

Government Superannuation Fund

Appeals

Persons affected by decisions made by, or under the authority of, the Government Superannuation Fund Authority (the **Authority**) may appeal to the GSF Appeals Board.

The GSF Appeals Board is an independent board, separate from the Authority. The members of the GSF Appeals Board are appointed by the Minister of Finance.

The Government Superannuation Fund Act 1956 (the **GSF Act**) provides:

7. Appeals to Appeals Board

Any person who—

- (a) is or may be affected by a decision made by, or under the authority of, the Authority under section [19E](#) of this Act or otherwise in respect of any scheme; and
- (b) disagrees with or is dissatisfied with that decision,

may appeal to the Appeals Board against that decision.

8 Way in which appeals to be made:

- (1) Every appeal to the Appeals Board shall be made by written notice (in any form) delivered to the Authority—
 - (a) within 28 days of the person receiving written notice of the decision concerned (which notice shall give information as to the person's right to appeal); or
 - (b) within such further time as the Appeals Board may, on application, allow.
- (2) Every appeal shall be accompanied by such fee (if any) as may be prescribed by regulations.
- (3) If an appeal is substantially allowed, the fee shall be refunded in full.
- (4) A notice of appeal may include any submissions relevant to the decision appealed against that the person wishes to make.
- (5) As soon as practicable after receiving a notice of appeal under this section, the Authority shall—
 - (a) deliver to the Appeals Board the notice of appeal and a written report by the Authority on the matter; and
 - (b) advise the appellant in writing of his or her rights under sections [9](#) and [10](#) of this Act.

Making an Appeal

As per the legislation, the person who makes the appeal is required to deliver a *notice of appeal* to the Authority within 28 days of:

- the person receiving the written notice of the Authority's decision; or
- within such further time as the GSF Appeals Board may, on application, allow.

The notice of appeal may be delivered to the Authority by email or post. The addresses are provided below:

Email: enquiries@gsfa.govt.nz

Post: Level 12
The Todd Building
95 Customhouse Quay
Wellington 6011

P O Box 3390
Wellington 6140

Notice of Appeal – Content

The notice of appeal may include any submissions relevant to the appeal that the person wishes to make.

Once the notice of appeal is received, the Authority then prepares a written submission to the GSF Appeals Board. Copies of the notice of appeal and the Authority's submission are forwarded to the GSF Appeals Board by the Authority (referred to here as the documents).

On receipt of the documents, the GSF Appeals Board sets a hearing date for the matter. Not less than 14 days before the hearing date, the GSF Appeals Board will forward to the person a copy of the documents.

Hearings

Hearings of the GSF Appeals Board are held in Wellington in the offices of the Treasury. The person who lodged the appeal may attend the hearing and personally present their submission to the GSF Appeals Board if they wish, or may participate by way of teleconferencing (with the call being initiated by the GSF Appeals Board).

Information on the venue and time of the GSF Appeals Board hearing is sent to the person who lodged the appeal and the Authority by the Secretary to the GSF Appeals Board as part of the documents. On receipt of notification of the date and time of the GSF Appeals Board hearing, the person who lodged the appeal is requested to confirm whether they would like to attend the hearing.

If the person who lodged the appeal wishes anyone to accompany them to the GSF Appeals Board hearing or to participate with them in a teleconference call, they should confirm this with the Secretary to the GSF Appeals Board who will seek approval from the GSF Appeals Board to their participation.

Costs

The Authority does not currently charge a fee under section 8(2) above. Any costs incurred by the person in making an appeal (including any travel costs or payments to legal advisers) are met by the person and will not be reimbursed by either the Authority or the GSF Appeals Board.