

1975/253



**THE SUPERANNUATION (TRANSFER OF SERVICE)
REGULATIONS 1968, AMENDMENT NO. 2**

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 28th day of October 1975

Present:

THE HON. R. J. TIZARD PRESIDING IN COUNCIL

PURSUANT to the Superannuation Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title—These regulations may be cited as the Superannuation (Transfer of Service) Regulations 1968, Amendment No. 2, and shall be read together with and deemed part of the Superannuation (Transfer of Service) Regulations 1968* (hereinafter referred to as the principal regulations).

2. Transfer of service into Judges' scheme—Regulation 3 of the principal regulations, as amended by regulation 2 of the Superannuation (Transfer of Service) Regulations 1968, Amendment No. 1, is hereby further amended by revoking the second proviso, and substituting the following proviso:

“Provided also that any such election shall not entitle the contributor to a retiring allowance under the said Part V before he would be entitled to any such allowance under that Part if he had not made the election, unless—

“(a) He has held office as a Judge for a period of not less than 5 years and such period of holding office as a Judge together with the period during which he previously contributed to the Fund under Part IV of the Act is in the aggregate a period of not less than 15 years; or

*S.R. 1968/81
Amendment No. 1: S.R. 1972/130

“(b) In the case of the person holding the office of Judge of the Industrial Court at the time of the making of the Superannuation (Transfer of Service) Regulations 1968, Amendment No. 2, he would but for this proviso have become entitled to a retiring allowance under any of the provisions of section 76 of the Act other than paragraph (b) of subsection (1).”

3. Election to transfer—Regulation 4 of the principal regulations is hereby amended by adding the following proviso:

“Provided that any such election shall be made by the person holding the office of Judge of the Industrial Court at the time of the making of the Superannuation (Transfer of Service) Regulations 1968, Amendment No. 2, before the first day of April 1976.”

4. Revocation—The Superannuation (Transfer of Service) Regulations 1968, Amendment No. 1, are hereby consequentially revoked.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations make it possible for the present Judge of the Industrial Court to elect to transfer his service as a Magistrate into the Judges' scheme, subject to the prescribed adjustment.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 30 October 1975.
These regulations are administered in the Treasury.