

# NATIONAL PROVIDENT FUND AMENDMENT BILL

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## EXPLANATORY NOTE

THIS Bill contains miscellaneous amendments to the National Provident Fund Act 1950.

*Clause 2* authorizes the establishment of imprest and other accounts in countries other than New Zealand where the Board may have funds.

*Clause 3* authorizes the Board to act as Sinking Fund Commissioner in respect of loans raised from the Board.

*Clause 4* authorizes the Superintendent to delegate his functions to public servants under his control.

*Clause 5* increases, from £6 to £10 a week, the limit of the amount of pension receivable by contributors to the Fund.

*Clause 6* gives a discretion to the Board as to the amount by which an incapacity allowance is to be reduced in cases where the income of the beneficiary during incapacity exceeds £6 a week.

*Clause 7* extends the right of Governments of British possessions in the Western Pacific to contribute to superannuation schemes under the principal Act on behalf of employees. At present that right is limited to persons employed in connection with hospitals and public hygiene.

*Clause 8* authorizes the Board to enter into agreements with International Organizations in respect of the superannuation of employees of the Organizations.

*Hon. Mr Fortune*

## NATIONAL PROVIDENT FUND AMENDMENT

### ANALYSIS

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1. Short Title.		6. Allowable income when incapacity benefit payable.
2. Authorizing accounts outside New Zealand.	outside	7. Extending power of Governments of Western Pacific possessions to contribute.
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### A BILL INTITULED

AN ACT to amend the National Provident Fund Act 1950. Title.

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

1. This Act may be cited as the National Provident Fund Amendment Act 1954, and shall be read together with and deemed part of the National Provident Fund Act 1950 (hereinafter referred to as the principal Act). Short Title. 1950, No. 55

2. (1) Section four of the principal Act is hereby amended by omitting from subsection one the words "to be kept at the Reserve Bank of New Zealand", and substituting the words "which, except as provided by subsection six of this section, shall be kept at the Reserve Bank of New Zealand": Authorizing accounts outside New Zealand.

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

“(6) With respect to moneys received in countries beyond New Zealand the following provisions shall apply:

“(a) Those moneys shall be paid into such accounts 5  
or banks as the Secretary to the Treasury determines from time to time, for credit to an imprest or other account to be operated on only by cheque signed by the Superintendent or by some person or persons appointed 10  
for that purpose by the Superintendent and, if the Controller and Auditor-General so directs, countersigned by or on behalf of the Audit Office:

“(b) Those moneys may be utilized for payments or 15  
expenditure authorized by this Act:

“(c) Those moneys may, with the approval of the Board, be placed on fixed deposit with any bank approved by the Secretary to the Treasury, or may be invested in securities 20  
of the Government of any country that is a member of the British Commonwealth of Nations issued under the authority of the Parliament or other legislative authority of that country and secured on the public 25  
revenues of that country, or in any other form of security wherein for the time being balances of the Public Account may be lawfully invested:

“(d) Accumulated balances not required for purposes 30  
specified in the foregoing provisions of this subsection may be remitted for credit of the National Provident Fund Account.

“(7) The Superintendent may from time to time pay 35  
from the National Provident Fund Account into any imprest or other account established under paragraph (a) of subsection *six* of this section such moneys as he in his discretion considers necessary to ensure that sufficient funds will be available in any such account to meet the payments and expenditure required to be made there- 40  
from.

“(8) For audit purposes all moneys referred to in subsection *six* of this section shall be deemed to be part of the National Provident Fund Account.”

3. Section six of the principal Act is hereby amended by adding the following subsection:

Board may be Sinking Fund Commissioner. See Reprint of Statutes, Vol. V, p. 381

5 “(6) Notwithstanding anything to the contrary in section forty-two of the Local Bodies’ Loans Act 1926 or in any other Act, it shall be competent for any local authority to appoint the Board as a sole Commissioner of the sinking fund of any loan raised from the Board or granted or advanced under the authority of this Act.”

10 4. The principal Act is hereby amended by inserting, after section eleven, the following section:

Delegation of powers by Superintendent. See Reprint of Statutes, Vol. VII, p. 522

15 “11A. (1) The Superintendent may from time to time, by writing under his hand, delegate to any person employed under the Public Service Act 1912 and subject to the control of the Superintendent all or any of the powers, functions, or duties conferred or imposed on the Superintendent by this Act.

20 “(2) Subject to any general or special directions given or conditions attached by the Superintendent, the person to whom any powers, functions, or duties are delegated under this section may exercise those powers or functions and carry out those duties in the same manner and with the same effect as if they had been conferred or imposed on him directly by this section and not by delegation.

25 “(3) Every person purporting to act pursuant to any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

30 “(4) Any delegation under this section may be made to a specified person or to persons of a specified class, or may be made to the holder or holders for the time being of a specified office or class of offices.

35 “(5) Every delegation under this section shall be revocable at will, and no such delegation shall prevent the exercise of any power or function or the carrying out of any duty by the Superintendent.

40 “(6) Every delegation made under this section shall, until it is revoked, continue in force according to its tenor, notwithstanding the fact that the Superintendent by whom it was made may have ceased to hold office, and shall continue to have effect as if made by his successor in office.”

Provision for increase of pension.

5. Section nineteen of the principal Act is hereby amended by omitting from subsection one the words "one hundred and twenty shillings", and substituting the words "two hundred shillings".

Allowable income when incapacity benefit payable.

6. Section twenty-five of the principal Act is hereby amended by omitting from subsection eight the words "by one shilling a week for every complete two shillings a week by which that income exceeds six pounds a week", and substituting the words "by such amount as the Board, in its discretion, thinks fit:

Provided that any such reduction shall not exceed one shilling a week for every complete two shillings a week by which that income exceeds six pounds a week."

Extending power of Governments of Western Pacific possessions to contribute.

7. Section sixty of the principal Act is hereby amended by omitting from subsection one the words "for purposes connected with hospitals or public hygiene".

International Organizations may become contributor on behalf of employees.

8. The principal Act is hereby amended by inserting, after section sixty, the following section:

"60A. (1) Any International Organization, may, by agreement with the Board, become a contributor to the Fund in respect of persons employed by the Organization.

"(2) The agreement may be made in the same manner and shall have the same effect as if the Organization were a local authority, and the provisions of this Part of this Act shall, as far as they are applicable and with the necessary modifications, apply accordingly.

"(3) For the purposes of this section, the term "International Organization" means the United Nations, or any specialized agency of the United Nations, or any other organization of an international nature of which the Government of New Zealand is a member."