



4/95

REPUBLIC OF NAURU

AN ACT

To provide for changes to contributions to the superannuation fund and for the reform of provision of the Superannuation Act.

(Certified: 3rd October, 1995)

Enacted by the Parliament of Nauru as follows

SHORT TITLE AND CITATION

1. (1) This Act may be cited as the Superannuation (Amendment) Act 1995.
- (2) In this Act the Superannuation Act 1966-1991 is referred to as the Principal Act.
- (3) The Principal Act as amended by this Act may be cited as the Superannuation Act 1966-1995.

SAVINGS AND EFFECTIVE DATE OF AMENDMENTS

2. (1) Except as in this Act expressly or by necessary implication provided, all person, things and circumstances appointed or created by or under the Principal Act continue to have the same status operation and effect as they would have had if this Act had not been passed.
- (2) Except for sections 3 and 4 which shall come into effect on January 1, 1996 this Act shall come into effect on the day it is certified by the Speaker.

INTERPRETATION

3. Section 4 of the Principal Act is amended by inserting the following subsection (3)-

"(3) In this Act, except in section 50 and 51 or where the context specifically provides to the contrary, all references to the masculine gender includes the feminine, and in particular
"male contributor" includes "female contributor" and vice versa;
"male pensioner" includes "female pensioner" and vice versa;
"widow" includes "widower" and vice versa; and
"wife" includes "husband" and vice versa."

REPEAL OF SECTION 6

4. Section 6 of the Principal Act is repealed.

CHANGE TO CONTRIBUTIONS BY FEMALE OFFICERS

5. Section 24 of the Principal Act is amended by numbering the section as subsection (1) of section 24 and by inserting the following subsections-

"(2) Where an officer is required on or after January 1, 1996 to commence contributing to the Fund in accordance with section 19, then, subject to this division, the amount of the contribution by an officer in respect of a unit is an amount ascertained in accordance with column 4 of the Table of contributions set out in the Schedule and having regard to the age of the contributor at the date when the obligation to contribute for that unit comes into force.

(3) A female officer who before January 1, 1996 is making contributions ascertained in accordance with subsection (1) may, on or before January 1, 1996 elect by notice in writing to make contributions in accordance with subsection (2).

(4) An election made under the preceding subsection shall be delivered to the Chairman of the Board and once made cannot be retracted.

(5) A female officer who does not make an election pursuant to subsection (3) shall continue to make contributions pursuant to subsection (1) and her entitlements under this Act shall be determined accordingly."

CHILDREN'S PENSIONS

6. (1) Paragraph (b) of subsection (1) of section 42 of the Principal Act is amended by deleting all words after the words "the rate of" and inserting in lieu thereof the words "six hundred and twenty four dollars per annum."

(2) Subsection (3) of section 42 of the Principal Act is amended by deleting all words after the words "the rate of" and inserting in lieu thereof the words "six hundred and twenty four dollars per annum."

(3) Paragraph (b) of subsection (1) of section 43 of the Principal Act is amended by deleting all words after the words "the rate of" and inserting in lieu thereof the words "six hundred and twenty four dollars per annum."

(4) Subsection (3) of section 43 of the Principal Act is amended by deleting all words after the words "the rate of" and inserting in lieu thereof the words "six hundred and twenty four dollars per annum."

5) Section 44 of the Principal Act is amended by deleting all words after the words "the rate of" and inserting in lieu thereof the words "six hundred and twenty four dollars per annum in respect of each child."

CONTRIBUTIONS BY THE REPUBLIC

7. (1) Subject to the following subsection, notwithstanding the provisions of Division 4 of Part 4 of the Principal Act, the Republic shall not be required to make any contributions to the Fund during the period July 1, 1994 to June 30, 1996 inclusive.

(2) The preceding subsection shall only apply if and to the extent to which the Fund has a surplus as reported by the report of the Actuary pursuant to section 18 sufficient that the amount which could be paid to the Republic by way of return of surplus contributions is equal to or greater than the contributions which would reasonably be expected to be payable by the Republic if there were no such surplus.

(3) If Cabinet makes any regulations for the distribution of a surplus from the Fund arising at June 30, 1994 or before June 30 1996, then any surplus which would otherwise be paid to the Republic shall be retained by the Fund in payment of contributions then owing by the Republic or which may reasonably be expected to be payable by the Republic to the Fund before June 30, 1996. Only if the Actuary appointed under section 18 certifies that the surplus which could be properly paid to the Republic would in his opinion exceed the reasonably foreseeable aggregate of all moneys payable by the Republic to the Fund before June 30, 1996 may an amount no greater than such excess be paid to the Republic by way of return of excess contributions.

I hereby certify that the above is a fair print of a Bill for an Act entitled Superannuation (Amendment) Act 1995, that has been passed by Parliament of Nauru and is now presented to the Speaker for his Certificate under Article 47 of the Constitution.



Clerk of Parliament
3rd October, 1995

Pursuant to Article 47 of the Constitution, I, PAUL D. JEREMIAH, Speaker of Parliament, hereby certify that the Superannuation (Amendment) Act 1995, has been passed by Parliament of Nauru



Speaker
3rd October, 1995