to have received that payment or refund.

12 Contributions

The substitution in the principal Act by section 2 of this Act of a new section 83 does not entitle any person to a refund of any superannuation contributions deducted from the salary of that person before the 1st day of April 1987.

Saving

13 Saving

- (1) Where any retiring allowance or annuity or refund is payable under Part 6 of the principal Act as a result of a person ceasing to be a member of the House of Representatives before the 1st day of April 1987, nothing in this Act shall affect that retiring allowance or annuity or refund and the principal Act (including the Government Superannuation Fund Amendment Act 1969) shall apply to that retiring allowance or annuity or refund as if this Act had not been passed.
- (2) Nothing in this Act limits the application of Part 6 of the principal Act (as substituted by section 2 of this Act) in any case where a person who has ceased to be a member of the House of Representatives before the 1st day of April 1987 again becomes a member of the House of Representatives on or after that date.
- (3) Nothing in this section limits the amendment made by section 6 of this Act.