

[AS REPORTED FROM THE COMMERCE AND ENERGY COMMITTEE]

House of Representatives, 20 March 1985.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]

House of Representatives, 27 March 1985.

Words inserted are shown with double rule before first line and after last line.

Hon. David Caygill

GOVERNMENT SUPERANNUATION FUND AMENDMENT (NO. 2)

ANALYSIS

Title	
1. Short Title	
2. New Part inserted	
PART VIA	
SUPERANNUATION OF MEMBERS OF POLICE	
<i>Application of this Part</i>	
88A. Application	88G. Increases to benefits where contributor leaves Police under certain provisions due to lack of fitness
88B. Members of Police to become and remain contributors to Fund under this Part	88H. Benefits where contributor leaves Police other than on death, retirement, or due to lack of fitness
88C. Rate of contributions	88I. Benefits on death of contributor
88D. Calculation of contributory service of contributors who become members of Police after 1 May 1985 and existing members who retire or die before attaining the age of 55 years	<i>Miscellaneous Provisions</i>
88E. Calculation of contributory service of certain contributors who became members of Police before 1 May 1985 and who retire or die after attaining the age of 55 years	88J. Option where contributor on leave of absence without salary
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88F. Calculation of retiring allowance	88L. Service in Cook Islands, Niue, and Tokelau
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	88M. Sections to apply to contributors and contributions under this Part
	3. Special provisions in respect of contributors who retire or die between 1 December 1984 and 1 May 1985
	4. Capitalisation of part of retiring allowance
	5. Capitalisation of part of annuity
	6. Treatment of contributory service under one Part as contributory service under another Part
	7. Annual adjustments to retiring allowances and annuities payable under Part VIA of principal Act
	8. Consequential amendments to Police Act 1958
	9. Amendment to Government Superannuation Fund Amendment Act 1962

A BILL INTITULED

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: 5

1. Short Title—This Act may be cited as the Government Superannuation Fund Amendment Act (No. 2) 1985, and shall be read together with and deemed part of the Government Superannuation Fund Act 1956* (hereinafter referred to as the principal Act). 10

2. New Part inserted—The principal Act is hereby amended by inserting, after section 88, the following heading and sections:

“PART VIA 15

SUPERANNUATION OF MEMBERS OF POLICE

Application of this Part

“88A. **Application**—(1) This Part of this Act shall apply to every contributor to the Fund who is or becomes a member of the Police required to contribute to the Fund as such, and the entitlements of and benefits payable to or in respect of that person shall be determined in accordance with this Part and Part VII of this Act and not otherwise. 20

“(2) This Part of this Act shall not apply in respect of any person who has been a member of the Police but is not a member of the Police at the date of the person’s retirement or death. 25

“88B. **Members of Police to become and remain contributors to Fund under this Part**—(1) Except as provided in this section and section 88J of this Act, every person who, on or after the 1st day of May 1985, becomes a member of the Police shall contribute to the Fund under this Part of this Act in respect of any period during which the person remains a member of the Police. 30

“(2) Nothing in **subsection (1)** of this section shall apply to—

“(a) Any specialist member of the Police within the meaning of **section 27** of the Police Act 1958:

5 “(b) Any temporary member of the Police whom the Commissioner of Police has directed shall not become a contributor to the Fund under this Part of this Act.

“(3) Every person who, immediately before the **1st day of May 1985**, is a member of the Police and is a contributor under 10 Part II of the Government Superannuation Fund Amendment Act 1962 shall become a contributor under this Part of this Act on and from that date and, except as provided in **section 88J** of this Act, shall remain a contributor to the Fund under this Part of this Act in respect of any period during which that 15 person remains a member of the Police.

“(4) Every person who, immediately before the **1st day of May 1985**, is a member of the Police and is not a contributor under 20 Part II of the Government Superannuation Fund Amendment Act 1962 shall be entitled, not later than the **1st day of November 1985** or such later date as the Board may allow, to elect to become a contributor to the Fund under this Part of this Act unless the person is—

“(a) A specialist member of the Police within the meaning of **section 27** of the Police Act 1958; or

25 “(b) A temporary member of the Police whom the Commissioner of Police has directed shall not become a contributor to the Fund under this Part of this Act.

“(5) Every election made under **subsection (4)** of this section 30 shall take effect on and from the **1st day of May 1985**, and the contributions payable by the contributors who make such elections and the benefits payable in respect of contributions by such contributors shall be calculated accordingly.

“88c. **Rate of contributions**—(1) The contribution to be 35 made by every contributor under this Part of this Act who, immediately before the **1st day of May 1985**, was a contributor to the Fund under Part II of the Government Superannuation Fund Amendment Act 1962 shall be—

“(a) Seven percent of the contributor’s salary in respect of 40 the period beginning with the **1st day of May 1985** and ending with the day before the first date after the **1st day of October 1985** on which a determination of the Commissioner of Police under section 66A of the Police Act 1958 prescribing salaries or scales of 45 salaries comes into force:

“(b) Seven and one-half percent of the contributor’s salary in respect of every period after the period described in **paragraph (a)** of this subsection.

“(2) The contribution to be made by every contributor under this Part of this Act who is not a contributor to whom **subsection (1)** of this section applies shall be 7.5 percent of the contributor’s salary. 5

“(3) All contributions shall be deducted from the salary of the contributor and paid to the Fund as the salary becomes payable from time to time. 10

“**88D. Calculation of contributory service of contributors who become members of Police after 1 May 1985 and existing members who retire or die before attaining the age of 55 years**—(1) This section applies to every person—

“(a) Who becomes a contributor under this Part of this Act under **section 88B (1)** of this Act and who is a member of the Police at the date of the person’s death or retirement: 15

“(b) Who becomes a contributor under this Part of this Act by virtue of **section 88B (3)** of this Act or under **section 88B (4)** of this Act, and who dies or retires before attaining the age of 55 years in circumstances in which a retiring allowance or annuity is payable. 20

“(2) For the purpose of calculating the contributory service of any person to whom this section applies, the actual contributory service of that person as a member of the Police shall, subject to **subsection (3)** of this section, be increased by 25 percent. 25

“(3) No person to whom this section applies shall be entitled to have more than 40 years’ contributory service counted for any of the purposes of this Act unless that person has more than 40 years’ actual contributory service, in which case only the actual contributory service shall be counted. 30

“**88E. Calculation of contributory service of certain contributors who became members of Police before 1 May 1985 and who retire or die after attaining the age of 55 years**—(1) This section applies to every person— 35

“(a) Who became a contributor under this Part of this Act by virtue of **section 88B (3)** of this Act; or

“(b) Who becomes a contributor under this Part of this Act under **section 88B (4)** of this Act— 40
and who retires or dies on or after attaining the age of 55 years.

“(c) To the existing licensee, where the existing licence has become disfigured or dilapidated, or contains a mistake, or where the Minister is satisfied that the existing licence has been lost or destroyed.”

- 5 **14. Change of name of hospital district**—The First Schedule to the principal Act is hereby amended by omitting, from the first column of item 25, the word “Waipawa”, and substituting the words “Central Hawke’s Bay”.