

New Zealand.



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1926, No. 16.

AN ACT to consolidate and amend the Law relating to the Making of Provision against Destitution arising from Old Age, Sickness, Widowhood, and Orphanage. [9th September, 1926.]

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

1. This Act may be cited as the National Provident Fund Act, 1926, and it shall come into force on the first day of January, nineteen hundred and twenty-seven.

2. In this Act, if not inconsistent with the context,—

“Board” means the National Provident Fund Board established by this Act:

“Child” includes a posthumous child, and, with the approval of the Board but not otherwise, includes an adopted child or a stepchild:

“Contributor” means a contributor to the National Provident Fund established by this Act:

“Friendly society” means a friendly society or branch thereof registered under the Friendly Societies Act, 1909; and “approved friendly society” means a friendly society approved or provisionally approved by the Board for the purposes of this Act:

“Fund” means the National Provident Fund:

Title.

Short Title and commencement.

Interpretation.

1910, No. 41, sec. 2
 1914, No. 34, sec. 2
 1916, No. 7, sec. 65
 1921-22, No. 72,
 sec. 45.
 1925, No. 14, secs. 2,
 11

“Hospital Board” means a Hospital Board constituted under the Hospitals and Charitable Institutions Act, 1926, and includes the Board of Trustees of the Mercury Bay Hospital :

“Local authority” means a Borough Council, County Council, Town Board, Road Board, Harbour Board, Fire Board, Hospital Board, Tramway Board, or any body possessing rating-powers over any district; and also includes the trustees of any savings-bank constituted under the Savings-banks Act, 1908 :

“Minister” means the Minister of Finance :

“Permanent staff” of a hospital means all persons permanently employed in connection with a hospital as nurses or probationers, or in the performance of clerical duties, and includes any other person permanently employed by a Hospital Board if, in the case of a person so employed on the first day of April, nineteen hundred and twenty-six, he has elected within six months after that date, by notice in writing addressed to the Hospital Board, to be regarded as a member of the permanent staff for the purposes of this Act; and, in the case of a person first permanently employed after the said first day of April, nineteen hundred and twenty-six, if he makes or has made an election as aforesaid within six months after the date of his appointment :

“Prescribed” means prescribed by this Act or by regulations made thereunder :

“Special resolution” means a resolution passed at a meeting of a local authority and confirmed at a subsequent meeting held not earlier than six clear days after the day on which the resolution was passed.

National Provident Fund.

National Provident Fund.
1910, No. 41, sec. 3
1914, No. 34, sec. 21

3. (1.) There is hereby established a fund to be called the National Provident Fund (being the same fund as is established under the National Provident Fund Act, 1910).

(2.) The Fund shall consist of—

(a.) The contributions of contributors :

(b.) Moneys paid into the Fund under section seventy-four hereof or otherwise in pursuance of this Act :

(c.) Interest accruing from investment of the Fund.

(3.) The Fund shall be vested in the Public Trustee, who shall invest all moneys belonging thereto, and not for the time being required for the payment of benefits under this Act, in such manner as is prescribed by regulations.

National Provident Fund Board.
1910, No. 41, sec. 4

4. The Fund shall be administered by a Board called the National Provident Fund Board, consisting of the Minister of Finance, the Superintendent of the Fund, and three other persons appointed by the Governor-General and holding office during his pleasure.

Superintendent of the Fund.
Ibid., sec. 5

5. (1.) The Public Service Commissioner may from time to time appoint a fit person to be the Superintendent of the Fund, who, subject to any direction of the Board, shall have and may exercise such of the powers and functions of the Board as may from time to time be prescribed by regulations.

(2.) The Superintendent shall, by virtue of his office, be a member of the Board.

6. (1.) The Public Service Commissioner may from time to time appoint a fit person to be Deputy Superintendent of the Fund.

Deputy Superintendent of Fund.

1914, No. 34, sec. 19

(2.) On the occurrence from any cause of a vacancy in the office of Superintendent (whether by reason of death, resignation, or otherwise) and in the case of the absence from duty of the Superintendent, and so long as such vacancy or absence continues, the Deputy for the time being shall have and may exercise all the powers, duties, and functions of the Superintendent.

7. There may be appointed a Secretary to the Board, and such other officers as are deemed necessary for the due administration of this Act; and all or any of the persons so appointed shall be paid such salaries or other remuneration as may be lawfully provided.

Secretary and officers.

1910, No. 41, sec. 6
1912, No. 23, sec. 60

8. (1.) The Governor-General may from time to time, by Order in Council, make regulations, consistent with this Act, as to any of the following matters:—

Regulations.

1910, No. 41, sec. 7
1914, No. 34, sec. 28
1925, No. 14, sec. 12

(a.) The powers and procedure of the Board:

(b.) The investment of the moneys of the Fund by the Public Trustee:

(c.) The manner in which persons become contributors to the Fund:

(d.) The manner in which contributions to the Fund shall be paid, received, collected, transmitted, or accounted for:

(e.) The manner in which payments out of the Fund shall be made:

(f.) The medical examination of contributors who claim or are in receipt of allowances from the Fund:

(g.) The evidence required from persons claiming benefits from the Fund:

(h.) The administration of this Act through the agency of the Post Office or any other branch or branches of the Executive Government, or through other approved agencies:

(i.) All other matters in respect of which regulations are deemed to be required or expedient for the effective administration of this Act.

(2.) In addition to the powers conferred by this section the Governor-General may from time to time, by Order in Council, make such regulations, not inconsistent with this Act, as he deems necessary or expedient for giving full effect to the provisions thereof.

9. The decision of the Board on any matter affecting the rights of a contributor, or of any person claiming to be a contributor, or of any person claiming through a contributor, or otherwise claiming any right or benefit under this Act, shall in all cases be final and conclusive.

Decision of the Board as to claims on Fund to be final.

1910, No. 41, sec. 8

Contributors.

10. (1.) Any person may become a contributor to the Fund who at the time when his first contribution thereto is paid—

Who may be contributors.

Ibid., sec. 9.

1919, No. 26, sec. 2

(a.) Is resident in New Zealand;

(b.) Is over sixteen years of age;

(c.) Is under fifty years of age; and

(d.) Is in receipt of an income not exceeding three hundred pounds a year.

(2.) For the purposes of this section the income of a contributor shall be deemed to be the average yearly income received by him during the period of three years next preceding the date at which he becomes a contributor.

(3.) Every person shall be deemed to become a contributor to the Fund on the day on which he pays his first contribution thereto.

Contributions, how to be paid.

1910, No. 41, sec. 10

1914, No. 34, secs.

23, 27

1925, No. 14, sec. 13

11. (1.) Contributions to the Fund shall be payable by uniform weekly payments.

(2.) Contributions may be paid in advance :

Provided that where contributions are paid in advance in respect of a period not less than five years the amount of those contributions may be reduced in the manner and to the extent prescribed by regulations in that behalf.

(3.) Any contribution may be paid within six months after the due date thereof without any fine.

(4.) Any contribution may be paid after the expiry of six months from the due date thereof, but within eighteen months from the due date thereof, on payment at the same time of a fine equal to one-eighth of the contribution :

Provided that the Superintendent, in his discretion, may remit any such fine in whole or in part.

(5.) Every such fine shall be paid into the Fund, but shall not be deemed for any purpose to be part of the contributions of the contributor by whom it was paid.

(6.) If any contribution to the Fund is in arrear for more than eighteen months, the contributor shall thereupon cease to be a contributor to the Fund and to be entitled to the benefits of this Act in respect thereof, but he shall be entitled to receive from the Fund a return of all contributions theretofore made by him, less any sums which he has theretofore received from the Fund in respect of the benefits hereinafter provided.

(7.) When any moneys become payable out of the Fund to or in respect of any contributor, all arrears of the contributions of that contributor, together with all fines payable in respect thereof, shall be a charge on the moneys so payable out of the Fund, and shall be deducted therefrom accordingly :

Provided that any person who has ceased to be a contributor may be readmitted as a contributor on such conditions as the Board determines.

Contributor may cease to contribute.

1910, No. 41, sec. 11

12. (1.) A contributor to the Fund may at any time elect in the prescribed manner to cease to be a contributor thereto.

(2.) Every person who so ceases to be a contributor shall on the expiration of twelve months thereafter be entitled to receive from the Fund a return of all contributions theretofore made by him, less any sums which he has theretofore received from the Fund in respect of the benefits hereinafter provided.

Contributions and pension.

Ibid., sec. 12

1914, No. 34, sec. 24

1925, No. 14, sec. 14

13. (1.) Every contributor shall contribute to the Fund at such rate as is sufficient, in accordance with the scale set forth in the First Schedule hereto, to secure for that contributor when he attains the age of sixty years a weekly pension of ten shillings, twenty shillings, thirty shillings, or forty shillings, as the case may be ; and on so attaining the age of sixty years he shall be entitled, without making

any further contribution, to receive for the rest of his life a pension of the said amount accordingly.

(2.) Every such pension shall be payable at intervals of one month.

(3.) Every contributor shall at the time when he first becomes a contributor make his election as to the rate of pension for which he will contribute.

(4.) A contributor may at any time while he is under the age of fifty years elect in the prescribed manner to increase the rate of his contribution by such an amount as is sufficient, in accordance with the First Schedule hereto, having regard to the age to which he has then attained, to increase his pension to one of the higher rates specified in that Schedule. Contributions on higher scale.

(5.) A contributor may at any time elect in the prescribed manner to reduce his contributions to such a rate as is sufficient, in accordance with the First Schedule hereto, if paid continuously as from the date at which he became a contributor, to secure a pension at one of the lower rates specified in the said Schedule, and he shall thereafter be entitled on attaining the age of sixty years to a pension of that smaller amount only. Contributions on lower scale.

(6.) On the expiration of twelve months after any such reduction of the rate of contribution, the contributor shall be entitled to receive from the Fund a return of all contributions theretofore made by him in excess of the rate as so reduced :

Provided that the total amount of contributions so made in excess of the reduced rate shall, if the contributor so desires, be accepted, as from the date of election to reduce his contributions, as payment in advance of future contributions, or in respect of the payment of contributions in arrears or of fines due from and payable by the contributor.

(7.) A married contributor may at any time while he is under the age of fifty-five years elect in the prescribed manner to have his right to a pension determined, and to receive in lieu thereof a right that he and his wife at the date of election shall, on his attaining the age of sixty years, be jointly entitled to a pension for such amount and subject to such conditions as the Board may determine, to continue in force until the death of the survivor. The right of election conferred by this subsection on contributors under the age of fifty-five years may, in the discretion of the Board, be extended to any contributor at any time after he has attained the age of fifty-five years and before he has attained the age of sixty years. Joint pension to husband and wife.

14. Every contributor who becomes entitled to receive a pension may at any time before receiving and accepting the first payment thereof elect in the prescribed manner to accept in lieu of his pension a return of all contributions made by him to the Fund, less all sums theretofore received by him from the Fund in respect of the benefits provided by this Act. Return of contributions in lieu of pension.
1910, No. 41, sec. 13

15. (1.) If any person who has been a contributor for not less than five years continuously (hereinafter called a continuous contributor) dies while he is still a contributor, or if any person dies while in receipt of a pension under this Act, and (in either case) the deceased contributor leaves surviving him a child or children under the age of fourteen years, the following provisions shall apply. Benefits to widow and children on death of continuous contributor.
Ibid., sec. 14
1914, No. 34, sec. 25

(2.) There shall be payable out of the Fund to or for the benefit of the said child or children and the widow (if any) of the deceased contributor an allowance in accordance with the scale set forth in the Second Schedule hereto.

(3.) The allowance so payable out of the Fund may, at the discretion of the Board,—

(a.) Be paid to the said widow for the maintenance of herself and the said children; or

(b.) Be divided between the said widow and children, or any of them, in such proportions as the Board from time to time determines; or

(c.) Be expended by the Board for the benefit of the said widow and children, or any of them, in such manner as the Board thinks fit; or

(d.) Be paid to any other person or persons to be expended on behalf of the said widow and children, or any of them, in such manner as the Board directs.

(4.) Every such allowance shall be paid at intervals of one month, or at such shorter intervals as the Board in any case directs.

(5.) If owing to the death of children, or to their attaining the age of fourteen years, or through any other cause, the allowance ceases to be payable before the aggregate payments are equal to the contributions made to the Fund by the contributor in his lifetime (less any moneys received by the contributor out of the Fund in his lifetime), the difference between those two amounts shall thereupon be payable out of the Fund to the widow of the deceased contributor, or (if there is no such widow then surviving) to the children (if any) of the deceased contributor in equal shares.

(6.) In the case of the death of a contributor, being a married woman leaving a child or children under the age of fourteen years, no allowance under this section shall be payable in respect of such child or children until the subsequent death of the husband of the deceased contributor before the said child or children attain the age of fourteen years.

(7.) From an allowance granted under the last preceding subsection the Board shall make such deductions as it determines in respect of payments previously made under section sixteen hereof to the personal representatives of the deceased contributor.

Benefits on death of contributor in other cases.

1910, No. 41, sec. 15

16. If a contributor dies under such circumstances that no allowance is payable out of the Fund in pursuance of the last preceding section, all the contributions made to the Fund by that contributor (less any moneys received by him from the Fund in his lifetime) shall be paid out of the Fund to the personal representatives of the deceased contributor, in trust for the persons entitled thereto under his will, or, in case of his intestacy, in trust for the persons entitled to share in the distribution of his intestate estate.

Benefits during incapacity in certain cases.

Ibid., sec. 16

1925, No. 14, sec. 15

17. (1.) If and as often as any continuous contributor who is under the age of sixty years becomes by reason of any illness or personal injury wholly incapacitated, either permanently or temporarily, from carrying on his trade, business, employment, calling, or occupation, the following provisions shall apply.

(2.) If and so long as at any time during any such period of incapacity the contributor is the parent of any child or children under the age of fourteen years, the contributor shall be entitled to receive from the Fund during the period of his incapacity (subject, however, to the conditions and limitations hereinafter expressed) an allowance in accordance with the provisions of the Second Schedule hereto.

(3.) No contributions to the Fund shall be payable by a contributor in respect of any period during which he is in receipt of any such allowance, but he shall for all other purposes be deemed to remain a contributor to the Fund during that period.

(4.) No such allowance shall be payable in respect of any incapacity which is due to the serious misconduct of the contributor.

(5.) No such allowance shall be payable in respect of any incapacity which lasts for a shorter period than three months, and if the incapacity lasts for more than three months no such allowance shall be payable in respect of the first three months.

(6.) No such allowance shall be paid in respect of any period of incapacity arising out of any illness or injury which commenced or happened at any time before the person so incapacitated had been a contributor for such period, not exceeding five years, as the Board may in any case determine.

(7.) No such allowance shall exceed in respect of any period of incapacity the amount of the pecuniary loss which, in the opinion of the Board, the contributor has probably suffered during that period by reason of his incapacity :

Provided that, in estimating the pecuniary loss suffered by a contributor, benefits accruing to him from any registered friendly society of which he is a member shall not be taken into account.

(8.) If during the period of incapacity, or any part of that period, the income of the contributor (apart from any allowance under this section) exceeds four pounds a week, no such allowance shall be payable in respect of that period, or of that part thereof, as the case may be.

(9.) Every person claiming any such allowance, or in receipt of any such allowance, shall at all times and from time to time submit to such medical examination as is required by the Board in accordance with regulations ; and if any person refuses without lawful justification to submit to any such examination, or in any manner obstructs or delays any such examination, his allowance may be forfeited or suspended by order of the Board.

(10.) Any such allowance may, if the Board thinks fit, instead of being paid to the contributor, be expended by the Board in such manner as it thinks fit for the benefit of any child or children of the contributor under the age of fourteen years, or be paid to any other person to be expended for the benefit of any such child or children in accordance with the directions of the Board. All sums so expended or paid by the Board shall for all the purposes of this Act be deemed to have been received by the contributor out of the Fund.

(11.) Every such allowance shall be payable at intervals of one week, or at such longer intervals (not exceeding one month) as the Board determines.

(12.) If while any such allowance continues to be made the contributor attains the age of sixty years, the allowance shall thereupon cease.

Benefits extended to children under eighteen years of age if disabled from earning their living. 1910, No. 41, sec. 17

Payment to contributors in respect of birth of children.

Ibid., sec. 18
1914, No. 34, sec. 26
1919, No. 26, sec. 3
(1)
1925, No. 14, sec. 16

18. All the provisions of this Act with respect to a child under the age of fourteen years shall extend and apply to a child who is under the age of eighteen years and who by reason of bodily or mental infirmity is, in the opinion of the Board, unable to maintain himself by his own exertions.

19. (1.) If the wife of any contributor, or if any contributor (being a married woman) gives birth in New Zealand to a child or children, and the joint income of that contributor and his wife or her husband (as the case may be) during the period of twelve months immediately preceding the date of such birth does not exceed three hundred pounds, such contributor, if he has contributed to the Fund for a period of not less than twelve months, or for such shorter period as the Board in its discretion determines, shall be entitled to receive from the Fund the sum of six pounds :

Provided that the Board may, if it thinks fit, refuse to make a payment under this section in any case where it is satisfied that, by reason of negligence or other avoidable cause, proper medical attendance was not provided for the mother of the child.

(2.) Applications for payment of any such sum shall be accompanied by a statutory declaration by the contributor (which shall be exempt from stamp duty) that the joint income as aforesaid during the said period of twelve months did not exceed three hundred pounds.

(3.) "Medical attendance" for the purposes of this section means the services of a registered medical practitioner, or of a registered midwife or nurse, at the birth of the child and at any subsequent times within a period of three weeks during which such services may be required.

Amount received not deductible from other payments. 1919, No. 26, sec. 4

20. The amount received by any contributor under the last preceding section shall not be deductible from the amount payable to his personal representatives by way of a refund of contributions pursuant to section sixteen hereof.

Amount payable in respect of birth of posthumous child. Ibid., sec. 5

21. Payment under section nineteen hereof shall be made to the widow of a deceased contributor in respect of the birth of a posthumous child of the contributor in the same manner as if the contributor were alive at the date of such birth.

Contributions by Local Authorities.

Local authority may apply to become contributor to Fund in respect of its employees. 1914, No. 34, sec. 3

22. (1.) Notwithstanding anything hereinbefore contained, a local authority may, in the prescribed form, apply to the Superintendent to become a contributor to the Fund under this Act on behalf of all or any of the persons in the service of that local authority.

(2.) Every such application shall contain the following particulars :—

(a.) The name of every person then in the service of the local authority to whom the application relates :

(b.) The age of that person :

(c.) The rate of salary or wages payable to that person :

(d.) The age at which the proposed pension is to be payable in respect of that person :

(e.) The rate of the proposed pension (not exceeding a rate equal to two-thirds of the annual salary or wages or not exceeding three hundred pounds a year, whichever is the less) and such other benefits as may be required :

(f.) Such other particulars as may from time to time be required by the Board.

23. (1.) On receipt of any such application the Superintendent shall forthwith submit the same to the Actuary appointed under section seventy-three hereof, and the Actuary shall as soon as practicable furnish the Board with a table of contributions, setting forth in respect of each person to whom the said application relates the amount of weekly or other periodical contributions to the Fund required in the case of each such person to enable that person to receive the benefits specified in the application.

Actuary to furnish table of contributions, &c. 1914, No. 34, sec. 4

(2.) The table of contributions referred to in the last preceding subsection shall preserve so far as practicable the same proportion between the rate of contributions payable and the proposed benefits as exists between the several rates of contributions payable and the benefits receivable in accordance with the preceding provisions of this Act.

(3.) In preserving such proportion as aforesaid account shall be taken in each case of the age of the person concerned at the date of the first payment on his behalf and at the date when the first instalment of the pension is proposed to be payable.

24. (1.) On receipt of a table of contributions from the Actuary as hereinbefore provided the Board shall consider the same, and shall, if it thinks fit, decide to accept the applicant local authority as a contributor to the Fund on behalf of the persons (or any of them) referred to in the application, at the rates respectively set forth in the table of contributions aforesaid, or at such higher rates and subject to such other conditions as the Board thinks fit.

Board may agree to accept local authority as contributor, subject to conditions. Ibid., sec. 5

(2.) In the exercise of the powers conferred by the last preceding subsection the Board may vary any conditions imposed or benefits conferred by this Act.

(3.) The Board may decide to accept a local authority as a contributor in respect of any such person notwithstanding the fact that that person is not himself competent to become a contributor under section ten hereof.

(4.) Forthwith upon the decision of the Board the Superintendent shall notify the local authority of the nature of that decision, and, where the Board has decided to accept the local authority as a contributor, the terms and conditions (if any) fixed by the Board in pursuance of subsection one of this section.

25. (1.) On receipt of a notice from the Superintendent that the Board has decided to accept the local authority as a contributor to the Fund, the local authority may, by special resolution, determine to become a contributor in respect of any or all of the persons specified in its application, as from a date to be specified in such special resolution and subject to the terms and conditions (if any) fixed by the Board.

Local authority may, by special resolution, determine to become contributor. Ibid., sec. 6

(2.) Every such special resolution shall specify the name and age of every person in the service of the local authority to whom it relates, the age at which the first instalment of pension is proposed to be paid to that person, the rate of weekly or other contribution payable in respect of that person, and the proportion of that contribution to be deducted from wages or salary in pursuance of section twenty-seven hereof.

Particulars to be specified in special resolution.

Date when local authority becomes contributor.

(3.) On the receipt by the Superintendent of a certified copy of such special resolution, under the seal of the local authority, the local authority shall be deemed to become a contributor to the Fund on behalf of the persons referred to therein as from the date specified therein.

Board may recover contributions from local authority.
1914, No. 34, sec. 7
1925, No. 14, sec. 18

26. (1.) On a local authority becoming a contributor to the Fund as aforesaid all contributions or other moneys from time to time due to the Fund from the said local authority shall be deemed to be a debt due by that local authority to the Board, and may be recovered accordingly on behalf of the Board by any person authorized by it in that behalf.

(2.) All moneys so due and payable may be paid by the local authority out of its ordinary revenues.

Interest to be charged on unpaid contributions.

(3.) The contributions payable by a local authority shall be payable monthly, and shall be due on the last day of the month for which they are payable. Interest at a rate not exceeding five per centum per annum may be charged as from the due date on any amounts unpaid after the expiration of fourteen days from that date.

Local authority shall deduct proportion of contribution from wages or salary of employees.
1914, No. 34, sec. 8
1916, No. 7, sec. 79

27. (1.) The local authority shall from time to time deduct from the wages or salary of every person in respect of whom it is a contributor to the Fund as provided by this Act, as such wages or salary becomes due or payable, an amount not exceeding—

- (a.) Four per centum thereof if his age does not exceed thirty years at the time when the first contribution becomes payable ;
- (b.) Five per centum thereof if his age then exceeds thirty years but does not exceed thirty-five years ;
- (c.) Six per centum thereof if his age then exceeds thirty-five years but does not exceed forty years ;
- (d.) Seven per centum thereof if his age then exceeds forty years but does not exceed forty-five years ;
- (e.) Eight per centum thereof if his age then exceeds forty-five years but does not exceed fifty years ; and
- (f.) Nine per centum thereof if his age then exceeds fifty years.

Proportions to be so deducted may vary in different cases.

(2.) The proportion of the contribution to be deducted from wages or salary in pursuance of this section may vary, in a manner to be approved by the Board, in respect of the persons referred to in any special resolution according to the ages of those persons, but shall not be varied from time to time except with the consent of the Board :

Provided that the total amount to be deducted for any period from the wages or salaries of all the persons in respect of whom a local authority is a contributor shall be not less than one-third part of the total contributions payable to the fund by the local authority for the same period in respect of those persons, except that for the purpose of providing for the back service of employees the Board may authorize a local authority to vary the proportions fixed by this proviso in such manner as may be approved by the Board.

(3.) The proportion of the contribution payable by a local authority out of its funds on behalf of any person in respect of whom it is a contributor under this Act shall not be deemed to form part of the salary or wages of that person.

Employee entitled to refund of deductions on ceasing to be in service of local authority, or may

28. (1.) If any person in respect of whom a local authority is a contributor ceases to be in the service of that local authority before he becomes entitled to a pension under this Act, he shall thereupon be entitled to receive from the Fund a refund of all moneys deducted by

the local authority from his salary or wages in pursuance of the last preceding section, less any benefits he may have received from the Fund whilst in the service of the local authority :

become a contributor on his own behalf.
1914, No. 34, sec. 9
1925, No. 14, secs. 19, 20

Provided that the Board may, in its discretion, on the application of any such person, and subject to such conditions as it thinks fit, accept him as a contributor to the Fund as from the date when the local authority became a contributor on his behalf, and shall thereupon apply the moneys deducted by the local authority from his salary or wages in payment of the contributions that would have been payable by the contributor if he had become a contributor on that date. The power conferred on the Board by this proviso may be exercised in respect of any such person notwithstanding that by reason of limitations as to age or income or otherwise he would not be qualified to become a contributor in accordance with the provisions of this Act.

(2.) In any case where a person ceases to be in the service of a local authority as aforesaid the local authority shall, if the employee has obtained a refund under the last preceding subsection, be entitled to receive from the Fund a refund of all contributions paid by it in respect of the said person, less the amount deducted by that local authority from the wages or salary of that person in pursuance of section twenty-seven hereof, or less the amount of benefits received by that person from the Fund whilst in the service of the local authority (whichever amount is the greater); or the local authority may, if it thinks fit, request the Board to credit to the local authority on behalf of some other person in respect of whom it is then or may afterwards become a contributor the amount to which it is so entitled, and the amount shall be so credited accordingly.

Refund to local authority of contributions paid by it.

(3.) If within eighteen months after the termination of the contract of service between a local authority and an employee the employee enters the service of the same or another local authority (being a contributor to the Fund in respect of its employees) and has not in the meantime obtained a refund under subsection one hereof the following provisions shall apply :—

(a.) The moneys contributed to the Fund by the first-mentioned local authority shall be retained in the Fund ; and

(b.) The employee shall, on payment to the Fund of the total amount that would have been contributed to the Fund if he had not left the service of the said local authority, be entitled to the same benefits and on the same terms as if he had not left such service.

(4.) If within eighteen months after the termination of the contract of service the employee has not entered the service of the same or another local authority as aforesaid, the local authority shall be entitled to receive a refund or to have its contributions in respect of the employee credited to it in the manner provided in subsection two hereof.

29. (1.) If the services of any person in respect of whom a local authority is a contributor are dispensed with by the local authority for any cause other than misconduct at any time within five years of the date when he would be entitled, if he remained in the service of the local authority, to receive a pension from the Fund, or at any time after he has applied for a benefit from the Fund to which, in the opinion of the Board, he is entitled on account of incapacity, the Board may, in

Provisions applicable in cases where local authority terminates employment of officer before he becomes entitled to a pension.

Ibid., No. 14, sec. 21

its discretion, on the application of such person and subject to such terms and conditions as it thinks fit, accept him as a contributor to the Fund notwithstanding any limitations in this Act as to age or income or otherwise, and all contributions theretofore made by the local authority on his behalf shall continue to be held in the Fund as if they were contributions made personally by the contributor.

(2.) The right of a local authority to receive any refund of contributions made by it in respect of any person shall be read subject to the special provisions of this section.

Limitations as to amount of pension not applicable in certain cases.

1925, No. 14, sec. 22

Limitation of right to refund of contributions.

1914, No. 34, sec. 10

Local authority may from time to time become contributor in respect of other employees.

Ibid., sec. 11

Local authority may agree with Board to contribute on behalf of future employees.

1925, No. 14, sec. 23

Local authority may elect to increase or reduce contributions.

1914, No. 34, sec. 12

1919, No. 26, sec. 10

1922, No. 51, sec. 40

30. The limitations of this Act as to the amount of any pension that may be paid hereunder shall not apply in the case of persons accepted as contributors to the fund pursuant to either of the two last preceding sections.

31. Notwithstanding anything in this Act, no moneys payable under this Act on behalf of any person in the service of a local authority shall (unless with the consent of the Board) be refunded except in pursuance of section fourteen or section twenty-eight or section thirty-four hereof.

32. A local authority may, at any time after it becomes a contributor to the Fund in pursuance of this Act, without any special resolution, become a contributor in respect of any other person or persons in its service.

33. Any local authority being a contributor to the Fund pursuant to this Act may at any time agree with the Board that it will become a contributor to the Fund in respect of all or any class or classes of persons who may thereafter be employed by that local authority, and every such agreement shall be binding on the local authority and on its successors in office.

34. (1.) A local authority being a contributor to the Fund in pursuance of this Act may, by special resolution, and with the consent of the persons concerned, elect to reduce or to increase its contributions so as to provide for a reduced or increased rate of pension for any person or persons in its service, and thereupon the provisions of subsections four to six of section thirteen hereof shall, so far as applicable, apply :

Provided that such consent shall not be required in any case where the local authority in its special resolution recites that the proposed reduction of contributions is consequent on a general reduction in salaries or wages, and in any such case the Board may reduce the rate of pension accordingly to such amount as is certified by the Actuary to be equitable.

(2.) On any such election the Superintendent shall cause to be prepared a table of contributions for each person to whom the special resolution referred to in subsection one hereof applies.

(3.) Where the contributions of a local authority in respect of any person are reduced in pursuance of this section the provisions of section twenty-eight hereof shall, so far as applicable, apply to the contributions theretofore paid in excess of the contributions payable in accordance with the rate as so reduced.

Local authority may become contributor without consent of employee.

1914, No. 34, sec. 13

35. Any local authority may become a contributor to the Fund in pursuance of this Act in respect of any person in its service without the consent or authority and notwithstanding the objection of that person.

36. For the purposes of sections fourteen to nineteen, sixty-one sixty-six, and sixty-seven hereof every person in respect of whom a local authority is a contributor to the Fund in pursuance of this Act shall himself be deemed to be a contributor to the Fund, and shall, except so far as is otherwise specified by the Board in pursuance of section twenty-four hereof, be entitled to the benefits conferred by those sections:

Employee deemed to be contributor for certain purposes.

1914, No. 34, sec. 14

Provided that any moneys receivable by way of pension under sections twenty-two to thirty-five hereof in excess of the rate of ten shillings a week shall, notwithstanding anything contained in this Act, be deemed to be income within the meaning of the Pensions Act, 1913.

37. (1.) Where any person in respect of whom a local authority is a contributor under this Act is a member of a friendly society or a branch thereof, the Board may, on the request in writing of the member, pay to the friendly society or branch, at such times and in such manner as may be prescribed by regulations, an amount not exceeding the amounts from time to time payable by that member pursuant to the rules of the society or branch in respect of the benefits chargeable on the sick and funeral fund.

Special provisions

to apply where local authority contributes on behalf of person who is a member of a friendly society.

Ibid., sec. 15

(2.) The amounts so paid to a friendly society or branch shall be deducted from the payments due by the member to the society or branch, and shall be applied for the purposes for which the sick and funeral fund of the society or branch is applicable.

(3.) In determining, pursuant to subsection two of section twenty-four hereof, the benefits to which any such person is entitled under this Act the Board shall not take into account any moneys payable by it in respect of that person to a friendly society or branch pursuant to this section.

(4.) For the purposes of subsection one of section twenty-eight hereof moneys paid under this section to a friendly society or branch in respect of any member thereof shall be deemed to be benefits received by that member from the Fund.

Contributions by Employers.

38. (1.) Any employer other than a local authority may, by agreement with the Board, become a contributor to the Fund in respect of any or all of the persons employed by him, in the same manner as if the employer were a local authority; and the provisions of sections twenty-two to thirty-seven hereof shall, so far as applicable and with the necessary modifications, extend and apply accordingly.

Other employers may become contributors in respect of employees.

Ibid., sec. 16

(2.) For the purposes of this section the term "employer" includes any association or body of persons, whether corporate or unincorporate, and any committee appointed by such association or body, having power to employ persons.

Contributions by Friendly Societies or Branches.

39. (1.) Any friendly society or branch may, on application to the Board, agree to become a contributor to the Fund in respect of any or all of its members, and shall thereupon collect the contributions from time to time due to the Fund from the members in respect of whom it is a contributor, and pay the same to the Fund.

Friendly society may contribute to Fund in respect of members.

Ibid., sec. 17

(2.) The provisions of sections twenty-two to thirty-six hereof shall, so far as possible and with the necessary modifications, apply to contributions by friendly societies under this section.

(3.) In the application of the provisions of section twenty-eight hereof to contributors under this section, references to persons who cease to be in the service of a local authority shall be deemed to be references to persons who cease to be members of the friendly society or branch that has agreed to contribute to the Fund in respect of them.

Special Provisions as to Industrial Unions and Trade-unions.

Industrial union or trade-union may determine that its members shall become contributors.
1914, No. 34, sec. 18

40. (1.) Any industrial union of workers registered under the Industrial Conciliation and Arbitration Act, 1925, and any trade-union registered under the Trade-unions Act, 1908, may, by special resolution, determine that its members shall become contributors to the Fund under this Act on such terms and subject to such conditions as may be agreed on by the union and the Board; and such terms and conditions may be general as to all the members or special as to any particular class or classes of members:

Provided that no person who is a member of a friendly society shall be bound to become a contributor to the Fund under this section.

(2.) On the completion of an agreement between the union and the Board, the union may cause notice in the prescribed form to be sent to the several employers of the members of the union, setting out in respect of each member the weekly or other payment required to be made to the Fund in respect of that member, and requesting the employer to deduct the said amount from the wages or salary of the worker as the same becomes due and payable, and to pay the same into the Fund on account of the said member.

(3.) On the receipt of any such notice in respect of a worker the employer shall have authority to make deductions from the wages or salary of that worker according to the tenor of the notice, and to pay the same into the Fund accordingly.

(4.) For the purposes of this section a "special resolution" means a resolution which is passed by a majority of not less than three-fourths of the members of the union present and for the time being entitled to vote under the rules of the union at a special meeting of the union, and confirmed by a subsequent ballot of all the members for the time being entitled to vote under the rules of the union, a majority of the votes recorded being in favour thereof; the result of such ballot to be recorded in the minutes.

(5.) Such special meeting shall be duly constituted, convened, and held in manner provided by the rules of the union, save that notice of the proposal to be submitted to the meeting shall be posted to all the members.

(6.) A certificate under the hand of the chairman of any such special meeting shall, until the contrary is shown, be sufficient evidence as to the due constitution and holding of the meeting, the nature of the proposal submitted, and the result of the voting.

Maternity Allowances and Annuities to Members of Approved Friendly Societies.

41. For the purposes of sections forty-two to fifty-three hereof the Board may approve any friendly society (herein referred to as an approved friendly society) if the Board is satisfied that the rules of the society make adequate provision for the payment of contributions and allowances under this Act; and may provisionally approve any friendly society, notwithstanding that such rules have not been made, if it is satisfied that such rules will be made by the society as soon as practicable after such provisional approval.

Approval of friendly societies for purposes of following sections. 1916, No. 7, sec. 66

Maternity Allowances.

42. (1.) There may from time to time, without further appropriation than this Act, be paid out of the Fund to any approved friendly society such sum or sums as may be required by that society for the payment of allowances under the next succeeding section.

Authority to pay moneys out of Fund to approved friendly societies.

Ibid., sec. 67

(2.) The Minister shall from time to time pay into the Fund out of the Consolidated Fund, without further appropriation than this Act, such sums as may be required for the purpose of enabling payments to approved friendly societies to be made as provided in the last preceding subsection.

Authority to pay moneys into Fund from Consolidated Fund.

43. (1.) If the wife of any member of an approved friendly society or if any member of such society (being a married woman) gives birth in New Zealand to a child or children, and the joint income of that member and his wife or her husband (as the case may be) during the period of twelve months immediately preceding the date of such birth does not exceed three hundred pounds, there shall be payable by the friendly society to or on behalf of the mother of such child or children the sum of six pounds:

Provisions for payment to members of approved friendly societies in respect of birth of children.

Ibid., sec. 68
1919, No. 26, sec. 3
(2)

Provided that no payment shall be made under this section to or on behalf of any woman unless she or her husband has been a member of the society or of some other approved friendly society for a period of not less than fifty-two weeks immediately preceding the birth of the child or children in respect of whose birth the payment is made, or for such shorter period in any case as the friendly society, with the approval of the Board, may determine:

Provided also that a society may, if it thinks fit, refuse to make a payment under this section in any case where it is satisfied that, by reason of negligence or other avoidable cause, proper medical attendance was not provided for the mother of the child or children.

(2.) For the purposes of this section "medical attendance" means the services of a registered medical practitioner, or of a registered midwife or nurse, at the birth of any child and at any subsequent times within a period of three weeks during which such services may be required.

(3.) Any person aggrieved by the refusal of a society of an application for an allowance under this section may appeal to the Board from the decision of the society, and the determination of the Board in such case shall be final.

Application for allowance to be accompanied by statutory declaration as to income.
1916, No. 7, sec. 69

44. (1.) Every application to a friendly society for payment under the last preceding section in respect of the birth of any child shall be accompanied by a statutory declaration by the father or mother of the child that the joint income of the father and mother during the period of twelve months immediately preceding the date of the birth did not exceed three hundred pounds.

Exemption from stamp duty.

(2.) Every statutory declaration under this section shall be exempt from stamp duty.

Special provisions as to payment of allowance in case of death of wife.
1919, No. 26, sec. 5 (2)

45. Payment under section forty-three hereof may be made to any member of an approved friendly society whose wife may die without having received payment of any money payable to her under the said section, or such payment may be made to any other person or association who, to the satisfaction of the Board, may have undertaken the care and maintenance of the child in respect of whose birth the payment is made.

Only one payment to be made in respect of birth of child.
1916, No. 7, sec. 70
1925, No. 14, sec. 24

46. (1.) No person who receives a payment under section nineteen hereof in respect of the birth of any child shall be entitled to a payment under section forty-three hereof in respect of the birth of the same child, and not more than one payment shall be made in respect of the birth of any child.

(2.) Any person entitled in respect of the birth of a child to a payment either under section nineteen hereof or under section forty-three hereof shall have a right of election as to the section pursuant to which such payment shall be made.

Payments in respect of posthumous children.
1916, No. 7, sec. 71

47. Payment under section forty-three hereof shall be made to the widow of a deceased member of an approved friendly society in respect of the birth of a child born after the death of her husband, in the same manner as if her husband were alive at the date of such birth.

Annuities to Members of Approved Friendly Societies.

Contributions to Fund by friendly societies on behalf of members.
Ibid., sec. 72
1919, No. 26, sec. 11

48. (1.) Any approved friendly society may in accordance with its rules contribute to the Fund on behalf of any member of that society, at such rate as is sufficient in accordance with the scale set forth in the Third Schedule hereto, to secure for that member when he attains the age of sixty years a weekly pension of ten shillings, twenty shillings, thirty shillings, or forty shillings, as the case may be; and on so attaining the age of sixty years such member shall, subject to the provisions of the next succeeding section, be entitled, without further contribution by him or on his behalf, to receive for the rest of his life a pension of the said amount accordingly:

Provided that there may be deducted from any instalment of pension payable as aforesaid any amount due and payable by the member to the society in accordance with its rules relating to contributions for benefits in event of sickness.

(2.) Except in the case of persons who were members of a friendly society on the date of the commencement of Part IX of the Finance Act, 1916, and on whose behalf the first contribution to the Fund became payable by that society within twelve months after that date, contributions under this section shall not be accepted by the Board in respect of any member of a friendly society unless, when the first

of such contributions is made, such member is competent to become a contributor to the Fund under the provisions of this Act.

49. So soon as any member of an approved friendly society becomes entitled to a pension under the last preceding section the society or branch to which the member belongs shall, out of its moneys available for the payment of allowances in cases of sickness, pay into the Fund in respect of such member an amount to be ascertained by actuarial computation made pursuant to regulations under this Act, and thereupon the society or branch shall to such extent as may be determined pursuant to regulations be relieved from liability to make payments in respect of any sickness of that member that may occur after the date when he became entitled to a pension as aforesaid.

Payment into Fund by friendly societies out of moneys available for benefit during sickness.
1916, No. 7, sec. 73
1919, No. 26, sec. 12

50. In lieu of requiring any society, on application for its approval for the purposes of sections forty-two to forty-nine hereof, to make provision by its rules for payment into the Fund of any amount required to be so paid pursuant to the last preceding section, the Board may grant its approval if the rules provide for payment into the Fund from time to time of such sums as may be certified by the Actuary appointed under section seventy-three hereof as sufficient for the purposes of the last preceding section, and payment may be made in accordance with such rules accordingly.

Alternative provision for payments into Fund.
Ibid., sec. 12

51. (1.) Except as otherwise provided in this Act or in regulations thereunder, the provisions of sections eleven, twelve, thirteen, fourteen, sixteen, sixty-one, sixty-six, and sixty-seven hereof shall, with the necessary modifications, apply to contributions under section forty-eight hereof, and to members of approved friendly societies on whose behalf such contributions are made, as if such members were contributors under those sections.

Application of certain other provisions of Act.
1916, No. 7, sec. 74

(2.) For the purposes of section sixteen hereof, in its application to any member of an approved friendly society under this Act, the amount paid into the Fund in respect of that member, pursuant to section forty-nine hereof, shall be deemed to form part of the contributions made to the Fund on behalf of that member.

Refund of contributions in certain cases.

52. The Minister shall, in the month of April in each year, pay into the Fund by way of subsidy out of the Consolidated Fund, without further appropriation than this Act, a sum equal to one-half of the total contributions paid into the Fund by approved friendly societies during the last preceding year ending on the thirty-first day of December.

Subsidy from Consolidated Fund.
Ibid., sec. 75

53. The Governor-General may from time to time make regulations for the purposes of sections forty-two to fifty-two hereof prescribing—

Regulations.
1916, No. 7, sec. 77

- (a.) Conditions to be observed by approved friendly societies in administering benefits and paying contributions thereunder ;
- (b.) Such forms of application and other forms as may be required thereunder ;
- (c.) The mode in which accounts are to be kept by approved friendly societies, and the form of returns to be from time to time furnished to the Board by such societies ; and
- (d.) Such other matters as may be deemed necessary or expedient for the purpose of giving effect thereto.

Provision for Pensions on Retirement of Permanent Officers of Hospital Boards.

Hospital Boards must contribute to National Provident Fund on behalf of permanent staff.
1925, No. 14, sec. 3

54. (1.) Every Hospital Board existing on the first day of April, nineteen hundred and twenty-six, is hereby declared to have become a contributor to the Fund as from that date on behalf of the members of its permanent staff.

(2.) It shall be the duty of every Hospital Board that may be constituted after the said first day of April, nineteen hundred and twenty-six, to make application in the manner provided by section twenty-two hereof to become a contributor to the Fund on behalf of the members of its permanent staff as from the date of its constitution.

Hospital Board may also contribute in respect of other persons in its service.
Ibid., sec. 3 (3)

55. Nothing in the last preceding section shall limit the authority of any Hospital Board, pursuant to the provisions in that behalf hereinbefore contained, voluntarily to become a contributor to the Fund in respect of any other persons in its service in addition to the members of its permanent staff.

Provisions applicable where Hospital Board fails to adopt proposals submitted by National Provident Fund Board.
Ibid., sec. 5

56. If a Hospital Board, having received from the Superintendent a notification under section twenty-four hereof to the effect that the National Provident Fund Board has decided to accept the Hospital Board as a contributor to the Fund on behalf of the members of its permanent staff on terms and conditions set out in that notification, fails for three months to pass a special resolution, as required by section twenty-five hereof, determining to become a contributor to the Fund in accordance with the terms of the notification, the National Provident Fund Board may itself pass a resolution declaring the Hospital Board to be a contributor to the Fund on the terms and conditions specified in the notification, and thereupon the Hospital Board shall be deemed to be a contributor accordingly.

Where a Hospital Board is deemed to be a contributor otherwise than by voluntary application, the terms to be as favourable as if application had been made under section 22.
Ibid., sec. 6

57. (1.) Where a Hospital Board becomes a contributor to the Fund in respect of the members of its permanent staff by virtue of a resolution of the National Provident Fund Board as hereinbefore provided, the terms and conditions fixed by the Board, including the tables of contributions required respectively from the Hospital Board and from the members of its permanent staff, shall be as favourable to the Hospital Board and to those members as if application had been made under section twenty-two hereof, without recourse to the special provisions of this Act.

(2.) For the purpose of fixing a standard of contributions and of benefits, or otherwise for determining any question that may arise in relation to this section, regard may be had to any agreements in force at the date of the passing of the National Provident Fund Amendment Act, 1925, made between local authorities and the National Provident Fund Board pursuant to sections twenty-two to thirty-seven hereof.

Hospital Board to supply to Superintendent particulars as to changes in permanent staff, and in rates of salaries, &c.
bid., sec. 7

58. (1.) Every Hospital Board shall from time to time as required furnish to the Superintendent particulars as to—

- (a.) All persons who may be appointed to the permanent staff after the Hospital Board has become a contributor to the Fund :
- (b.) Any increase or reduction in the salary or wages of any person on behalf of whom the Board is a contributor as aforesaid :
- (c.) The death or the retirement from office (whether by resignation, or dismissal, or otherwise howsoever) of any person on

whose behalf the Hospital Board is a contributor, or the transfer of any such person to the service of any other Hospital Board or of any other local authority :

(d.) Such other particulars as the Superintendent may at any time require.

(2.) The Hospital Board shall, as from the date of appointment, become a contributor to the Fund in respect of every person appointed to its permanent staff after the date when the Board first became a contributor to the Fund in respect of the members of its permanent staff.

59. If any Hospital Board fails to make any contribution to the Fund for which it is liable, or fails to deduct from the salary or wages of any person on whose behalf it is a contributor any contribution for which that person is personally liable, the total amount of such contributions may, at the request of the National Provident Fund Board, be deducted by the Minister from any subsidy payable to the Hospital Board, and all amounts so deducted may, without further appropriation than this section, be paid into the Fund.

If Board fails to make contribution the amount may be deducted from subsidies.

1925, No. 14, sec. 8

60. The power conferred on a local authority by section thirty-four hereof to elect to reduce the amount of its contributions shall have no application in the case of Hospital Boards, save with the consent of the National Provident Fund Board.

Power to elect to reduce contributions modified.

Ibid., sec. 9

Miscellaneous.

61. (1.) No contributor shall be entitled to any benefit under this Act unless he satisfies the Board that he has not at any time since he became a contributor been absent from New Zealand for a longer period than two years at any one time, or for a longer period in the aggregate than five years :

Contributor ceasing to reside in New Zealand.

1910, No. 41, sec. 19
1919, No. 26, sec. 6
1922, No. 51, sec. 41
1925, No. 14, sec. 17

Provided that absence from New Zealand of any contributor for the purpose of receiving education, if such absence does not exceed five years, shall not be deemed to be absence within the meaning of this Act :

Provided also that the absence of a contributor from New Zealand in the performance of his duties as an officer of the Public Service of New Zealand, or as an officer employed in the administration by the Government of New Zealand of any territory outside New Zealand, or as an officer or servant of any person resident in New Zealand, or of any company or other corporation incorporated in New Zealand, shall not be deemed to be absence from New Zealand within the meaning of this Act.

(2.) The restriction as to absence from New Zealand imposed on contributors by this section shall not apply with respect to any person in receipt of a pension under this Act.

62. (1.) Notwithstanding anything in this Act, any person may become a contributor to the Fund on behalf of any other person or persons qualified to become contributors in pursuance of section ten hereof.

Persons may contribute to Fund on behalf of other qualified persons.

1914, No. 34, sec. 20

(2.) Any person who becomes a contributor to the Fund in pursuance of this section may cease to contribute in the same manner as if he were a contributor under this Act, and shall be entitled to receive a refund of all contributions theretofore made by him, less any sums theretofore received from the Fund by the person on whose behalf the contributions were made.

(3.) A contributor under this section may also elect to increase or reduce the rate of his contributions in the manner prescribed by section

thirteen hereof, and the provisions of that section shall, with the necessary modifications, apply accordingly.

(4.) For the purposes of sections fourteen to nineteen, sixty-one, sixty-six and sixty-seven hereof, every person on whose behalf contributions are made in pursuance of this section shall be deemed to be a contributor to the Fund and entitled accordingly to the benefits conferred by those sections.

(5.) A contributor to the Fund under this section shall not be entitled to receive on his own behalf any benefits from the Fund other than a refund of contributions as provided in this section.

(6.) If any person, being a contributor to the Fund pursuant to this section, dies without having expressly disposed of his rights as such contributor, those rights shall, by operation of this section and without further assignment, be deemed to have vested on the death of the contributor in the person on whose behalf the contributions were made, and thereupon such last-mentioned person shall for all purposes be deemed to be, and at all times since the payment of the first contribution on his behalf to have been, a contributor to the Fund.

An association of persons may contribute to Fund on behalf of any person.

1919, No. 26, sec. 8

Transfer of rights.

63. (1.) Any association of persons, whether incorporated or not, may become a contributor to the Fund on behalf of any other person pursuant to the provisions in that behalf of the last preceding section.

(2.) Where any person or association of persons has become a contributor to the Fund on behalf of any other person, such person or association may, by notice in writing addressed to the Superintendent, transfer all his or its rights as a contributor to such last-mentioned person, and thereupon such last-mentioned person shall for all purposes be deemed to be, and at all times since the payment of the first contribution on his behalf to have been, a contributor to the Fund.

Contributors to superannuation funds, on retirement without retiring-allowance, may become contributors to National Provident Fund on compliance with conditions imposed by Board.

Ibid., sec. 9

64. (1.) Notwithstanding anything to the contrary hereinbefore contained, the Board may, subject to such conditions as it thinks fit, accept as contributors to the Fund any persons who, having been contributors to the Public Service Superannuation Fund, the Teachers' Superannuation Fund, or the Government Railways Superannuation Fund, have ceased to be contributors to any of those Funds and are not in receipt of a retiring-allowance therefrom.

(2.) The acceptance by the Board of any such person as a contributor to the Fund may be subject to a condition requiring the payment into the Fund of a lump sum to be determined by the Board, and in any such case the contributor shall be deemed to have been a contributor to the Fund continuously as from a date to be fixed by the Board, being not earlier than four years from the date of the acceptance of such person as a contributor to the Fund.

Extension of benefits in cases where local authority becomes contributor to Fund on behalf of former contributors to a superannuation fund.

1925, No. 14, sec. 25

65. The last preceding section shall apply in cases where a local authority has, whether before or after the passing of this Act, become a contributor to the Fund in respect of a former contributor to any of the superannuation funds therein referred to, and in any such case the Board and the local authority concerned may agree that the whole or any portion of the service that would have been taken into account in computing a retiring-allowance from any such superannuation fund shall be deemed to have been service with the local authority.

66. In no case shall any moneys payable out of the Fund to any person be in any way assigned or charged or pass to any other person by operation of law ; nor shall any moneys payable out of the Fund on the death of a contributor be assets for the payment of his debts or liabilities.

Benefits not assignable.
1910, No. 41, sec. 20

67. Except as herein expressly provided, moneys payable out of the Fund to any person in pursuance of this Act shall not be deemed to be income or accumulated property within the meaning of the Pensions Act, 1926.

Pensions Act modified.
Ibid., sec. 21

68. Every person who makes any wilfully false statement or representation for the purpose of obtaining any benefits or otherwise in respect of any matter under this Act shall be liable on summary conviction to a fine not exceeding fifty pounds, or to imprisonment for a term not exceeding three months.

Penalty for making false representations for purpose of obtaining benefits.
1919, No. 26, sec. 7

69. All payments received by any person under this Act without such person being lawfully entitled thereto may be recovered as a debt due to the Crown, and when so recovered shall be repaid into the Fund.

Recovery of moneys paid without lawful authority.
1916, No. 7, sec. 76

70. The Minister shall from time to time pay into the Fund out of the Consolidated Fund, without further appropriation than this Act, such sums as may be required by the Board for the purpose of making payments under section nineteen hereof.

Authorizing payments out of Consolidated Fund for purposes of section 19 hereof.

71. All expenses incurred in the administration of this Act, other than the moneys payable out of the Fund in pursuance of this Act, shall be paid out of moneys from time to time appropriated by Parliament.

Ibid., sec. 78
Expenses of administration.
1910, No. 41, sec. 22

72. (1.) Before the first day of April in each year there shall be prepared by the Board, in such form as may be prescribed, a statement of its revenue account for the year ending on the thirty-first day of December preceding, and of its balance-sheet at the close of that year, together with a statement of membership and of retiring and other allowances at the close of that year.

Statement of accounts.
Ibid., sec. 23

(2.) Every such statement, accompanied by a report from the Board, after being audited by the Audit Office, shall, within ten days after the completion of the audit, be forwarded by the Board to the Minister, who shall within ten days after the receipt thereof lay the same before Parliament if then sitting, or if not, then within ten days after the commencement of the next ensuing session.

Audit.

73. (1.) For the period ending on the thirty-first day of December, nineteen hundred and twenty-eight, and for each triennial period thereafter, an examination of the Fund shall be made by an Actuary appointed by the Governor-General.

Triennial examination.
Ibid., sec. 24

(2.) The Actuary shall set forth the result of his examination in a report, which shall be so prepared as to show the state of the Fund at the close of the period, having regard to the prospective liabilities and assets, and the probable annual sums required by the Fund to provide the pensions and other allowances falling due within the ensuing three years without affecting or having recourse to the actuarial reserve appertaining to the contributors' contributions.

(3.) A copy of the report shall be sent by the Actuary to the Minister, and shall within ten days after it is received be laid before Parliament if then sitting, or if not, then within ten days after the commencement of the next ensuing session.

State guarantee and
subsidy.

1910, No. 41, sec. 25

74. (1.) The benefits provided by this Act are hereby guaranteed to every contributor by the Government of New Zealand.

(2.) The Minister shall, in the month of April in each year, commencing with the year nineteen hundred and twenty-seven, pay into the Fund by way of subsidy out of the Consolidated Fund, without further appropriation than this Act, a sum equal to one-fourth of the total contributions paid into the Fund during the last preceding year ending on the thirty-first day of December, together with such further amount (if any) as is deemed by the Governor-General in Council, in accordance with the aforesaid report of the Actuary, to be required to meet the charges on the Fund during the current financial year.

(3.) A statement of all amounts so paid into the Fund shall be laid before Parliament within ten days after the payment thereof if Parliament is then sitting, or if not, then within ten days after the commencement of the next ensuing session.

Repeals.

75. (1.) The enactments mentioned in the Fourth Schedule hereto are hereby repealed, and with respect to those enactments the following provisions shall apply:—

Savings.

(a.) All offices, appointments, Orders in Council, regulations, decisions, resolutions, agreements, determinations, contributions, pensions, allowances, records, instruments, and generally all acts of authority which originated under any of the said enactments and are subsisting or in force on the coming into operation of this Act, shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated:

(b.) All matters, appeals, and proceedings commenced under any such enactment, and pending or in progress on the coming into operation of this Act, may be continued, completed, and enforced under this Act.

Saving as to existing
hospital pensions.

1925, No. 14, sec. 10

(2.) The repeals effected by section ten of the National Provident Fund Amendment Act, 1925, shall not affect any pension theretofore granted pursuant to section eleven of the Hospitals and Charitable Institutions Amendment Act, 1920 (No. 2), or section thirty-four of the Finance Act, 1922, and every pension so granted may be continued to be paid as if the said sections remained in force.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

Section 13.

SCALE OF CONTRIBUTIONS.

1910, No. 41, First
Schedule.1919, No. 26,
Schedule.

Age of Contributor when First Contribution is made.	Weekly Contribution required to secure a Pension of Ten Shillings a Week at Sixty Years of Age.		Weekly Contribution re- quired to secure a Pension of Twenty Shillings a Week at Sixty Years of Age.		Weekly Contribution re- quired to secure a Pension of Thirty Shillings a Week at Sixty Years of Age.		Weekly Contribution re- quired to secure a Pension of Forty Shillings a Week at Sixty Years of Age.	
	s.	d.	s.	d.	s.	d.	s.	d.
17	0	9	1	6	2	3	3	0
18	0	10	1	8	2	6	3	4
19	0	10	1	8	2	6	3	4
20	0	11	1	10	2	9	3	8
21	1	0	2	0	3	0	4	0
22	1	0	2	0	3	0	4	0
23	1	1	2	2	3	3	4	4
24	1	2	2	4	3	6	4	8
25	1	3	2	6	3	9	5	0
26	1	4	2	8	4	0	5	4
27	1	5	2	10	4	3	5	8
28	1	6	3	0	4	6	6	0
29	1	7	3	2	4	9	6	4
30	1	8	3	4	5	0	6	8
31	1	9	3	6	5	3	7	0
32	1	10	3	8	5	6	7	4
33	2	0	4	0	6	0	8	0
34	2	2	4	4	6	6	8	8
35	2	3	4	6	6	9	9	0
36	2	5	4	10	7	3	9	8
37	2	7	5	2	7	9	10	4
38	2	10	5	8	8	6	11	4
39	3	0	6	0	9	0	12	0
40	3	3	6	6	9	9	13	0
41	3	6	7	0	10	6	14	0
42	3	10	7	8	11	6	15	4
43	4	2	8	4	12	6	16	8
44	4	6	9	0	13	6	18	0
45	4	11	9	10	14	9	19	8
46	5	7	11	2	16	9	22	4
47	6	6	13	0	19	6	26	0
48	7	5	14	10	22	3	29	8
49	8	4	16	8	25	0	33	4
50	9	4	18	8	28	0	37	4

Each age referred to in this Schedule is the age of the contributor on his next succeeding birthday.

Sections 15, 17.

SECOND SCHEDULE.

1910, No. 41, Second Schedule.

SCALE OF ALLOWANCES FOR INCAPACITATED CONTRIBUTORS AND FOR THE WIDOWS AND CHILDREN OF DECEASED CONTRIBUTORS.

(1.) IN respect of every child of a deceased or incapacitated contributor, so long as that child is under the age of fourteen years, an allowance shall be payable at the rate of seven shillings and sixpence a week.

(2.) IN respect of the widow of a deceased contributor, if and so long as any child of that contributor is under the age of fourteen years, an allowance shall be payable at the rate of seven shillings and sixpence a week.

(3.) The above-mentioned allowances shall be calculated from time to time in accordance with the number of children for the time being under the age of fourteen years, and shall cease when there is no longer any child under that age.

(4.) No allowance under this Schedule shall be payable for a longer aggregate period than fourteen years, whether in respect of the incapacity or the death of a contributor, or partly in respect of his incapacity and partly in respect of his death, and whether in respect of the same or of different periods of incapacity.

Section 48.

THIRD SCHEDULE.

1916, No. 7, Fourth Schedule.

SCALE OF CONTRIBUTIONS PAYABLE BY MEMBERS OF FRIENDLY SOCIETIES.

Age last Birthday of Contributor when First Contribution is made.	Weekly Contribution required to secure a Pension of Ten Shillings a Week at Sixty Years of Age.		Weekly Contribution required to secure a Pension of Twenty Shillings a Week at Sixty Years of Age.		Weekly Contribution required to secure a Pension of Thirty Shillings a Week at Sixty Years of Age.		Weekly Contribution required to secure a Pension of Forty Shillings a Week at Sixty Years of Age.	
	s.	d.	s.	d.	s.	d.	s.	d.
16	0	4	0	10	1	4	1	10
17	0	5	1	0	1	7	2	2
18	0	5	1	0	1	7	2	2
19	0	5	1	1	1	9	2	5
20	0	6	1	2	1	10	2	6
21	0	6	1	2	1	10	2	6
22	0	7	1	4	2	1	2	10
23	0	7	1	4	2	1	2	10
24	0	7	1	5	2	3	3	1
25	0	8	1	7	2	6	3	5
26	0	8	1	8	2	8	3	8
27	0	9	1	10	2	11	4	0
28	0	10	2	0	3	2	4	4
29	0	10	2	0	3	2	4	4
30	0	11	2	2	3	5	4	8
31	0	11	2	2	3	5	4	8
32	1	0	2	4	3	8	5	0
33	1	1	2	7	4	1	5	7
34	1	2	2	9	4	4	5	11
35	1	3	3	0	4	9	6	6
36	1	4	3	2	5	0	6	10
37	1	5	3	4	5	3	7	2
38	1	6	3	7	5	8	7	9
39	1	7	3	10	6	1	8	4
40	1	9	4	2	6	7	9	0
41	1	11	4	7	7	3	9	11
42	2	1	4	11	7	9	10	7
43	2	3	5	4	8	5	11	6
44	2	6	5	11	9	4	12	9

FOURTH SCHEDULE.

ENACTMENTS REPEALED.

- 1910, No. 41.—The National Provident Fund Act, 1910.
1914, No. 34.—The National Provident Fund Amendment Act, 1914.
1915, No. 29.—The National Provident Fund Amendment Act, 1915.
1916, No. 7.—The Finance Act, 1916: Sections 64 to 80.
1919, No. 26.—The National Provident Fund Amendment Act, 1919.
1921-22, No. 72.—The Finance Act, 1921-22: Section 45, in so far as it applies to
the National Provident Fund.
1922, No. 51.—The Finance Act, 1922: Sections 40 and 41.
1925, No. 14.—The National Provident Fund Amendment Act, 1925.
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