



REPUBLIC OF NAURU

Superannuation Act 1966

As in force from 21 January 1998

This compilation comprises Ordinance No. 7 of 1966 as amended and in force from 21 January 1998 (being, at the time the compilation was prepared on 16 May 2011, the date of commencement of the most recent amendment).

The notes section at the end of the compilation includes a reference to the law by which each amendment was made. The Table of Amendments in the notes section sets out the legislative history of individual provisions.

The operation of amendments that have been incorporated in the text of the compilation may be affected by application provisions that are set out in the notes section at the end of the compilation.

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REPUBLIC OF NAURU

Superannuation Act 1966

An Act to provide Superannuation Benefits for Nauruans employed in the Public Service of Nauru and to make provision for their Families

PART I – PRELIMINARY

1 Short title

This Act may be cited as the *Superannuation Act 1966*.

2 Commencement

This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.¹

3 Parts

This Act is divided into Parts, as follows:

Part I – Preliminary (Sections 1 - 6).

Part II – The Superannuation Board (Sections 7 - 14).

Part III – The Superannuation Fund (Sections 15 - 18).

Part IV – Contributions.

Division 1 – Contributions by Officers (Section 19).

Division 2 – Scale of Units (Sections 20 – 23).

¹ Section 13 of, and the Schedule to, the *Superannuation (Amendment) Act 1998* combine to provide for the substitution of the word 'Cabinet' for all references in this Act to the Administrator. In the case of s.2, the amendment is anachronistic and is therefore not included in this compilation.

Division 3 – Scale of Contributions by Officers (Sections 24 – 26).

Division 4 – Contributions by the Republic (Section 27).

Division 5 – General Provisions as to Contributions (Sections 28 – 30).

Part V – Pensions and Benefits.

Division 1 – Retirement on Pension (Sections 31 - 35).

Division 2 – Grant of Pensions and Benefits (Sections 36 – 45).

Division 3 – Break-down Pensioners (Section 46 – 48).

Division 4 – General Provisions as to Pensions and Benefits (Sections 49 – 56).

Part VI – Miscellaneous (Sections 57 - 61).

4 Interpretation²

(1) In this Act, unless the contrary intention appears:

‘Approved Employer’ means an employer which has been approved by the Cabinet pursuant to section 26A.

² As to the expressions **‘Administrator in Council’** and **‘Territory’**:

(a) clause 86(3) of the *Constitution of Nauru* provides:

‘Subject to this Constitution, a reference in a law continued in force by clause (1) or (2) of Article 85 to the Administrator of the Territory of Nauru acting in accordance with the advice of the Executive Council of the Territory of Nauru shall, unless the context otherwise requires, be read as a reference to the Cabinet.’; and

(b) section 3 of the *Interpretation Act 1971* provides:

‘Unless the context otherwise requires or the subject or context is inconsistent with such amendment, the words “Territory of Nauru” or “Island of Nauru” shall, where they are used or appear in any written law, instrument or document in force or made at the date of commencement of this Act, be replaced from that date by the words “Republic of Nauru”.’.

Because the direction made by that section is not unconditional, no textual change to give effect to it is incorporated in this compilation.

In addition, s.13 of, and the Schedule to, the *Superannuation (Amendment) Act 1998* provide for replacement of the words **‘Administrator’**, **‘Ordinance’**, **‘Commissioner’** and **‘Administration’**, ‘in the Principal Act’ by the words ‘Cabinet’, ‘Act’, ‘Commissioner’ and ‘Administration’, respectively and for those words to be ‘deemed to have been so changed since 31 January 1968’. Since not all of those changes are compatible with the precise wording of this text to be amended, they are not incorporated in this compilation.

'contributor' means an officer who is, or has been, contributing under this Act to the Fund;

'distribution date' means a date when, pursuant to regulations made by Cabinet, excess moneys in the Fund were, by way of additional benefits or otherwise, allocated or distributed to then existing contributors;

'Employer' includes the Republic and an Approved Employer;

'minimum number of units' means:

- (a) in relation to a contributor whose contribution for units of pensions is less than one-tenth of his salary — a number of units of pension equal to the sum of the number of units for which he is contributing and the greatest number of additional units for which he could, if he were eligible, contribute without increasing his total contribution for units to an amount in excess of one-tenth of his salary; or
- (b) in relation to a contributor whose contribution for units of pension is not less than one-tenth of his salary — a number of units of pension equal to the number of his units, taking them into account in the order in which the obligation to contribute for them came into existence, for which his contribution does not exceed, in the aggregate, one-tenth of his salary;

'officer' means an officer or employee of an Employer;

'Salary', in relation to an officer or contributor, means his salary or wages, and includes:

- (a) any variation in his salary or wages made under subsection (2) of section twenty-seven of the *Public Service Ordinance 1961-1964*; and
- (b) any allowance payable to the officer or contributor by way of salary or wages, other than:
 - (i) an allowance in respect of duties that he is called upon to perform temporarily;
 - (ii) a fee allowed as an emolument of office; or
 - (iii) a bonus or overtime payment;

'service' means service in the Public Service of Nauru or employment by an Approved Employer and **'serve'** has a corresponding meaning;

'the Board' means the Nauru Superannuation Board established by this Act;

'the Fund' means the Superannuation Fund established by this Act.

- (2) A reference in this Act to the retirement of an officer upon his attaining the age of sixty years includes the case of an officer whose retirement takes place on the day before he attains that age.³
- (3) In this Act 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*.

5 Certain Nauruans to be deemed to be officers

- (1) Where:
- (a) a Nauruan, other than an officer, has been employed in the Public Service of Nauru for a continuous period of not less than three years (whether or not the whole or a part of that period is before the date of commencement of this Act) and the Chief Secretary certifies that the Nauruan's employment is likely to be continued for a further period of at least seven years; or
- (b) a Nauruan, other than an officer, is, at the date of commencement of this Ordinance, employed in the Public Service of Nauru and has been so employed for a continuous period of not less than ten years,

the Cabinet may, upon application by the Nauruan, declare, by notice in the Gazette, that the Nauruan shall, for the purposes of

³ Section 2(4) of the *Superannuation (Amendment) Act 1998* provides:
'Section 4(2) of the Principal Act is amended by deleting the words "the age of sixty five years" and inserting "a specified age";'.
That amendment is misdescribed and, accordingly, is not included in this compilation.

this Act, be deemed to be an officer for the duration of his service.

- (2) The Administrator shall not make a declaration under the last preceding subsection with respect to a Nauruan unless the Nauruan produces evidence to the satisfaction of the Cabinet that his health and physical fitness are such as to justify his being accepted as a contributor.

6 *[Repealed]*

PART II – THE NAURU SUPERANNUATION BOARD

7 Establishment of the Nauru Superannuation Board

- (1) There shall be a Nauru Superannuation Board, which shall consist of three members appointed by the Cabinet, one of whom shall be an actuary or person experienced in the investment of moneys and one shall be a person who is a contributor within the meaning of this Act elected by contributors.
- (2) The election of the member to be elected by contributors shall be conducted in such manner as the Cabinet, by notice in the Gazette, determines.
- (3) Subject to this Act, the member elected by contributors holds office for a period of three years from the date of his election and each of the other members holds office for such period, not exceeding three years, as is fixed by the Cabinet at the time of his appointment.
- (4) A member is eligible for re-appointment.
- (5) The Cabinet shall appoint one of the members to be the Chairman of the Board.
- (6) In the case of the illness or absence of a member of the Board, the Cabinet may appoint a person to be the deputy of that member during his illness or absence.

8 Incorporation of the Board

- (1) The Board:
 - (a) is a body corporate, with perpetual succession;

- (b) shall have a common seal;
 - (c) is capable of acquiring, holding and disposing of real and person property; and
 - (d) may sue and be sued in its corporate name.
- (2) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Board affixed to a document and shall presume that it was duly affixed.

9 *[Repealed]*

10 **Meetings of the Board**

- (1) Subject to the next succeeding subsection the Chairman shall convene a meeting of the Board, at least once in each year, and such other meetings as are, in his opinion, necessary for the efficient conduct of its affairs.
- (2) The Chairman shall, on receipt of a written request signed by another member of the Board, convene a meeting of the Board.
- (3) The Chairman shall preside at all meetings of the Board at which he is present and, in his absence, the member who is an actuary shall preside.
- (4) The Chairman shall, not later than thirty days before a meeting of the Board, notify the members in writing of the time and the place of such meeting.
- (5) A notice under the last preceding subsection may be given by telegram sent to the usual place of residence of the member.
- (6) If at the time and place fixed for a meeting of the Board, neither the Chairman nor the member who is an actuary is present, the meeting lapses.
- (7) At a meeting of the Board, two members constitute a quorum.
- (8) A question arising at a meeting of the Board shall be decided by a majority of the votes of the members present.
- (9) If at a meeting of the Board at which only two members are present the members cannot agree on a question, the question shall be decided on the casting vote of the member presiding at the meeting.

- (10) In the last three preceding subsections, a reference to a member shall be read as including a reference to the deputy of a member who attends a meeting during the illness or absence of a member.

11 Removal of members

The Cabinet may remove a member from office for inability, inefficiency or misbehaviour.

12 Resignation of members

- (1) A member may resign his office by writing under his hand addressed to the Cabinet.
- (2) A resignation under this section does not have effect until accepted by the Cabinet.

13 Delegation

- (1) The Board may, either generally or in relation to a matter or class of matters, by writing under its seal, delegate all or any of its powers and functions under this Act, except this power of delegation.
- (2) A power or function so delegated shall be exercised by the delegate in accordance with instrument of delegation.
- (3) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Board.

14 Reports

The Board shall, in each year, submit to the Minister a report dealing with the general administration and working of this Act.

PART III – THE SUPERANNUATION FUND

15 Establishment of the Fund

- (1) There shall be a Superannuation Fund into which shall be paid the contributions of officers and of the Republic under this Act and from which shall be paid payments in respect of benefits under this Act.

- (2) Income derived from the investment of moneys in the Fund shall form part of the Fund.

16 Investment of the Fund

- (1) Moneys in the Fund shall be invested by the Board:
- (a) in securities of the Commonwealth or Nauru Government Securities as defined by section 2 of the *Public Investments Act 1978*;
 - (b) in any other manner for the time being allowed by any Act of the Parliament of the Commonwealth, or of the Parliament of a State of the Commonwealth, for the investment of trust funds in Australia or by any written law of Nauru; or
 - (c) in any other manner approved by the Minister.
- (2) Moneys held uninvested by the Board shall be lodged on fixed deposit or on call with the Commonwealth Savings Bank or with any other Bank approved by the Minister.
- (3) Cheques drawn on the Board's account with a bank shall be signed as prescribed.

17 Audit of the accounts of the Fund

The Minister shall arrange for the inspection and audit of the accounts relating to the Fund.

18 Actuarial investigation.

- (1) The Board shall cause an investigation as to the state and sufficiency of the Fund to be made prior to the thirtieth day of June, One thousand nine hundred and seventy-one and within every five years thereafter; provided that the Board may, with the approval of the Minister, cause an investigation to be made within any lesser period.
- (2) Every such investigation made pursuant to subsection (1) of this section shall be made by an actuary appointed by the Minister and such actuary shall submit to the Minister a report on the result of his investigation.

PART IV – CONTRIBUTIONS

Division 1 – Contributions by Officers

19 Commencement and cessation of contributions

- (1) Subject to this Act, a Nauruan who is an officer at the date of commencement of this Act shall contribute to the Fund as from the date of commencement of this Act or, if that day is not a pay-day the next succeeding pay-day after that day.
- (2) Subject to this Act, a Nauruan who becomes an officer after the date of commencement of this Act or who is deemed to be an officer by virtue of a declaration under section 5 of this Act shall contribute to the Fund as from:
 - (a) where the Nauruan becomes an officer by virtue of an appointment on probation — the day immediately following the expiration of six months after the date of his appointment;
 - (b) where the Nauruan becomes an officer by virtue of an appointment, not being an appointment on probation — the day on which he becomes an officer; or
 - (c) where the Nauruan is deemed to be an officer by virtue of a declaration under section 5 of this Act — the day on which the declaration is notified in the Gazette;or, if the day referred to in paragraph (a), (b) or (c) is not a pay-day, the next succeeding pay-day after that day.
- (3) Subject to the next succeeding subsection, a contributor shall, in respect of a unit of pension, be liable to pay contributions until immediately after the last fortnightly payment before he ceases to be an officer or before the anniversary of his initial contribution in respect of that unit next preceding the attainment by him of the age of sixty years, whichever first happens.
- (4) In the case of a contributor whose initial contribution in respect of a unit of pension is made within twelve months before he attains the age of sixty years, twenty-six contributions at the fortnightly rate applicable to the contributor in respect of that unit shall be made before a pension in respect of superannuation as regards that unit becomes payable.

- (5) For the purposes of the last two preceding subsections, the initial contribution of a contributor in respect of any additional unit of pension shall be deemed to have been made on the date as from which the contribution became payable.
- (6) Where:
- (a) after, but as from a date before, the attainment by a contributor of the age of sixty years; or
 - (b) after, but as from a date before, the attainment by a pensioner of the age of sixty years, being a pensioner who retired on or after attaining that age,
- his salary is increased to such an amount that the number of units of pension ascertained in relation to him in accordance with the formula set out in subsection (2) of section 21 of this Act exceeds the number of units so ascertained immediately before the increase, the contributor or pensioner may elect to contribute for such number of additional units as does not exceed a number equal to the excess.
- (7) In respect of units of pension for which a contributor or pensioner elects to contribute under the last preceding subsection, twenty-six contributions at the fortnightly rate applicable to the age of sixty years shall be made before pension in respect of superannuation becomes payable and, upon payment of those contributions, pension becomes payable as from the date of retirement.

Division 2 – Scale of Units

20 Scale of units of pension

- (1) Subject to this Act, contributions required to be made by an officer shall be for units of pension.
- (2) Subject to this Act, a contributor is not eligible or required to begin to contribute for a unit of pension as from a date after he has attained the age of sixty years.
- (3) Any additional contribution payable by reason of an increase in the salary of a contributor is payable as from the date upon which his salary is increased, or as from the date as from which his salary is increased, whichever is the later, or, if that date is not a pay-day, as from the next following pay-day.

21 Number of units

- (1) Subject to this Act, the number of units for which a contributor is required to contribute to the Fund is such number of units as the member is, for the time being, required to contribute to the Fund in accordance with the succeeding provisions of this section.
- (2) An officer is, subject to the succeeding provisions of this section, required to contribute to the Fund for one unit of pension in respect of each Sixty dollars of his salary for the time being, disregarding any remainder of his salary that is less than Sixty dollars.
- (3) Where a person, on becoming a contributor, is required by the last preceding subsection to contribute for a number of units that is in excess of the minimum number of units in relation to him, he may, within six months after the date on which he became a contributor, elect not to contribute for one or more of those units not exceeding that excess and the number of units for which he is required to contribute shall, on and from the date on which he became a contributor, be reduced accordingly.
- (4) Where:
 - (a) the salary of a contributor is increased; and
 - (b) the contributor is, immediately before the increase by virtue of an election under this section, contributing for a number of units that is less than the number of units for which he would have been required to contribute but for that election,

the contributor is required, subject to the next following subsection, to contribute, as from the date of the increase, for a number of additional units of for which he would have been required to contribute if he had not made the election.

- (5) Where:
 - (a) a contributor by reason of an increase in his salary is required by virtue of subsection (2) to contribute for an additional unit or additional units of pension; and
 - (b) the sum of the number of units for which he was contributing immediately before the increase in his salary and the number of additional units for which he is so required to contribute after the increase in his salary is in excess of the minimum number of units in relation to him,

he may, within six months after the date on which he was required to contribute for the additional unit or those additional units, elect not to contribute for the additional unit or for some or all of those additional units and the number of units for which the contributor is required to contribute to the Fund shall, on and from the date on which his salary is increased, be reduced accordingly.

- (6) The last preceding subsection does not authorise a contributor to make an election that would result in the number of units for which he is required to contribute being less than the minimum number of units in relation to him.
- (7) Where:
- (a) the salary of a contributor is increased;
 - (b) the number of units for which he was contributing before the increase is less than the number of units for which he could, but for an election under this section, have been required to contribute under this section before the increase; and
 - (c) the contributor has not made an election under subsection (5) of this section as a result of the increase in salary,

the contributor may, within six months after the date on which his salary was increased, elect to contribute for such number of additional units of pension as does not exceed the difference between the two numbers referred to in paragraph (b) of this subsection, and, if the contributor satisfies the Board that he is not suffering from any physical or mental defect likely to render him incapable of performing his duties before attaining the age of sixty years, the number of units for which the member is required to contribute to the Fund shall, on and from the date on which the Board is so satisfied, be increased accordingly.

- (8) Where a contributor makes an election under subsection (5) or (7) of this section as a result of an increase in salary, and subsequently purports to make an election under the other of these subsections as a result of the same increase in salary, the election made under the other subsections shall be deemed not to have been made.

22 Contributor reduced in salary

- (1) Where the salary of a contributor is reduced to such an amount that the number of units of pension ascertained in relation to him

in accordance with the formula set out in subsection (2) of section 21 of this Act is less than the number of units so ascertained immediately before the reduction, the contributor may elect to reduce the number of units of pensions for which he shall contribute to a number of units not less than the first-mentioned number of units or the minimum number of units in relation to the contributor, whichever is the greater.

- (2) An election under this section does not have effect so as to terminate the liability of a contributor to contribute for a unit of pension the obligation to contribute for which came into existence on a particular date unless it also has such effect with respect to every unit of pension the obligation to contribute for which came into existence after that date.

23 Refund of contributions consequent upon an election

Where a contributor makes an election under either subsection (3) or subsection (5) of section 21 of this Act or the last preceding section, any contributions paid by him with respect to a unit of pension to which the election relates or with respect to which the election has effect shall be refunded to him from the Fund.

Division 3 – Scale of Contributions by Officers

24 Amount of contribution by officers

- (1) Subject to this Division the amount of the contribution by an officer in respect of a unit is an amount ascertained in accordance with the Table of contributions set out in the Schedule, if a male in accordance with column 4 and if female in accordance with column 5, and having regard to the age of the contributor at the date when the obligation to contribute for that unit comes into force.
- (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.

25 Contributions by officers aged sixty years or more at the commencement of this Act

- (1) Subject to the next succeeding section, the amount of the contribution required to be made by an officer who is, at the date of commencement of this Act, sixty years of age or more is an amount to be determined by the Board in his case.
- (2) An amount determined under the last preceding subsection shall, for the purpose of ascertaining the contribution to be paid for each of the units of pension to which the amount relates, be deemed to be allocated equally amongst those units.
- (3) In addition to the amount determined in accordance with subsection (1) of this section, an officer shall pay to the Fund an amount of Sixty-five cents in respect of one of his initial units.
- (4) The Board shall determine, in respect of the units for which it makes a determination under subsection (1) of this section, the amount which, for the purposes of section 36 of this Act, is the unit of pension.

26 Contributions by officer serving at commencement of Act

- (1) An officer who is required to contribute to the Fund as from the date of commencement of this Act and whose contributions but for this section would exceed one tenth of his salary at that date may within three months after that date, elect to pay as contribution for the units of pensions for which he is required to contribute having regard to his salary at that date an amount specified by him in his election, being an amount not less than one tenth of his salary at that date but less than the amount that, but for the election, he would be required to pay as contribution under either of the last two preceding sections.

- (2) An amount specified in an election under the last preceding subsection shall, after allocating the amount of Two cents per fortnight to one of the contributor's initial units be deemed to be allocated equally amongst those units.

26A Approved Employer

- (1) Cabinet may at any time upon the recommendation of the Board admit to the Fund an employer (whether corporate or not) to be an Approved Employer.
- (2) The terms and conditions under which an employer becomes an Approved Employer shall be such as the Cabinet approves following the recommendation of the Board and the advice of the actuary.

Division 4 – Contributions by the Republic⁴

27 Contributions by Republic

- (1) Subject to the next succeeding subsection the Republic shall pay to the Fund in each fortnight in respect of each unit for which contribution is payable by a contributor for that fortnight, a contribution equal to two and one-half times the amount shown in column 4 or column 5, as the case may be, of the table in the Schedule to this Act opposite to the age set out in the first column of that table that corresponds to the age next birthday of the contributor when the obligation to contribute for the unit came into existence.

⁴ Section 7 of the *Superannuation (Amendment) Act 1995* provides:

'(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 June30, 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.'

- (2) Where the Board makes a determination in respect of an officer under section 25 of this Act, the Board shall also determine the amount of contribution which shall be paid to the Fund by the Republic, and the Republic shall pay to the Fund the contribution so determined.
- (3) The Treasury Fund is appropriated to the extent necessary for the purposes of the last two preceding subsections.

Division 5 – General Provisions as to Contributions

28 Contributors on leave

A Contributor who is on leave of absence, either with or without pay, shall pay his contributions during or in respect of the period of leave, as for a period of service, without reduction.

29 Manner of payment of contributions

- (1) Subject to this section, the contributions of contributors shall be deducted from their salaries at each payment of salaries, and shall be paid to the Board.
- (2) Where a contributor is on leave of absence, either without pay or at less than full pay, the Board may, upon the application of the contributor, permit the contributions falling due during his absence to be paid by him in such smaller sums, and at such periods, as the Board approves.

30 Determination of Salary

- (1) For the purposes of this Part, other than the last preceding section, the salary of an officer or contributor shall be taken to be his annual salary.
- (2) In ascertaining the annual salary of an officer or contributor for the purposes of this section:
 - (a) subject to the next succeeding paragraph, if the officer or contributor is not receiving remuneration at the maximum rate applicable to his office or position, he shall be deemed to be receiving remuneration at that maximum rate; and
 - (b) if the officer or contributor has not attained the age of twenty-one years and occupies an office or position in respect of which the remuneration varies according to the

age of the occupant, the last preceding paragraph does not apply, but, in the case of such an officer or contributor who has not attained the age of twenty years, he shall be deemed to be receiving remuneration at the rate that would be applicable to him if he were twenty years of age.

30A Approved Employers – employee entitlements

Where an employee of an Approved Employer becomes a contributor under this Act, the Board shall, after receiving advice from an appointed actuary, decide on or before the day on which the contributor first contributes to the Fund:

- (a) whether and to what extent any contributions made by the officer or the Approved Employer to any superannuation fund established by the Approved Employer for the benefit of the officer, must be transferred into the Fund in respect of that officer;
- (b) whether and to what extent the officer shall be entitled to receive any entitlements under this Act in relation to contributions made by the officer in relation to the period of service with the Approved Employer.

PART V – PENSIONS AND BENEFITS

Division 1 – Retirement on Pension

31 Retirement at age sixty

- (1) Subject to subsection (2), a contributor:
 - (a) may retire on attaining the age of sixty years; and
 - (b) must retire on attaining the age of sixty five years.
- (2) Where a contributor is a police officer governed by the *Nauru Police Force Act 1972*, the contributor must retire at the age specified from time to time in, or as permitted in accordance with, the *Nauru Police Force Act 1972*.
- (3) Every contributor is entitled to receive a lump sum amount or a pension on retirement.

- (4) A contributor referred to in subsection (3) may, within three months or such longer period as the Board approves, after the date of the contributor's entitlement, elect to receive payment under subsection (3) either in the form of a lump sum or a pension.
- (5) If the contributor does not make an election in accordance with the last preceding subsection, the Board shall determine in which form payment shall be made

32 Breakdown retirement

A contributor who is retired on the grounds of invalidity or of physical or mental incapacity to perform his duties is entitled to a pension.

33 Retrenchment and discharge

- (1) The compulsory termination of the service of a contributor who, at any time after 1 December 1976, has been required to resign in order to avoid the application of Article 18 (3), any law made pursuant to Article 31 (e), or any other law or convention, affecting the right of a member of Cabinet, a member of parliament or the Speaker, to remain an officer, or whose service is terminated for the reason his service or position is not necessary, or for the reason that the work for which he is engaged is finished, or for the reason that the quantity of work has diminished and has rendered necessary a reduction in the number of persons required to do it:
 - (a) shall, for the purposes of this Act, be deemed to be 'retrenchment', if the contributor has served for not less than ten years continuously; and
 - (b) shall, for the purposes of this Act, be deemed to be 'discharge', if the contributor has served for less than ten years continuously.
- (2) For the purposes of this Act, a police officer who retires on completion of the period of service referred to in subsection (2) of section 8 of the *Nauru Police Force Act 1972* shall be deemed, whether or not he has served for ten years or more continuously, to be retrenched on the date on which he retires.
- (3) A person seeking a benefit under subsection (1) on the basis of his having had to so resign must apply in person to the Board and the decision of the Board shall be final.

34 Dismissal

Compulsory termination of the service of a contributor, however expressed, other than:

- (a) retirement on pension as provided in this Act;
- (b) retirement through invalidity or physical or mental incapacity; or
- (c) retrenchment or discharge,

shall, for the purposes of this Act, be deemed to be dismissal.

35 Resignation

Voluntary termination of service, however expressed, by a contributor who is not entitled to retire on pension shall be deemed to be resignation.

Division 2 – Grant of Pensions and Benefits

36 Pension Units

- (1) Subject to this Act, the unit of pension is Forty-five dollars per annum.
- (2) A unit of pension the contribution for which was the subject of an election under section twenty-six of this Act is an amount equal to the sum of Twenty-six dollars and an amount that bears the same proportion to Ten dollars forty cents as the amount of fortnightly contribution paid for the unit bears to the amount that the person making the election would have been required to pay as fortnightly contribution for the unit but for the election.

37 Amount of pension on retirement

Subject to this Act, a contributor is entitled to receive a payment under section 31 (3) of this Act, which, if a pension, is to be calculated according to the number of units in respect of which the contributor has paid contributions, and if a lump sum, is to be an amount equal to the contributions which have been paid or deemed to have been paid under this Act by the contributor plus an amount equal to the amount of the contributions in respect of the contributor paid or deemed to have been paid to the Fund by the Employer under section 27 and the amount, if

any, transferred into the Fund in respect of the contributor pursuant to section 30A.

38 Retirement from invalidity

Subject to this Act, where a contributor is retired on the ground of invalidity or physical or mental incapacity to perform his duties, the contributor is:

- (a) if the invalidity or incapacity is not due to wilful action on his part for the purpose of obtaining pension — entitled to receive a pension according to the number of units for which he was contributing at the time of his retirement; or
- (b) if the invalidity or incapacity is due to wilful action on his part for the purpose of obtaining pension — entitled to receive an amount equal to the amount of the contributions paid by him to the Fund.

39 Payment on retrenchment

- (1) A contributor who is retrenched is entitled to receive an amount equal to three and one half times the sum of the contributions paid by him to the Fund.
- (2) A contributor referred to in the last preceding subsection may, within three months or such longer period as the Board approves after the date of his retrenchment, elect to receive payment under this section either in the form of a lump sum or as a pension.⁵
- (3) If the contributor does not make an election in accordance with the last preceding subsection, the Board shall determine in which form payment to him shall be made.
- (4) Where a contributor who has received, or is receiving, benefit under this section again becomes or is deemed for the purposes of this Act to be, an officer, the number of units of pension for which he would otherwise be entitled or required to

⁵ Section 6 of the *Superannuation (Amendment) Act 1973* provides:
'For the purposes of subsection (2) of section 39 of the principal Act, a police officer who has retired before the certification of this Act on completion of the period of service referred to in subsection (2) of section 8 of the *Nauru Police Force Act 1972* shall be deemed to have been retrenched on the date of that certification.'

contribute shall be reduced by a number equal to the number of units of pension that are certified by an actuary appointed by the Board to be equivalent to the benefit that he has received, or has received and is entitled to receive, under this section.

40 *[Repealed]*

41 **Refunds of contributions on resignations, discharge or dismissal**

- (1) Where a contributor resigns (other than a contributor referred to in the last preceding section) or is discharged or dismissed, there shall be paid to him an amount equal to the amount of the contributions paid by him to the Fund.
- (2) Where a person referred to in the last preceding subsection again becomes, or is deemed for the purposes of this Act to be, an officer, he shall contribute to the Fund as required by this Act but is not entitled to claim any further benefit in respect of his previous service.
- (3) On and after 1 January 1998, there shall be paid to a contributor who resigns, but not one who is discharged or dismissed, an amount in addition to that paid pursuant to subsection (1) and determined according to regulations made by Cabinet after consultation with the Board and the actuary.

42 **Pension to widow and children on death of contributor**

- (1) Subject to this Act, on the death of a male contributor before retirement, pension is payable to his widow, as follows:
 - (a) during her own life, five-eighths of the pension for which her husband was contributing at the time of his death; and
 - (b) in respect of each of her or the contributor's children (except children of her re-marriage) who are under the age of sixteen years, a pension at the rate of six hundred and twenty four dollars per annum.
- (2) A pension payable to a widow under paragraph (a) of the last preceding subsection ceases to be payable on her re-marriage.
- (3) On the death of a widow to whom a pension in respect of a child is payable under paragraph (b) of subsection (1) of this section, there is payable to the guardian of the child, in respect of the child, a pension at a rate equal to the sum of the rate specified

in that paragraph and the rate of six hundred and twenty four dollars per annum.

43 Pension to widow and children on death of pensioner

- (1) Subject to this Act, on the death of a male pensioner, pension is payable to his widow, as follows:
 - (a) during her own life, five-eighths of the pension payable to her husband at the time of his death; and
 - (b) in respect of each of her or the pensioner's children (except children of her re-marriage) who are under the age of sixteen years, a pension at the rate of six hundred and twenty four dollars per annum.
- (2) A pension payable to a widow under paragraph (a) of the last preceding subsection ceases to be payable on her re-marriage.
- (3) On the death of a widow to whom a pension in respect of a child is payable under paragraph (b) of subsection (1) of this section, there is payable to the guardian of the child, in respect of the child, a pension at a rate equal to the sum of the rate specified in that paragraph and the rate of six hundred and twenty four dollars per annum.
- (4) Where a pensioner who marries after his retirement dies leaving a widow or children of the marriage, a pension is not payable under this section to the widow or in respect of any of the children.

44 Pension to orphan on death of contributor or pensioner

On the death of a male contributor, or of a male pensioner, whose wife is dead or divorced and who leaves children of himself or of his wife (except children of her re-marriage) who are under the age of sixteen years and who were dependent upon him at the date of his death, there shall be paid to the guardian of the children, to be used for their support and education, pension at the rate of six hundred and twenty four dollars per annum in respect of each child.

45 Refund of contributions on death of unmarried contributor

Where an unmarried contributor, other than a contributor referred to in the last preceding section, dies before retirement, there shall be paid to the personal representative of the contributor or, if there is no such representative, to such person

(if any) as the Board determines, an amount equal to the amount of the contributions paid by the contributor to the Fund plus an amount equal to the amount of the contributions paid or deemed to have been paid to the Fund by the Employer under section 27 and the amount, if any, transferred into the Fund pursuant to section 30A, in respect of the contributor.

Division 3 – Break-down Pensioners

46 Break-down pensioners deemed to be on leave

- (1) A pensioner who is in receipt of a pension under section 38 of this Act shall, for the purposes of this Act, be deemed to be on leave of absence without pay, but shall not be required to contribute in respect of the period of that leave.
- (2) If a person referred to in the last preceding subsection again becomes employed in the Public Service of Nauru, the period during which he was deemed to be on leave of absence without pay shall not, for the purpose of this Act, be deemed to be a break in the continuity of his service.

47 Medical examination of pensioner who was retired because of invalidity

- (1) The Board may, by notice in writing to a person who has been retired on pension under section 38 of this Act, require that person:
 - (a) to submit himself for medical examination by a medical practitioner nominated by the Board at a time and place specified in the notice; or
 - (b) to furnish in writing to the Board, within such period as is specified in the notice, such information as is required by the notice with respect to any employment (whether as an employee or on his own account) in which the person has been engaged during such period as is specified in the notice.
- (2) A notice to a person under the last preceding subsection may be given by delivering it to him personally or by sending it by post addressed to him at his address last known to the Board.
- (3) Where a person fails to comply with a notice given to him under this section and does not satisfy the Board that there was a reasonable excuse for the failure, the Board may suspend the person's pension.

- (4) Where the Board suspends a person's pension under this section because of the person having failed to comply with a notice requiring him to submit himself for medical examination, his pension is not payable in respect of the period that commenced on the day on which he was required by the notice to submit himself for examination, and ends on the day immediately preceding the day on which he submits himself for medical examination at a time and place approved by the Board.
- (5) Where the Board suspends a person's pension under this section by virtue of the person having failed to comply with a notice requiring him to furnish information to the Board, his pension is not payable in respect of the period that commenced upon the expiration of the period within which he was required by the notice to furnish the information and ends on the day immediately preceding the day on which he furnished the information to the Board.
- (6) The cost of any medical examination carried out for the purposes of this section shall be treated as part of the cost of the administration of this Act.

48 Recovery of health pensioner who was retired because of invalidity, etc.

- (1) If, in the opinion of the Board, the health of a pensioner in receipt of a pension under section 38 of this Act has become so restored as to enable the pensioner to perform duties that, in the opinion of the Board, are suitable to be performed by the pensioner having regard to the duties performed by the pensioner immediately before his retirement, the Board shall, subject to subsection (4) of this section request the Republic to offer to the pensioner suitable employment in the Public Service of Nauru.
- (2) If suitable employment is offered to the pensioner by the Republic at a salary not less than two-thirds of his salary at the time of his retirement or at such salary as is agreed upon between him and the Republic, the Board shall cancel his pension.
- (3) In the event of the recurrence of his infirmity, a person, who has been re-employed by the Republic under this section is entitled to pension at a rate not less than the rate of his previous pension immediately before he was re-employed.

- (4) If a pensioner referred to in subsection (1) of this section is a married woman, the Board shall cancel her pension.

Division 4 – General Provision as to Pensions and Benefits

49 Desertion by pensioner of wife and children

- (1) Where a pensioner deserts his wife or leaves her without means of support, the wife may, from time to time, apply to a court of summary jurisdiction and, on proof that the wife has been deserted or left without means of support, the court may order the payment to the wife, during such period as it thinks desirable, of pension under section 43 of this Act as if the pensioner were dead.
- (2) Where a pensioner whose wife is dead or divorced deserts or leaves without means of support any children of himself or of his wife (except children of her re-marriage) who are under the age of sixteen years and who are dependent on him the guardian of the children or the Board may, from time to time, apply to a court of summary jurisdiction and, on proof that any such child has been deserted or left without means of support, the court may order the payment to the guardian of the child, during such period as it thinks desirable, of pension under section 44 of this Act in respect of the child, as if the pensioner were dead.
- (3) The Board shall comply with any order made under this section and the amount of pension payable to the pensioner shall be reduced by the amount of pension payable in pursuance of the order.

50 Imprisonment of pensioner

- (1) Where a male pensioner is sentenced to imprisonment for any period exceeding one month, he shall not be paid pension during the period of his imprisonment and the Board, if it thinks fit, may:
- (a) if he has a wife — pay to the wife during that period pension in accordance with section 43 of this Act, as if the pensioner were dead; or
- (b) if his wife is dead or divorced and there are children of the pensioner or of his wife (except children of her re-marriage) who are under the age of sixteen years and who are dependent on the pensioner — pay to the guardian of any such child during that period pension in accordance

with section 44 of this Act in respect of the child, as if the pensioner were dead.

51 Mental illness of a pensioner

- (1) Where a male pensioner is detained as a patient in a hospital for the mentally ill, the Board may, if it thinks fit, pay the whole or any part of his pension during the period of his detention to his wife or, if his wife is dead or divorced to some other person for the benefit of any children of the pensioner or of his wife (except children of her re-marriage) who are under the age of sixteen years, in such proportions as the Board think fit.

52 Payments in respect of children

Notwithstanding anything contained in this Act, pension payable in respect of a child may, if the Board thinks fit, be expended by the Board for the benefit of the child.

53 Pensions payable for life, etc.

- (1) Except where otherwise provided in this Act, a pension is payable during the life of the pensioner.
- (2) A pension in respect of a child is payable until the child attains the age of sixteen years or dies, whichever first occurs.

54 Instalment of pension

- (1) Pension shall be paid in fortnightly instalments.
- (2) In order to ascertain the amount of an instalment of pension covering a period of a fortnight the annual amount of the pension shall be divided by twenty-six.

55 Payment of pensions otherwise than to pensioners

Where, in the opinion of the Board, a payment of pension, a refund of contributions or other benefit under this Act should be made to a person other than the pensioner or beneficiary, the Board may, subject to this Act, authorise payment to that person accordingly.

56 Commencement of pension or benefit

Subject to this Act, where an officer becomes liable to contribute for a unit of pension, he shall be deemed to be a contributor for that unit as from the date when he became liable to contribute but, if any pension or benefit becomes payable to or in respect of that contributor before he has commenced to make contributions, there shall be deducted from the first payment of pension or benefit such contributions as are due by him for that unit or, if a pay-day has not occurred before the pension or benefit becomes payable, one fortnightly contribution.

PART VI – MISCELLANEOUS

57 Board may require information to be furnished

- (1) The Board may, at any time, require a contributor or pensioner to furnish such information as the Board deems necessary for the purpose of any investigation in connexion with the Fund.
- (2) A person shall not, without reasonable excuse (proof whereof shall lie upon him), fail to furnish any information that he is required to furnish under this section.

Penalty: Twenty dollars.

58 Assignment of pension

- (1) Pensions and other benefits under this Act shall not be in any way assigned or charged or passed by operation of law to any person other than the pensioner or beneficiary, and any moneys payable out of the Fund on the death of a contributor, pensioner or beneficiary shall not be assets for the payment of his debts or liabilities.
- (2) Nothing in this section prevents the making of an order in the nature of a garnishee order against an instalment of pension payable to a person who has been, or has been deemed for the purposes of this Act to be, an officer.

59 Elections

- (1) An election under this Act shall be made in writing.
- (2) Notwithstanding anything contained in this Act, where an election is made before the commencement or after the

expiration, of the prescribed period and the Board is satisfied that:

- (a) hardship would accrue to the officer or his dependants if the election were not recognized; and
- (b) in all the circumstances of the case it is desirable that the election should be recognized,

the Board may recognize the election as if it had been made within the prescribed period.

- (3) In the event of the retirement of an officer on the ground of invalidity or physical or mental incapacity to perform his duties within one year after the recognition under the last preceding subsection of an election made after the expiration of the prescribed period, the officer shall, if the election was to contribute for a unit of pension, be entitled to a refund of the contributions paid for that unit, but shall not be entitled to any further payment in respect of that unit.

- (4) Where:

- (a) it is provided by this Act than an election may be made by an officer;
- (b) a person purports to make the election after he ceases to be an officer; and
- (c) the Board is satisfied that:
 - (i) hardship would accrue to that person or to his dependants if the election were not recognized; and
 - (ii) in all the circumstances of the case it is desirable that the election should be recognized,

the Board may recognize the election as if it had been made before the person ceased to be an officer and, in the case of an election that is required to be made within a prescribed period, as if it had been made within that period.

60 Refund of contributions by the Republic

- (1) Where a contributor makes an election under either subsection (3) or subsection (5) of section 21 of this Act or under section 22 of this Act, an amount equal to the sum of the contributions paid by the Republic to the Fund in respect of the unit, or each unit, of pension to which the election relates or with respect to which

the election has effect shall be refunded to the Republic from the Fund.

(2) Where an amount equal to the amount of the contributions paid by a contributor to the Fund:

(a) is paid to the contributor under section 41 of this Act upon the resignation, discharge or dismissal of the contributor;
or

(b) *[deleted]*

an amount equal to the sum of the contributions paid by the Republic to the Fund in respect of each unit of pension for which the contributor was contributing immediately before his resignation, discharge, dismissal or death, as the case may be, shall be refunded to the Republic from the Fund.

60A Benefits to persons who have resigned

(1) A person who was a contributor and resigned from the Public Service on or after 1 July 1984 having served not less than 5 years continuous service, may make application to the Board for payment to him or her of an amount which is to be determined as provided herein.

(2) An application as aforesaid must:

(a) be made and signed by the applicant in person;

(b) be accompanied by sufficient detail concerning the applicant's employment to establish his or her entitlement, if any; and

(c) be made in a form approved by the Minister for the purpose.

(3) An applicant whom the Board is satisfied had at the time of resignation been continuously employed in the Public Service for 5 years or more and who has not previously received any benefit from the distribution made in respect of the applicable distribution date, shall be entitled to a payment calculated from the date of the applicant's resignation to the distribution date next following and in accordance with regulations made by Cabinet after consultation with the Board and the actuary, which regulations must seek to place persons entitled to make application under this section in as close as reasonably possible a financial position which is no better and no worse than they

would have been had they resigned on the day following the applicable distribution date, but without regard to the time elapsed after the applicable distribution date.

- (4) The regulations made according to the previous subsection shall differentiate between persons employed for more than 5 years but less than 10 years, those employed for more than 10 years but less than 15 years, and those employed for 15 years or more.

61 Regulations

The Administrator in Council⁶ may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act, and, in particular, prescribing penalties not exceeding One hundred dollars for offences against the regulations.

⁶ Section 13 of, and the Schedule to, the *Superannuation (Amendment) Act 1998* combine to provide for the substitution of the word 'Cabinet' for all references in this Act to the Administrator. In the case of s.61, the amendment is inconsistent with the context and is therefore not included in this compilation.

SCHEDULE

Section 24

Table of Contributions
(Cents)

Column 1	Column 2	Column 3	Column 4	Column 5
Age	'Old' Rates		'New' Rates	
	Male	Female	Male	Female
15	8	6	4	2
16	8	6	4	2
17	8	6	4	2
18	8	7	4	2
19	9	7	4	2
20	9	7	5	2
21	10	7	5	3
22	10	8	5	3
23	11	8	5	3
24	11	9	5	3
25	12	9	6	3
26	12	10	6	4
27	13	10	7	4
28	13	11	7	4
29	14	12	7	5
30	14	12	8	5
31	15	13	8	5
32	16	14	9	6
33	17	15	10	6
34	18	15	10	7
35	19	16	11	7
36	20	17	12	8
37	21	18	13	9
38	22	19	14	10
39	23	21	15	11
40	25	22	16	12
41	26	24	17	13
42	28	25	19	14
43	30	27	21	16
44	33	29	23	18
45	35	31	25	20
46	38	34	27	22
47	42	38	30	25
48	46	42	34	28
49	51	46	38	32
50	57	52	43	37
51	64	59	49	43
53	73	68	57	51
54	86	80	68	62
55	104	97	83	77
56	130	122	106	100
57	174	164	145	138
58	261	245	224	215
59	517	475	461	445
60	538	512	500	475

Notes for the Superannuation Act 1966

Tables of Constituent Legislation

Ordinances

Citation	Number	Made	Gazettal	Commencement
<i>Superannuation Ordinance 1966</i>	1966/07	11.07.1966	18.07.1966	02.09.1966 (GN 256/1966)
<i>Ordinances Revision Ordinance 1967</i>	1967/25	29.12.1967	29.12.1967	29.12.1967 (GN 316/1967)

Acts

Short title	Number	Certification	Commencement
<i>Superannuation Act 1968</i>	1968/12	08.11.1968	unknown
<i>Superannuation Amendment Act 1970</i>	1970/08	11.09.1970	11.09.1970
<i>Superannuation (Amendment) Act 1973</i>	1973/16	08.11.1973	08.11.1973*
<i>Public Investments Act 1978</i>	1978/11	20.12.1978	20.12.1978
<i>Superannuation (Amendment) Act 1991</i>	1991/02	25.03.1991	25.03.1991
<i>Superannuation (Amendment) Act 1995</i>	1995/04	03.10.1995	03.10.1995 (except ss. 3 and 4)
<i>Superannuation (Amendment) Act 1998</i>	1998/01	21.01.1998	21.01.1998

* Section 3 of the *Superannuation (Amendment) Act 1973* provides:

'The amendment of section 21 of the principal Act made by section 2 of this Act shall be deemed to have been made on 1st September, 1971, and shall have effect accordingly.'

Section 5 of the *Superannuation (Amendment) Act 1973* provides:

'The amendment of section 33 of the principal Act made by section 4 of this Act shall be deemed to have been made on 1st September, 1971, and shall have effect accordingly.'

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Long title	Am. by Act 1998/01.
Section 1	Citation rs. by Act 1998/01. Am. by Act 1998/01.
Section 3	Am. by Ord. 1998/01.
Section 4	Subs. (1) am. by Act 1998/01. Subs. (2) am. by Act 1998/01.

Superannuation Act 1966

Provision affected	How affected
	Subs. (3) ad. by Act 1995/04; am. by Act 1998/01.
Section 5	Subs. (1) am. by Act 1998/01. Subs. (2) am. by Act 1998/01.
Section 6	Rep. by Act 1995/04.
Section 7	Subs. (1) am. by Act 1968/12. Subs. (2) rs. by Act 1968/12. Subs. (3) rs. by Act 1968/12. Subs. (4) rs. by Act 1968/12. Subs. (5) rs. by Act 1968/12. Subs. (6) rs. by Act 1968/12. Subs. (7) rep. by Act 1968/12. Subs. (8) rep. by Act 1968/12.
Section 9	Rep. by Act 1968/12.
Section 11	Am. by Act 1968/12.
Section 12	Subs. (1) am. by Act 1968/12. Subs. (2) am. by Act 1968/12.
Section 13	Subs. (1) am. by Ord. 1967/25, Act 1998/01.
Section 14	Am. by Act 1998/01.
Section 15	Subs. (1) am. by Act 1998/01.
Section 16	Subs. (1) am. by Act 1978/11.
Section 18	Rs. by Act 1970/08.
Section 19	Subs. (1) am. by Act 1998/01. Subs. (2) am. by Act 1998/01. Subs. (6) am. by Act 1998/01.
Section 20	Subs. (1) am. by Act 1998/01. Subs. (2) am. by Act 1998/01.
Section 21	Subs. (1) am. by Act 1998/01. Subs. (4) am. by Act 1973/16. Subs. (5) am. by Act 1973/16.
Section 22	Subs. (1) am. by Act 1998/01.
Section 23	Am. by Act 1998/01.
Section 24	Rs. by Act 1991/02. Subs. (1) renumbered by Act 1995/04. Subs. (2) ad. by Act 1995/04. Subs. (3) ad. by Act 1995/04. Subs. (4) ad. by Act 1995/04. Subs. (5) ad. by Act 1995/04.
Section 25	Heading am. by Act 1998/01. Subs. (1) am. by Act 1998/01. Subs. (4) am. by Act 1998/01.
Section 26	Heading am. by Act 1998/01. Subs. (1) am. by Act 1998/01.

Superannuation Act 1966

Provision affected	How affected
Section 26A	Ad by Act 1998/01.
Section 27	Heading am. by Act 1998/01. Subs. (1) am. by Act 1991/02, Act 1998/01. Subs. (2) am. by Act 1998/01. Subs. (3) am. by Act 1998/01.
Section 30A	Ad. by Act 1998/01.
Section 31	Rs. by Act 1998/01.
Section 33	Subs. (1) renumbered by Act 1973/16; am. by Act 1998/01. Subs. (2) ad. by Act 1973/16. Subs. (3) ad. by Act 1998/01.
Section 34	Am. by Act 1998/01.
Section 36	Subs. (1) am. by Act 1991/02, Act 1998/01 Subs. (2) am. by Act 1998/01..
Section 37	Rs. by Act 1998/01.
Section 38	Am. by Act 1988/01.
Section 39	Subs. (4) am. by Act 1998/01.
Section 40	Rep. by Act 1998/01.
Section 41	Subs. (2) am. by act 1998/01.Subs. (3) ad. by Act 1998/01.
Section 42	Subs. (1) am. by Act 1995/04, Act 1998/01. Subs. (3) by Act 1995/04.
Section 43	Subs. (1) am. by Act 1995/04, Act 1998/01. Subs. (3) am. by Ord. 1967/25, Act 1995/04.
Section 44	Am. by Act 1995/04.
Section 45	Am. by Act 1998/01.
Section 46	Subs. (1) am.by Act 1998/01. Subs. (2) am.by Act 1998/01.
Section 47	Subs. (1) am.by Act 1998/01. Subs. 6) am.by Act 1998/01.
Section 48	Subs. (1) am. by Act 1998/01. Subs. (2) am. by Act 1998/01. Subs. (3) am. by Act 1998/01.
Section 49	Subs. (1) am.by Act 1998/01. Subs. (2) am.by Act 1998/01.
Section 50	Subs. (1) am.by Act 1998/01. Subs. (2) rep. by Act 1998/01.
Section 51	Subs. (2) rep. by Act 1998/01.
Section 52	Am. by Act 1998/01.
Section 53	Subs. (1) am.by Act 1998/01.

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Provision affected	How affected
Section 55	Am. by Act 1998/01.
Section 56	Am. by Act 1998/01.
Section 58	Subs. (1) am.by Act 1998/01. Subs. (2) am.by Act 1998/01.
Section 59	Subs. (1) am.by Act 1998/01. Subs. (2) am.by Act 1998/01. Subs. (4) am. by Act 1998/01.
Section 60	Heading am.by Act 1998/01. Subs. (1) am. by Act 1998/01. Subs. (2) am. by Act 1998/01.
Section 60A	Ad. by Act 1998/01.
Section 61	Am. by Act 1998/01.
Schedule	Rs. by Act 1991/02.