

Serial Number 1948/54



THE SUPERANNUATION REGULATIONS 1948

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 31st day of March, 1948

Present :

THE HON. H. G. R. MASON PRESIDING IN COUNCIL

PURSUANT to the Superannuation Act, 1947, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Superannuation Regulations 1948.

(2) These regulations shall come into force on the 1st day of April, 1948.

2. In these regulations, unless the context otherwise requires,—
 “Secretary” means the Secretary of the Board :
 “The Act” means the Superannuation Act, 1947 :
 Expressions defined in the Act have the meanings so defined.

GOVERNMENT SUPERANNUATION BOARD

3. The first meeting of the Board shall be held on a date to be fixed by the Chairman or the Deputy Chairman of the Board.

4. Subsequent meetings of the Board shall be held quarterly in the months of May, August, November, and February in each financial year, and at such other times as the Board decides.

5. (1) The Secretary shall give each member of the Board reasonable notice of every meeting of the Board, specifying the business to be transacted thereat.

(2) Every member of the Board shall be allowed such special leave from his official duties (in addition to all leave to which he may be otherwise entitled) as may be necessary to enable him to attend meetings of the Board.

6. (1) A special meeting of the Board shall be held whenever the Board decides, and also whenever a written request for a special meeting, specifying the business to be transacted, is made to the Secretary by not less than four members of the Board.

(2) Upon receiving any such request the Secretary shall fix a date for the special meeting, being not later than ten days after the receipt of the request, and shall forthwith give each member of the Board notice of the meeting in accordance with Regulation 5 (1) hereof.

7. If a quorum is not present at any meeting of the Board at the time fixed for the meeting, the members present may adjourn the meeting to such time and place as they may decide.

8. The Chairman at any meeting of the Board shall have a deliberative vote and, in case of an equality of votes, shall also have a casting vote.

9. The Board may from time to time appoint committees, consisting of two or more members of the Board, to consider in detail and report to the Board on any matters, whether as to claims or otherwise.

10. Every member of the Board travelling on the business of the Board shall be entitled to receive such travelling allowances and expenses as may from time to time be approved by the Minister of Finance.

INVESTMENT OF FUND

11. (1) Any part of the moneys for the time being belonging to the Fund may be invested by the Board in Government securities or such other securities as may from time to time be approved by the Board, being securities that are for the time being authorized by law for the investment of trust funds.

(2) For the protection of securities in which its funds are invested the Board may expend such sums as it considers necessary from time to time and to that end may expend moneys for the purposes of the stocking and cultivating of mortgaged lands, the employment of labour thereon, the making of advances to mortgagors, and the carrying on of farming businesses, and for such other purposes as the Board may consider necessary in order to prevent or minimize any loss on the realization of any such securities.

12. The Board, instead of making all such investments in its own name, may at any time arrange with the Public Trustee on such terms and conditions as may be agreed upon to make any such investments on its behalf in the name of the Public Trustee, and may pay to the Public Trustee such fees, charges, or commission as may be mutually agreed upon.

CONTRIBUTIONS TO THE FUND

Service other than Education Service

13. Unless the Board in any case otherwise directs, every election or application to become a contributor to the Fund in respect of employment otherwise than in the Education service, and every election, application, or notice by any contributor shall be made or given in a form approved by or acceptable to the Board, and shall be forwarded to the Secretary through the Permanent Head of the Department concerned.

14. The Permanent Head shall forthwith forward to the Secretary every such election, application, or notice received by him, giving such information and certificates as may be required by the Board.

15. The Permanent Head shall cause to be made from the salary of every contributor the proper deduction of contributions provided for under the Act.

16. Unless the Board in any case otherwise directs, the Public Service Commission or, in the case of a Department not under the control of the Commission, the Permanent Head, shall forthwith notify the Secretary of every alteration of the salary of any contributor and of every transfer of any contributor, giving particulars of the alteration or transfer and the date from which it takes effect, and shall furnish such further information as may be required by the Board.

17. Unless the Board in any case otherwise directs, the Permanent Head shall forthwith notify the Secretary whenever the salary of any contributor is for any period temporarily stopped on the ground of ill health or for any other reason, and whenever for any period any contributor is on leave of absence without salary or at a reduced salary, or is not employed in the Government service but has not retired therefrom, and shall also forthwith notify the Secretary when payment of salary or of full salary is resumed.

18. The Permanent Head shall forthwith notify the Secretary of every application received by him for the voluntary retirement of any contributor, and of every retirement of any contributor, whether by reason of age, length of service, or infirmity, or otherwise. He shall also forthwith notify the Secretary of the death, resignation, or dismissal of any contributor. All such notices shall contain such information and certificates as may be required by the Board.

Education Service

19. Unless the Board in any case otherwise directs, every election or application to become a contributor to the Fund in respect of employment in the Education service, and every election, application, or notice by any contributor shall be made or given in duplicate in a form approved by or acceptable to the Board, and shall be forwarded to the Secretary through the Secretary of the Education Board or other employing body, who shall forward the same to the Director of Education, giving such information and certificates as may be required by the Board.

20. The Director of Education shall retain one copy of every election, application, or notice received by him from the Secretary of the Education Board or other employing body under these regulations, and shall forthwith forward the other copy to the Secretary.

21. (1) The Secretary of the Education Board or other employing body shall cause to be made from the salary of every contributor the proper deduction of contributions provided for under the Act.

(2) The Director of Education shall not finally pass the pay-list of any such Education Board or other employing body until he is satisfied that the proper deductions have been made.

22. (1) The Secretary of the Education Board or other employing body shall, within seven days after the end of each month, forward to the Director of Education a certified statement of all amounts deducted from the salaries of contributors and paid to the Fund.

(2) Every such statement shall either consist of a certified copy of the pay-list for the month or be in the following form :—

Government Superannuation Fund

RETURN OF CONTRIBUTIONS TO THE GOVERNMENT SUPERANNUATION FUND
DEDUCTED FROM THE SALARIES OF CONTRIBUTORS FOR THE MONTH OF
....., 19.., BY [*Name of employing body*].

Name.	Annual Salary for Superannuation Purposes.	Salary for Period.	Amount of Deduction.	Remarks.

23. The Secretary of the Education Board or other employing body shall, on each statement under Regulation 22 hereof, give full particulars of all sums deducted in any month that are not the ordinary deductions for that month, and shall specify the amount of every such deduction and the period in respect of which it has been made.

24. The Secretary of the Education Board or other employing body shall forthwith notify the Director of Education of every alteration of the salary of any contributor and of every transfer of any contributor, giving particulars of the alteration or transfer and of the date from which it takes effect, and shall furnish such further information as may be required by the Director.

25. The Secretary of the Education Board or other employing body shall forthwith notify the Director of Education whenever the salary of any contributor is for any period temporarily stopped on the ground of ill-health or for any other reason, and whenever for any period any contributor is on leave of absence without salary or at a reduced salary, or is not employed in the Education service but has not retired therefrom, and shall also forthwith notify the Director of Education when payment of salary or full salary is resumed.

26. The Secretary of the Education Board or other employing authority shall forthwith notify the Director of Education of every retirement of any contributor, whether by reason of age, length of service, or infirmity, or otherwise. He shall also forthwith notify the Director of Education of the death, resignation, or dismissal of any contributor. All such notices shall contain such information and certificates as may be required by the Board.

General Provisions

27. On the retirement of a contributor under circumstances entitling him to a retiring-allowance, or on the death of a male contributor leaving a wife, the Secretary shall forthwith notify the contributor or the widow, as the case may be, of the right of election under the Act to accept a refund of contributions instead of a retiring-allowance or annuity, giving full particulars in every case.

28. Where the salary paid to any contributor to the Fund in respect of any period is computed at a daily or hourly rate, and does not include payment for the time during which he is not actually employed, his contribution to the Fund in respect of that period shall be computed as if he had been actually employed during the whole of that period, but so that no account is taken of any payments made in respect of overtime.

29. Every contributor whose contributions to the Fund are at any time in arrear shall pay to the Fund the amount of the arrears, together with such interest thereon as the Board may require, within such time and in such manner as the Board may determine.

30. Where any contributor retires or dies while his contributions to the Fund are in arrear, the amount of the arrears, together with such interest thereon as the Board may require, may be deducted from any retiring-allowance or other moneys payable out of the Fund to the contributor or to his personal representatives, and interest as aforesaid may be deducted from any refund of contributions payable out of the Fund.

31. Every certificate given by a medical practitioner for the purposes of the Act shall be in a form to be approved by the Board.

32. On being satisfied that any application for an allowance or payment out of the Fund is in order, the Secretary shall authorize payment.

33. Every instalment of a retiring-allowance, annuity, or other allowance under the Act shall be paid on the last day of the month :

Provided that the instalment for the month of December in any year shall be paid on such day in that month as the Board determines :

Provided also that where the last day of any other month is a Saturday or a Sunday or a Post Office holiday, the instalment for that month shall be paid on the last day in the month that is not a Saturday or a Sunday or a Post Office holiday.

34. Where the instalment for any month is paid before the last day of the month and the beneficiary dies before that day, then, unless in any case the Board otherwise directs, the payment shall be deemed to have the same effect as if the beneficiary had died on the last day of the month.

35. The receipt of any person to whom any amount is paid under the Act shall be an absolute discharge to the Fund of all liability in respect of the amount so paid.

36. (1) In computing the amount of contributions from time to time payable to the Fund, a fraction of a penny equal to or greater than one half-penny shall be counted as a penny, and a fraction less than one half-penny shall not be counted.

(2) In computing the annual amount of any retiring-allowance, annuity, or other allowance under the Act, a fraction of a shilling equal to or greater than sixpence shall be counted as a shilling, and a fraction less than sixpence shall not be counted.

37. (1) Any document required to be signed by or on behalf of the Board shall be sufficiently authenticated if it is signed by any two members of the Board and countersigned by or on behalf of the Secretary.

(2) For the purposes of this regulation the Chairman or the Deputy Chairman of the Board may from time to time authorize any officer of the Board to countersign documents on behalf of the Secretary.

(3) Every document purporting to be signed by any two members of the Board and countersigned by or on behalf of the Secretary shall, in the absence of proof to the contrary, be deemed to have been duly signed by and on behalf of the Board.

38. (1) All statistical information required by the Government Actuary for the purposes of the actuarial examination of the Fund shall be kept by the Secretary in respect of each contributor, and for this purpose the Public Service Commission, the Permanent Head of every Department, and the Secretary of every Education Board or other body employing contributors shall obtain from each contributor such statistical information, whether relating to the contributor or his family or otherwise, as may from time to time be required by the Board, and shall from time to time furnish to the Secretary all such information possessed by the Commission, Department, Education Board, or other employing body.

(2) The Secretary shall also obtain all statistical information required by the Board in respect of contributors in receipt of retiring-allowances.

39. The annual revenue account, balance-sheet, statement of contributors and statement of allowances required under section 84 of the Act shall be in the forms set out in the First, Second, Third, and Fourth Schedules hereto, or to the like effect.

40. (1) The regulations specified in the Fifth Schedule hereto are hereby revoked.

(2) All acts of authority that originated under any of the regulations hereby revoked, and are subsisting or in force at the commencement of these regulations, shall enure for the purposes of these regulations as if they had originated under these regulations, and accordingly shall, where necessary, be deemed to have so originated.

SCHEDULES

FIRST SCHEDULE

GOVERNMENT SUPERANNUATION FUND

Revenue Account for the Year ended 31st March, 19..

	£	s.	d.		£	s.	d.
Amount of Fund at the beginning of the year ..				Retiring-allowances—			
Contributions—				To contributors ..			
Under section 26 (ordinary)				To widows, children, and dependants ..			
Transfers from other funds				Contributions refunded—			
Interest on arrears of contributions ..				Under section 25 (withdrawal) ..			
Government subsidies—				Under section 36 (instead of allowance) ..			
Under section 86 (1) (a) ..				Under section 37 (retirement)			
Under section 86 (1) (b) ..				Under sections 39 and 40 (death) ..			
Under section 86 (2) ..				Under section 42 (9) (c) (death) ..			
Other subsidies ..				Under section 54 (allowances) ..			
Interest on investments ..				Under sections 66 and 67 (Armed Forces) ..			
Fines ..				Under section 72 (Magistrates, &c.) ..			
Other receipts ..				Contributions transferred to other funds ..			
				Expenses ..			
				Other payments ..			
				Amount of Fund at end of year			

SECOND SCHEDULE

GOVERNMENT SUPERANNUATION FUND

Balance-sheet as at 31st March, 19..

	£	s.	d.		£	s.	d.
<i>Liabilities</i>				<i>Assets</i>			
Fund as per Revenue Account				Amounts invested by the Board ..			
*Retiring and other allowances due, in course of payment				*Contributions due, in transmission ..			
*Refunds of contributions due, and in course of payment ..				Interest accrued on investments ..			
Expenses due in course of payment ..				Other amounts due ..			
Other liabilities (<i>to be specified</i>)				Other assets ..			

* Included in corresponding items in the Revenue Account.

THIRD SCHEDULE

GOVERNMENT SUPERANNUATION FUND

Statement of Contributors for the Year ending 31st March, 19..

	Number.			Annual Salary.
	M.	F.	Total.	
Contributors at beginning of the year				£ s. d.
New contributors entered during the year				
Contributors transferred from other funds				
Total				
Contributors discontinued during the year				
Total contributors at end of year				

Particulars of Contributors discontinued during the Year

How discontinued.	Number.			Annual Salary.	Amount paid on Retirement.	Retiring-allowance granted.
	M.	F.	Total.			
By withdrawal from Fund (section 25)						
By death before retiring-allowance entered upon (sections 39 and 40)						
Magistrates, &c. (section 72 (8))						
By retirement before retiring-age (section 37)						
Magistrates, &c. (section 72 (7))						
By retirement on allowance—						
Ordinary (section 31)						
Medically unfit (section 32)						
Injured on duty (sections 46 and 48)						
Armed Forces (section 62)						
Magistrates, &c. (section 72 (2))						
By retirement with refund—						
Instead of allowance (section 36)						
Magistrates, &c. (section 72 (6))						
By transfer to other funds						
Total						

FIFTH SCHEDULE
REGULATIONS REVOKED

Date or Title.	Published in <i>Gazette</i> or Statutory Regulations.
<i>Public Service Superannuation</i>	
10th February, 1932	<i>Gazette</i> , 1932, page 324.
10th February, 1932	<i>Gazette</i> , 1932, page 325.
10th September, 1934	<i>Gazette</i> , 1934, page 2847.
The Public Service Superannuation Regulations, Amendment No. 2	Serial number 1937/135.
<i>Teachers' Superannuation</i>	
24th April, 1917	<i>Gazette</i> , 1917, page 1852.
18th March, 1930	<i>Gazette</i> , 1930, page 850.
28th June, 1932	<i>Gazette</i> , 1932, page 1589.
22nd June, 1935	<i>Gazette</i> , 1935, page 1761.
The Teachers' Superannuation Fund Invest- ments Regulations 1930, Amendment No. 2	Serial number 1936/78.
<i>Government Railways Superannuation</i>	
28th July, 1903	<i>Gazette</i> , 1903, page 1730.
4th December, 1922	<i>Gazette</i> , 1922, page 3139.
17th April, 1924	<i>Gazette</i> , 1924, page 1066.
25th May, 1925	<i>Gazette</i> , 1925, page 1714.
14th December, 1925	<i>Gazette</i> , 1925, page 3429.
21st June, 1926	<i>Gazette</i> , 1926, page 1830.
15th November, 1929	<i>Gazette</i> , 1929, page 3064.
13th May, 1930	<i>Gazette</i> , 1930, page 1677.
31st October, 1932	<i>Gazette</i> , 1932, page 2188.
The Government Railways Superannuation Fund Regulations 1924, Amendment No. 2	Serial number 1936/69.
<i>General</i>	
The Superannuation (Cost of Living) Order 1940	Serial number 1940/286.

T. J. SHERRARD,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 1st day of April, 1948.
These regulations are administered by the Government Superannuation Board.