

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]
House of Representatives, 22 October 1963

Words inserted by the Committee of the Whole are shown with double rule before first line and after last line of new matter.

Hon. Mr Lake

SUPERANNUATION AMENDMENT

ANALYSIS

Title
1. Short Title
2. Interpretation

3. Certain entrants to permanent staff of Government service to be contributors while under 25 years of age
4. Retiring allowance
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A BILL INTITULED

An Act to amend the Superannuation Act 1956

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

1. Short Title—This Act may be cited as the Superannuation Amendment Act 1963, and shall be read together with and deemed part of the Superannuation Act 1956* (hereinafter referred to as the principal Act).

*1957 Reprint, Vol. 15, p. 409
Amendments: 1958, No. 94; 1959, No. 85; 1960, No. 90; 1961, No. 111; 1962, No. 130

2. Interpretation—(1) Section 2 of the principal Act is hereby amended by adding to the definition of the term “salary” in subsection (1) the words “or any additional salary payable in respect of any period after the thirty-first day of January, nineteen hundred and sixty-four, to the Principal or any member of the teaching staff of a teachers training college or post-primary school for his services as manager of or resident teacher at any hostel conducted in connection with the college or school”.

(2) Where at the first day of February, nineteen hundred and sixty-four, any additional salary is payable to the Principal or any member of the teaching staff of a teachers training college or post-primary school who is a contributor for his services as manager of or resident teacher at any hostel conducted in connection with the college or school, that contributor may, at any time before the first day of August, nineteen hundred and sixty-four, elect to contribute to the Fund in respect of the additional salary that he may from time to time receive as manager of or resident teacher at any such hostel; and where any contributor so elects the principal Act shall be read in relation to that contributor as if subsection (1) of this section had not been passed.

3. Certain entrants to permanent staff of Government service to be contributors while under 25 years of age—The principal Act is hereby amended by inserting, after section 22, the following section:

“22A. (1) Notwithstanding anything to the contrary in section 22 of this Act, every person who, at any time after the thirty-first day of December, nineteen hundred and sixty-three, becomes permanently employed in the Government service, and whose age does not exceed twenty-five years, shall become a contributor to the Fund from the date of his permanent appointment to the Government service or from the date on which he attains the age of seventeen years, whichever is the later:

“Provided that this subsection shall not apply with respect to any married woman.

“(2) Where any person has become a contributor to the Fund under subsection (1) of this section, sections 28 and 30 of the principal Act shall not apply to that contributor until the date on which the contributor attains the age of twenty-five years:

“Provided that this subsection shall not apply to any contributor who is a married woman:

“Provided also that this subsection shall not apply where any notice under section 28 of the principal Act is given by a female contributor in anticipation of marriage and the contributor is a married woman on the expiration of the period
5 of the notice:

“Provided further that for the purposes of this subsection the Board may, in its discretion, extend the period of notice.

“(3) For the purposes of this section a student who is admitted to a teachers training college in any division, except
10 Division B, shall be deemed to become permanently employed in and appointed to the Government service on the date on which he is so admitted.”

4. Retiring allowance—(1) Section 35 of the principal Act (as substituted by section 8 of the Superannuation Amendment Act 1962) is hereby amended by adding to subparagraph (iii) of paragraph (f) of subsection (3) the word “or”.
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(2) The said section 35 of the principal Act is hereby further amended by adding to paragraph (f) of subsection (3) the following subparagraph:
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“(iv) A contributor whose age is not less than fifty years and whose length of contributory service is not less than twenty years:

“Provided that this subparagraph shall not apply to any contributor unless he so consents in writing.”

(3) The said section 35 of the principal Act is hereby further amended by omitting from subparagraph (ii) of paragraph (b) of subsection (5) the words “the period”, and substituting the words “her period of contributory service”.
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5. Child's benefit—(1) Section 45 of the principal Act is hereby amended by omitting from paragraph (c) of subsection (1) the words “twenty-six pounds”, and substituting the words “thirty-nine pounds”.
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(2) Section 46 of the principal Act is hereby further amended by omitting from paragraph (b) of subsection (1) the words “twenty-six pounds”, and substituting the words “thirty-nine pounds”.
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(3) This section shall come into force on the twelfth day of December, nineteen hundred and sixty-three.

6. Retiring allowance of permanent members of armed forces—(1) Section 68 of the principal Act is hereby amended by adding to subsection (4) the following additional proviso:

“Provided also that the Board, in its discretion, may defer the commencement of payment of any retiring allowance payable under this subsection until such date as the Board may specify, being not later than the earliest date at which the contributor could have been compulsorily retired from the regular forces by reason of the expiration of the period of his engagement or by reason of his attaining the appropriate age for retirement.”

(2) Section 68 of the principal Act is hereby further amended by adding the following subsections:

“(5) The Board may, in its discretion, with the consent of the contributor, vary any decision made by it under subsection (4) of this section.

“(6) Any decision by the Board to defer the commencement of the payment of a retiring allowance under the provisions of subsection (4) of this section shall be disregarded for the purposes of sections 45, 46, and 47 of this Act.

“(7) In any case where, under the provisions of subsection (4) of this section, the Board has deferred the commencement of the payment of a retiring allowance to any contributor to any specified date,—

“(a) For the purposes of the proviso to subsection (11) of section 48 of this Act, but of no other part of that subsection, the contributor shall be deemed to be in receipt of the retiring allowance from the date of his retirement:

“(b) For the purposes of section 91 of this Act, the contributor shall be deemed not to become entitled to the retiring allowance until the specified date.”

(3) Section 91 of the principal Act is hereby amended by adding to subsection (1A) (as inserted by section 14 of the Superannuation Amendment Act 1962) the following additional proviso:

“Provided also that no sum shall be paid to any contributor under this subsection at any time after the Board has made a decision, under subsection (4) of section 68 of the principal Act, to defer the commencement of the payment of a retiring allowance to the contributor.”

New

7. **Election to surrender proportion of retiring allowance and receive cash payment**—(1) Section 91 of the principal Act is hereby amended by adding to subsection (1) the
5 following proviso:

“Provided that, for the purposes of this subsection, a contributor shall be deemed to be entitled to a retiring allowance under this Act in any case where he would have been so entitled if he had retired on the date of his election.”

10 (2) Section 91 of the principal Act is hereby further amended by adding to subsection (2) the words “and shall not be revocable”.

(3) Section 91 of the principal Act is hereby further amended by inserting, after subsection (2), the following
15 subsection:

“(2A) Without restricting the provisions of subsection (2) of this section, it is hereby declared that an election under this section may be made by a contributor at any time within three months immediately preceding the date on which the
20 contributor becomes entitled to a retiring allowance under this Act; and where such an election is made before that date it shall be deemed to have been made on that date.”