



**GOVERNMENT
SUPERANNUATION FUND
AUTHORITY**

**PROVISIONS, POLICIES AND
PROCEDURES OF THE
GOVERNMENT SUPERANNUATION FUND**

8 MAY 2019

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DISCLAIMER

The descriptions, procedures and policies included in or excluded from this document are **not binding** on any of the Authority, Appeals Board or the Crown.

The document describes various provisions of the GSF Act and outlines various procedures, practices and policies of the Authority.

It is intended as a guide only for administrators, contributors, beneficiaries and employers to illustrate and describe determinations made in respect of the GSF Schemes.

The exercise of the Authority's discretion under the Act is made on a case by case basis.

GENERAL

This document outlines the legal provisions, policies and procedures of the Government Superannuation Fund. The basis for the policies is section 19F of the Government Superannuation Fund Act 1956 (the **Act**). This requires the Authority to publish a statement of policies outlining how the discretionary powers the Authority has been given under the Act will be exercised. These powers may be scheme specific or general.

This document replaces the Authority's 2001 Policy Document. Going forward it will be reviewed every two years.

No inference should be made where the Act provides for the Authority to exercise its discretion and there is no specific policy outlined in this document.

In practice the Authority considers each case on its own merits having regard of the individual's circumstances, other GSF members or beneficiaries, employers and the Crown, as required under the Act, and uses the published policies as a guide.

If anyone disagrees with or is dissatisfied with any of the Authority's decisions, that person can lodge an appeal against that decision with the Appeals Board. The Appeals Board is a separate entity appointed by the Minister of Finance.

The Act covers the following schemes in respect of which there are still members not yet in receipt of their entitlements.

- New General Scheme (Part 2A)
- Old General Scheme (Part 2)
- Armed Forces Scheme (Part 3A)
- Judges Scheme (Part 5A)
- Parliamentary Scheme (Part 6)
- Police Service (Part 6A)
- Prisons Service (Part 6B)

In addition the Act covers all Schemes, including previous schemes such as the Old Armed Forces Scheme, the Old Police Scheme and the Old Prisons Service Scheme, in respect of members and beneficiaries in receipt of their entitlements (Part 7).

It should be noted the Provisions, Policies and Procedures outlined in this document reflect the position as at the date of this document. Procedures may change in response to changes in the provisions under the Act and Policies may become outdated.

The role of the Scheme Administrator – currently Datacom Connect Limited – is to administer the Schemes. The Schemes Administrator does not have the authority to interpret the Act or to make any determination on any question arising under the Act unless the Authority has delegated authority to them to do so. Nothing has been delegated to date. All interpretive issues and determinations must be referred by the Scheme Administrator to the Authority for a decision.

In addition, if there is any doubt – by either the Scheme Administrator or any member/ other beneficiary – about any matter, for example, the amount of any allowance, how an allowance has been calculated, length of service , etc the Authority can be approached to give a determination. In such cases the concern should be referred to the Authority by the Schemes Administrator. If the person concerned disagrees with or is dissatisfied with the Authority's decision, they can appeal to the Appeals Board against that decision.

DEFINITIONS

For the purposes of this document:

Child in relation to any deceased member, includes any person whom the Authority regards as being a member of the family of the deceased member immediately before the member's death.

Member means any person who is contributing to or has contributed to GSF and is entitled to receive an entitlement in respect of the contributions paid.

Other beneficiary means a spouse, partner, other dependant or other recipient of an entitlement from GSF in respect of a member's contributions to GSF.

Partner, for determining eligibility for death benefits, includes any person whom the Authority considers to be the civil union partner or de facto spouse of a deceased person immediately before the person's death. Being in a civil union or considered as a de facto spouse by other persons does not automatically qualify a person to receive a partner entitlement.

Spouse, for determining eligibility for death benefits, includes any man or woman that the Authority considers to be the wife or husband of a person immediately before the person's death. Being legally married does not automatically qualify a person to receive a spouse entitlement.

Forms referred to in this document are forms approved by the Authority, as updated from time to time. The current forms can either be found on the Authority's website, at www.gsfa.govt.nz, or on request from the Scheme Administrator, whose contact details can also be found on the Authority's website.

CONTRIBUTIONS

EMPLOYEE CONTRIBUTIONS

PROVISIONS

Employee contribution rates

New General Scheme	Section 61B
Old General Scheme	Section 29
Armed Forces Scheme	Section 71F
Judges Scheme	Section 81F
Parliamentary Scheme	Section 83
Police Scheme	Section 88C
Prisons Service Scheme	Section 88Q

Salary

All Schemes except Armed Forces Scheme and Parliamentary Scheme	Part 1 Section 2
Armed Forces Scheme	Section 71A
Parliamentary Scheme	Section 82

COMMENT

Employee contribution rates are set out in the Act as per the table below. Members may be required to pay additional contributions in some circumstances, eg in respect of periods of leave without pay. These are covered in other sections.

Salary, for all schemes, other than the Armed Forces Scheme and the Parliamentary Scheme, may include elements of a member's remuneration other than basic salary. In this case the Authority considers the nature of any allowance or payment in determining whether or not it is superable for GSF purposes.

The Act specifically excludes bonus payments, payments for overtime, allowances for special work performed, reimbursement of expenses, lump sums in lieu of notice, retiring gratuities, redundancy payments and contributions paid for or in respect of employer contributions.

Under the Parliamentary Scheme, salary for all members is the salary paid to an ordinary member of Parliament.

	Employee contribution as % of salary
New General Scheme	6.5%
Old General Scheme	6.0% to 10% dependent on age on joining GSF
Armed Forces Scheme	7.6%
Judges Scheme	8.0% for first 16 years of contributory service, then 0%
Parliamentary Scheme	11.0% for first 20 years of contributory service, then 8.0%
Police Scheme	7.5%
Prisons Service Scheme	8.5%

EMPLOYER CONTRIBUTIONS

PROVISIONS

All Schemes	Section 95
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COMMENT

Employer contributions (aka **employer subsidy**) are paid on the same salary as member contributions. Where an employee's contributions are included in his/her overall salary package, the onus and liability still lies with the employer to pay the employer subsidy to GSF.

The Fund has two classes of employer – those whose employees' salaries are paid out of public money and those which are not.

Public money employer subsidy

The level of subsidy is determined by the Minister of Finance on the recommendation of the Authority's Actuary with the same rate applying to all such employers.

Non public money employer subsidy

The level of subsidy is determined by the Authority, based on advice from the Authority's Actuary on an employer by employer basis, although the Minister of Finance can direct a rate to apply.

In some cases members may be required to pay to the Fund an amount equivalent to the employer subsidy eg for periods of leave without pay.

ADMINISTRATIVE PROCEDURES

- Employers must make payments of employee contributions, employer subsidy and any other payroll deductions agreed between the employer and employee (for example debt repayments), and provide associated information, on the same frequency as the employer's pay cycle.
- The information must include certain employer data, employee data and transaction data in a format approved by the Authority.
- Outstanding payments will be treated as a debt and are recoverable by the Fund.
- Interest is charged on amounts owed at the before tax Fund Earning Rate, or the 90 day bank bill rate, where the Fund Earning Rate is not yet published.

IN SERVICE ELECTIONS

CONTRIBUTING AT A PREVIOUS SALARY FOLLOWING A REDUCTION IN SALARY

PROVISIONS

New General Scheme	Section 61T
Old General Scheme	Section 33
Armed Forces Scheme	Section 71R
Judges Scheme	N/A
Parliamentary Scheme	N/A
Police Scheme	Section 88M
Prisons Service Scheme	Section 88Z
All Schemes	Section 89B

COMMENT

Where provision applies and a member's salary has reduced other than by reason of misconduct, the member may elect to continue to contribute at the previous higher salary. Any such election must be made within 3 months of the reduction, or within such longer time as the Authority determines.

Unless the member's employer agrees to pay subsidy on the higher salary, the Act also provides that members pay both contributions and employer subsidy on the difference between their higher salary and actual salary, or such lesser amount as the Authority may determine. The member may not make an election following an interval where they were not in Government service, except with the consent of the Authority.

Where a member makes such an election, a member's entitlements are calculated using the salary on which the higher contributions are made.

Note, an election can only be made where the rate of salary reduces and not where a member's salary reduces only as a result of their changing hours. Where a member works part time their entitlements are in any event based on their full time equivalent salary.

POLICY

- A contributor ceasing employment with one employer and subsequently starting employment with another employer on a lower salary may make an election to contribute on their former higher salary. In this case they must recommence employment within 12 months and make the election within 3 months of recommencing. The new employer must be an eligible employer and the contributor must be eligible to resume contributions with that employer.
- Late elections are considered by the Authority on a case by case basis.
- The former higher salary will be indexed each year in line with inflation until the member's actual salary exceeds the indexed former salary and the election becomes ineffective, although the Authority will consider increasing the former higher salary in line with the salary which prevailed for the previous position where such a salary is clearly identifiable and provided by the member's employer.
- If the member's employer is not prepared to pay the employer subsidy on the higher rate of salary, the member will be required to pay the difference between the employer subsidy on their actual salary and on the higher salary. In this case

the additional amount paid by the contributor will not be included in any refund amounts.

ADMINISTRATIVE PROCEDURES

- Elections must be made in writing using the form provided by GSF and include confirmation from the contributor's employer whether they are prepared to contribute to GSF based on the higher salary..

LEAVE WITHOUT PAY

PROVISIONS

New General Scheme	Section 61T
Old General Scheme	Section 32
Armed Forces Scheme	Sections 71I, 71P and 71S
Judges Scheme	N/A
Parliamentary Scheme	N/A
Police Scheme	Sections 88J and 88M
Prisons Service Scheme	Sections 88W and 88Z

COMMENT

Provides for the Authority to determine how to treat members who are on temporary leave without pay.

Note some members may have the option to elect to suspend contributions instead of being subject to the leave without pay provisions (see [Page 14](#)).

Special provisions apply to members of the Armed Forces Scheme whose salary is forfeited as a result of the Armed Forces Disciplinary Act 1971 or any associated regulations.

POLICY

- The contributor's employer is not required to pay employer subsidy in respect of the period of leave.
- Contributors will be required to pay the member contributions and employer subsidy for the period of leave.
- Any amounts paid by a member representing the equivalent of employer subsidy are not included in any refund of contributions (see [Page 32](#)).
- The Authority considers applications from members of the Armed Forces Scheme whose salary is forfeited as a result of the Armed Forces Disciplinary Act 1971 or any associated regulations, on a case by case basis.

ADMINISTRATIVE PROCEDURES

- A member must advise the Scheme Administrator of any period of leave with pay using the form provided by GSF **before** commencing the period of leave.
- A contributor may pay the amounts owed for the period of leave:
 - Before the leave commences, or
 - As they fall due during the period of leave, or
 - At the end of the period of leave, either as a lump sum or by fortnightly or payroll deductions.
- Interest is charged for spreading payments. Such interest becomes payable as soon as payments are spread and covers the whole period that the payments are spread over. Interest is charged at the fixed term mortgage rate as published by the Reserve Bank, for the relevant period, with the five year rate being used for

periods of five years or more.

- The maximum spreading period is 10 years.
- If payment does not start when a member returns from leave without pay, or payment is interrupted, penalty interest applies. In this case interest is charged at the Fund Earning Rate, or the 90 day bank bill rate published by the Reserve Bank where the Fund Earning Rate is not yet published.

CONTRIBUTING IN RESPECT OF PRIOR OR INTERRUPTED SERVICE

PROVISIONS

New General Scheme	Section 61C
Old General Scheme	Sections 23, 23A and 24
Armed Forces Scheme	Sections 71O
Judges Scheme	N/A
Parliamentary Scheme	N/A
Police Scheme	Sections 88K
Prisons Service Scheme	Sections 88X

COMMENT

Provides for contributing members to purchase previous Government service, including pre-entry training, if it is not currently included in their contributory service.

Where a contributor is not in permanent full-time employment, the service they wish to purchase was not permanent full-time or includes pre-entry training, or the contributor is over age 50 the purchase of service is subject to the Authority's approval and on such terms as the Authority determines.

POLICY

- Applications from contributors who are not in full time permanent employment or in respect of service which was not full-time and permanent are considered by the Authority on a case by case basis.
- Where purchase of service is approved by the Authority the cost for contributors over age 50 is the full actuarial cost.
- Where purchase of service is approved by the Authority the cost for purchasing pre-entry training or service is the full actuarial cost.
- The cost for purchasing a previous period of leave without pay during which contributions were suspended is the full actuarial cost.
- Any amounts paid by a member representing the equivalent of employer subsidy are not included in any refund of contributions (see [Page 32](#)).
- A contributor must provide evidence of the prior service and/or copies of qualifications gained during pre-entry training, to the satisfaction of the Authority.
- Pre-entry training is defined as study or training leading to a recognised degree, diploma or certificate, including apprenticeships, which the Authority considers a requirement of, and relevant to, the position held by the contributor at the time of their initial appointment. The period purchased cannot exceed the period normally required to obtain the qualification concerned.
- A member may spread payments over a period of up to 10 years. Interest is charged for spreading payments. Such interest becomes payable as soon as payments are spread and covers the whole period that the payments are spread over. Interest is charged at the fixed term mortgage rate as published by the Reserve Bank, for the relevant period, with the five year rate being used for

periods of five years or more.

- A member can revoke their election at any time in writing before payment is complete. In this case they will be credited with the service purchased by the contributions paid.

ADMINISTRATIVE PROCEDURES

- Elections must be made in writing using the form provided by GSF and include information required under the Anti-Money Laundering and Counter Financing Terrorism Act 2009 ie verification of the members' name, date of birth and address and confirmation of the source of funds being used to purchase the service.

CEASING CONTRIBUTIONS – WITHDRAWAL, SUSPENSION (including members of the Prisons Service Scheme ceasing contributions after completing at least 32 years contributory service)

PROVISIONS

New General Scheme	Section 61R
Old General Scheme	Section 28
Police Scheme	Section 88J
Prisons Service Scheme	Sections 88PA and 88P
Other Schemes	N/A

COMMENT

Members of the New General Scheme, Old General Scheme and Prisons Service Scheme may elect to withdraw their own contributions, without interest, whilst remaining in Government service.

Members of the New General Scheme and Prisons Service Scheme, who are under age 50, may also elect to temporarily suspend payment of contributions. Contributions must restart before age 50, otherwise the member is only entitled to receive a refund of their own contributions without interest.

Members of the Police Scheme, may also elect to temporarily suspend contributions whilst on unpaid leave and whilst they are then under age 50.

On resuming contributions within the required timescale the member's contributory service is adjusted for the period of suspension and also discounted by:

- 1.25% for each year that they were not contributing and for which they have a corresponding period of contributory service
PLUS
- 2.25% for each year that they were not contributing and for which they do not have a corresponding period of contributory service.

If a member ceases Government service before resuming contributions, they are treated as having ceased service when they first suspended contributions.

In addition, members of the Prisons Service Scheme who joined GSF before 11 December 1986 and were members of the Prisons Service on 10 December 1986 may elect to cease contributions after completing at least 32 years contributory service, and receive payment of their entitlement on subsequently ceasing service.

Members of other schemes may not withdraw, suspend or otherwise cease contributions whilst remaining in Government service and are required to contribute at the prescribed employee contribution rates while remaining in Government service.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the form provided by GSF.

CEASING CONTRIBUTIONS – DEFERRED PENSION

PROVISIONS

New General Scheme	Section 61R
Old General Scheme	Section 28
Armed Forces Scheme	Sections 71JA
Judges Scheme	Section 81OA
Parliamentary Scheme	Section 86FA
Police Scheme	Sections 88HA
Prisons Service Scheme	Sections 88PA
All Schemes	Government Superannuation Fund (Ceasing Contributions) Regulations 1995

COMMENT

Contributors under all schemes may elect to cease contributions to GSF on joining another employer subsidised superannuation scheme, and receive a deferred pension on subsequently ceasing service or later, provided they have sufficient superannuable service at that time.

Superannuable service includes contributory service with GSF and with the other superannuation scheme. Only contributory service with GSF is used to determine entitlements from GSF.

Members are not subsequently able to resume contributions to GSF.

A further election is required to receive payment of the deferred pension. Payment cannot commence until the later of the member reaching age 50, ceasing Government service and 3 months of the date of the election to receive payment.

Where a member does not have sufficient superannuable service the member is entitled to receive a refund of their contributions (see [Page 32](#)).

A member may in any event elect to receive a refund of their own contributions at any time (see [Page 14](#)).

ADMINISTRATIVE PROCEDURES

- All elections to cease contributions must be made in writing using the form provided by GSF.
- All elections to receive payment of a deferred pension or a refund must be made in writing using the forms provided by GSF and subject to other eligibility criteria the member must also give at least 3 months' notice before payment of a deferred pension can be made.

CHARGES

GRANTING A CHARGE OVER CONTRIBUTIONS

PROVISIONS

All Schemes	Section 92A Government Superannuation Fund Regulations 1995
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COMMENT

Contributors under all schemes may grant a charge over their own contributions in favour of any other person provided they have not already entered into a Matrimonial Property Agreement (see [Page 58](#)), have a charging order under the Family Court Proceeding Act 1980 or are ceasing contributions. Only one charge may be registered at any time. A fee applies.

The Authority is required to maintain a register of all charges.

ADMINISTRATIVE PROCEDURES

- Notifications of a charge must be made using the form provided by GSF and accompanied by the applicable fee (currently \$10).

INFORMATION AVAILABLE TO A CONTRIBUTOR, CHARGEHOLDER OR POTENTIAL CHARGEHOLDER

PROVISIONS

All Schemes	Section 92B
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COMMENT

Contributors may request in writing the amount of their contributions on withdrawal from the scheme, whether there is already a registered charge and whether it is possible for them to register a charge.

Chargeholders and potential chargeholders may request in writing the amount of the contributors contributions, whether the member is contributing or not or has indicated they intend to cease contributions, whether there is already a registered charge or any other reason why a charge cannot be registered.

Allows for the Authority to decline providing such information where the Authority is not satisfied as to the identity of the contributor concerned.

ADMINISTRATIVE PROCEDURES

- A request for information must include:
 - the full name and address of the contributor and the chargeholder or potential chargeholder (if any)
 - the full name and address of the contributor's employer
 - the contributor's date of birth, date joined GSF and GSF identity number.

PROCEDURE WHERE A CHARGE NOTIFIED

PROVISIONS

All Schemes	Section 92C
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COMMENT

On receiving notice of a charge the Authority is required to notify the contributor and chargeholder that the charge has either been registered or why it cannot be registered.

PAYMENT OF A CHARGE

PROVISIONS

All Schemes	Section 92D
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COMMENT

Where a member's entitlements fall due to be paid the Authority is required to notify the chargeholder and no payment can be made to the member until notification is received or deemed to have been received as to whether a claim is to be made against the charge or the charge released.

RIGHTS OF A CHARGEHOLDER

PROVISIONS

All Schemes	Section 92E
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COMMENT

Where a member's entitlements fall due to be paid, and the Authority has notified the chargeholder, if no response is received within 28 days making a claim against the charge, the charge is deemed to be released.

PROCEDURE FOR PAYMENT OF A CHARGE

PROVISIONS

All Schemes	Section 92F
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COMMENT

Where a claim is made by the chargeholder against a charge, the Authority is required to notify the member (or the member's representatives) within 14 days. If no response is received disputing payment of the charge within 60 days of the date the claim was received the Authority will pay the charge, provided the amount payable will not exceed the member's total contributions.

The Authority may require the chargeholder to provide evidence of the terms and the amount payable under the charge. If the Authority is satisfied there is a genuine dispute

as to the amount of the charge payment may be withheld until either the member agrees the amount claimed by the chargeholder, or payment is directed by order of the Court.

ADMINISTRATIVE PROCEDURES

- Charges are paid by the GSF Schemes Administrator on the Authority's behalf.

EFFECT ON CONTRIBUTOR OF PAYMENT TO A CHARGEHOLDER

PROVISIONS

All Schemes	Section 92G
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COMMENT

Where a claim is made against a charge and the member is contributing to GSF, the member ceases to be a contributor and becomes entitled to receive only a refund of their own contributions, from which the charge is paid.

EFFECT ON ANNUITIES, ALLOWANCES AND OTHER PAYMENTS OF A PAYMENT TO A CHARGEHOLDER

PROVISIONS

All Schemes	Section 92H
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COMMENT

Where a retiring allowance, annuity or any other payment is payable in respect of a member's contributions, other than a payment to a child, the amount payable to the chargeholder will be deducted from the allowance, annuity or other payment either in total before such benefit is paid or by deduction at a rate determined by the Authority.

POLICY

- In determining whether a deduction of a charge against a benefit payment should be made in full or over a period of time the Authority considers each case on its own merits.

GIVING OF NOTICES

PROVISIONS

All Schemes	Section 92I
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COMMENT

A notice is considered to be given if it is delivered in person, or posted, to the Authority at its postal address in Wellington.

Any notice required to be given to a member or chargeholder is considered to be given if it is delivered in person, or posted, to the last known address provided by the member or chargeholder.

Where posted, any notice is considered to have been received on the 4th day after it was posted, or such longer time is posted overseas as would normally apply to such post.

ADMINISTRATIVE PROCEDURES

- Notices addressed or delivered to the GSF Schemes Administrator are considered as being delivered to the Authority.

AUTHORITY MAY APPLY TO COURT FOR DIRECTIONS

PROVISIONS

All Schemes	Section 92J
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COMMENT

The Authority, member or chargeholder may apply for an order of any court to settle any dispute in relation to a charge.

BENEFIT ENTITLEMENTS ON RETIREMENT

CALCULATION OF RETIRING ALLOWANCES AND PENSIONS

PROVISIONS

New General Scheme	Section 61L and 61S
Old General Scheme	Section 35
Armed Forces Scheme	Sections 71G
Judges Scheme	Section 81I and 81T
Parliamentary Scheme	Section 84
Police Scheme	Sections 88D, 88E, 88F and 88H
Prisons Service Scheme	Sections 88R, 88T and 88U
All Schemes	Government Superannuation Fund (Ceasing Contributions) Regulations 1995

COMMENT

The calculation of retiring allowances, deferred retiring allowances and deferred pensions are set out in the Act. The calculation varies by Scheme but is based on a member's final average earnings (which may be indexed) at the date contributions ceased, contributory service and either a specified fraction or age related factor. The main provisions under each scheme are summarised below.

Except for the Parliamentary Scheme, where salary is that paid to an ordinary member of Parliament at the time of first payment, if a member is eligible to receive payment of a deferred retiring allowance (New General Scheme, Judges Scheme, Police Scheme and Prisons Service Scheme), a deferred pension (all Schemes) or elected to cease contributions after 32 years under the Prisons Service Scheme, the member's final average earnings (**FAE**) are indexed between date of cessation of contributions and date of payment by the increase in the CPI from the quarter following that in which contributions cease to the quarter preceding payment.

In all Schemes, for the purpose of calculating a member's entitlement, if a member is part time or has been in the past, FAE is based on their Full Time Equivalent Salary and their contributory service is converted to its Full Time Equivalent.

New General Scheme

Formula	$FAE \times \text{Contributory Service} \times \text{Factor} \times 0.7$
FAE	5 year indexed average or salary in last 12 months if lower
Factor	1.5% at age 60, plus 0.002% for every month or part month after age 60 to a maximum of 1.62% at age 65, and less 0.004% for every month or part month under age 60 but over age 55, and 0.002% for each month or part month under age 55.

Old General Scheme

Formula	$FAE \times \text{Contributory Service} \times \text{Fraction} \times 0.7$
FAE	5 year average (not indexed)
Fraction	$1/60^{\text{th}}$ for contributory service up to 40 years and $1/120^{\text{th}}$ for contributory service over 40 years
Actuarial Reduction	A reduction may apply where a member retires before age 60.

Armed Forces Scheme

Formula	$\text{FAE} \times \text{Contributory Service} \times 1.5\% \times 0.7$
FAE	5 year indexed average or salary in last 12 months if lower
Contributory Service	Includes accrued leave which includes any Armed Forces Terminal Benefit (payable under section 54 of the Defence Act 1971) which is taken as leave

Judges Scheme

Formula	$\text{FAE} \times \text{Contributory Service} \times \text{Fraction} \times 0.7$, subject to a maximum of $\text{FAE} \times 2/3 \times 0.7$
FAE	Salary at date of retirement
Fraction	$1/24^{\text{th}}$ less $1/9000^{\text{th}}$ for each month or part month below age 55

Parliamentary Scheme

Formula	$\text{FAE} \times \text{Contributory Service} \times \text{Fraction} \times 0.7$
FAE	Salary of an ordinary member of Parliament at date of retirement
Contributory Service	Where any period of service starts or ends before 1 July the date shall be taken as 1 January in that year, and where any period of service starts or ends after 30 June the date shall be taken as 31 December in that year
Fraction	$1/30^{\text{th}}$ for contributory service up to 20 years and $1/120^{\text{th}}$ for contributory service over 20 years

Police Scheme

Formula	$\text{FAE} \times \text{Contributory Service} \times \text{Factor} \times 0.7$
FAE	5 year indexed average, or salary in last 12 months if lower
Contributory Service	Where a member joined GSF before 1 May 1985 and retires before age 55, or a member joined after 30 April 1985, contributory service whilst a member of Police is increased by 25% to no more than 40 years in total. In any other case contributory service is increased to that which would have applied had the member contributed to age 60, all increased by $1/7^{\text{th}}$, to a maximum of 40 years. If a member's actual contributory service exceeds 40 years no increase applies.
Factor	1.5% less 0.004% for every month or part month under age 55.

Prisons Service Scheme

Formula	FAE x Contributory Service x Factor x 0.7
FAE	5 year indexed average, or salary in last 12 months if lower
Contributory Service	Contributory service whilst a member of Prisons Service is increased by 25% to no more than 40 years in total. If a member's actual contributory service exceeds 40 years no increase applies.
Factor	1.5% at age 58 less 0.004% for every month or part month under age 58 but over age 53, and 0.002% for each month or part month under age 53.

ADMINISTRATIVE PROCEDURES

- Where a member is required to take an immediate retiring allowance, payment is made effective from the day after the last day of paid service.
- Where a member also has the option to receive a deferred retiring allowance (New General Scheme, Police Scheme and Prisons Service Scheme) an election to receive an immediate retiring allowance must be made within a reasonable timescale, as advised to the member at the time, for payment to be backdated to the day after the last day of paid service.
- Late elections to receive payment of an immediate retiring allowance will be considered by the Authority on a case by case basis.
- Elections to receive payment of an immediate retiring allowance, deferred retiring allowance or deferred pension must be made in writing using the appropriate forms provided by GSF.
- Elections to receive payment of a deferred retiring allowance or deferred pension cannot be made retrospectively. In particular members must give at least 3 months' notice to receive payment of a deferred pension.
- If the member receives a retrospective salary adjustment, or their last day of paid service or start date of payment changes, the member's entitlement must be recalculated.

COST OF LIVING ADJUSTMENTS

PROVISIONS

All Schemes	Government Superannuation Fund Amendment Act 1969
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COMMENT

All allowances, pensions and annuities, other than variable allowances (see [Page 51](#)) and allowances paid to members of the Parliamentary Scheme in respect of contributors who retired between 1 April 1987 and 8 May 1992, receive Cost of Living Adjustments (COLA). Since 2009 all allowances, pensions and annuities have increased annually in line with the increase in the Consumer Prices Index (CPI). Prior to 2009 some members of the Old General Scheme received less than 100% of the annual increase in the CPI.

No adjustment is made where the annual increase *in the increase* in a member's or other beneficiary's entitlement since payment of the entitlement commenced would be less than 0.5%. This does not apply to child allowances.

The date of the first COLA is determined by a member's or other beneficiary's Date of Qualification (DOQ) which depends on the type of entitlement.

	DOQ
Immediate Retiring Allowance or Medical Retiring Allowance	Member's last day of paid service
Deferred Retiring Allowance or Deferred Pension	Date payment commences
Spouse annuity on death of a Contributor	Date of death
Spouse annuity on death of Annuitant	1 April preceding death
Child Allowances on death of member	1 April preceding death

If the DOQ falls in the 6-monthly period 1 April to 30 September, the first adjustment falls in the following April and is based on the increase in the CPI over the 12 months to December preceding the date of first adjustment. In all other cases the first adjustment is made in the second April following the DOQ but is based on the increase in the CPI over the 18 months to the December preceding the date of first adjustment.

Subsequent adjustments are made in each subsequent April. All adjustments apply from the first 4-weekly pay date in April with the Act providing for the overall increase in the member's allowance or pension, or other beneficiary's annuity to be recalculated each year based on the allowance or annuity when payment first commenced rather than a year on year increase.

Allowances paid to members of the Parliamentary Scheme in respect of contributors who retired between 1 April 1987 and 8 May 1992 are adjusted by the annual increase in the salary of an ordinary Member of Parliament. Annuities paid to other beneficiaries in respect of such member's contributions are also adjusted in this way.

ADMINISTRATIVE PROCEDURES

- Notices advising members of their individual COLA are sent out before the April pay date from which the increase, if any, applies.

OPTIONS ON CEASING GOVERNMENT SERVICE

SUMMARY OF OPTIONS

- A contributor who ceases Government service **may** have the following options available to them:
 - Immediate Retiring Allowance
 - Deferred Retiring Allowance
 - Refund of Contributions
 - Continue to contribute for a period of time
 - Transfer to another approved superannuation scheme in New Zealand
 - Leave contributions in the Fund with a view to reactivating later on resuming Government service before age 50
 - Payment of a Deferred Pension, where the member has previously elected to cease contributions and join another employer subsidised superannuation scheme.
- The options available depend on the member's Scheme, age and length of contributory service.
- Once a member has made an election they may change that election in favour of another option for which they are eligible, providing no payment has been made in respect of the first election. An election cannot be revoked once any payment has been made.
- In addition to the above, a member who has previously elected to cease contributions on joining another employer subsidised superannuation scheme in order to receive a deferred pension, can further elect to receive payment of the deferred pension on ceasing Government service. (See [Page 41](#).)
- Members may also be eligible to receive a medical retiring allowance or augmented refund (Police Scheme only) if ceasing Government service on medical grounds irrespective of age or length of contributory service. (See [Pages 43 and 46](#).)

ADMINISTRATIVE PROCEDURES

- A member's last day of paid service is the date the member's employment contract with the employer ceases and must be agreed by the member and their employer. Service may include a period for which annual, retirement or other leave is taken or paid for, whether paid by the usual pay periods or by a lump sum.
- Contributions and employer subsidy must be paid until the member's last day of paid service.

- The employer is required to provide such information as required by GSF to determine the member's entitlements using the form provided by GSF.
- A member must make an election on ceasing service in writing using the form provided by the Authority irrespective of whether they intend to apply to contribute to GSF in respect of any new employment.

IMMEDIATE RETIRING ALLOWANCE

PROVISIONS

New General Scheme	Section 61I
Old General Scheme	Section 35
Armed Forces Scheme	Sections 71G and 71J
Judges Scheme	Section 81H
Parliamentary Scheme	Section 84
Police Scheme	Sections 88F
Prisons Service Scheme	Sections 88S and 88P

COMMENT

Eligibility to receive an immediate retiring allowance, payable from the day after a member ceases Government service, varies by scheme. The main provisions are summarised below.

<u>New General Scheme</u>	Ceases service on or after age 60 Or Ceases service on or after age 50, has at least 10 years contributory service and their employer's consent
<u>Old General Scheme</u>	Ceases service on or after age 65 Or Ceases service on or after age 60 and has at least 40 years contributory service Or Ceases service on or after age 50, has at least 20 years contributory service and their employer's consent
<u>Armed Forces Scheme</u>	Ceases service, or is deemed to have ceased service under the Long Service Retirement Scheme, and has at least 20 years contributory service, of which at least 10 years is actual service as a member of the regular forces. Where a member is convicted of an offence under the Armed Forces Disciplinary Act 1971 which carries a maximum penalty of death or life imprisonment, the Authority may reduce, suspend or cancel the member's entitlement after considering any recommendation by the NZ Defence Council Where a member is discharged from the regular forces on the grounds of being absent without leave for a continuous period or 3 years or more, payment of an immediate retiring allowance is at the discretion of the Authority having consideration of the recommendation of the New Zealand Defence Council. If payment is not approved the member is entitled to a refund of contributions.

<u>Judges Scheme</u>	<p>Ceases service on or after age 68</p> <p>Or</p> <p>Ceases service on or after age 50 and has at least 10 years judicial service</p> <p>Or</p> <p>Satisfies the Governor-General of Council that they have become incapable of performing their duties for any reason</p>
<u>Parliamentary Scheme</u>	<p>Ceases service on or after age 50 and has at least 9 years contributory service.</p> <p>Where a member ceases under age 50 and has at least 9 years contributory service, payment is deferred to age 50.</p>
<u>Police Scheme</u>	<p>Ceases service on or after age 50, has at least 10 years actual contributory service and the consent of the Commissioner of Police</p>
<u>Prisons Service Scheme</u>	<p>Ceases service on or after age 58</p> <p>Or</p> <p>Ceases service on or after age 50, has at least 10 years contributory service and their employer's consent</p> <p>Or</p> <p>Ceases service having previously electing to cease contributions having completed at least 32 years actual contributory service (See Page 14)</p>

POLICY

- Where a member of the Armed Forces Scheme is convicted of an offence under the Armed Forces Act 1971 the Authority will not make a decision until the member concerned has had the opportunity to make a submission to the Authority.
- Where a member of the Armed Forces Scheme is discharged following a period of absence without leave of 3 years or more the Authority will not make a decision until the member concerned has had the opportunity to make a submission to the Authority.

ADMINISTRATIVE PROCEDURES

- Payment of an immediate retiring allowance is due on the day after the member's last day of paid service and is paid within 7 working days of receiving all the information required to process the member's election, or the due date if later.

DEFERRED RETIRING ALLOWANCE

PROVISION

New General Scheme	Section 61S
Old General Scheme	N/A
Armed Forces Scheme	N/A
Judges Scheme	Sections 81P
Parliamentary Scheme	N/A
Police Scheme	Sections 88H
Prisons Service Scheme	Sections 88U

COMMENT

Where the provision applies members who cease with sufficient contributory service may elect to receive a deferred retiring allowance payable at a future date, but no earlier than age 50.

To be eligible to elect a deferred retiring allowance members must have at least 10 years actual contributory service.

Elections to receive a deferred retiring allowance must be made within 6 months of ceasing service, or such longer period as the Authority may allow.

A further election is required for a deferred retiring allowance to be put into payment.

The option to elect a deferred retiring allowance is not available to members of the Prisons Service Scheme who cease service having previously electing to cease contributions having completed 32 years actual contributory service. (See [Page 14](#).)

POLICY

- The Authority considers late elections on a case by case basis.

ADMINISTRATIVE PROCEDURES

- Elections to receive payment of a deferred retiring allowance must be made in writing using the form provided by GSF.
- Members cannot elect to receive payment from a date in the past.

REFUND OF CONTRIBUTIONS

PROVISION

New General Scheme	Section 61S
Old General Scheme	Sections 41 and 42
Armed Forces Scheme	Section 71K
Judges Scheme	Section 81P
Parliamentary Scheme	Section 85
Police Scheme	Sections 88H
Prisons Service Scheme	Sections 88U

COMMENT

Where a member ceases service under the Armed Forces Scheme and is not then eligible to receive payment of an immediate retiring allowance (or medical retiring allowance) the member may elect to receive a refund of their own contributions.

The option to elect a refund is not available to members of the Prisons Service Scheme who cease service having previously electing to cease contributions having completed 32 years actual contributory service (See [Page 14](#))

In all other schemes and circumstances any member who ceases service may elect to receive a refund of contributions.

The refund may include interest.

<u>New General Scheme</u>	Contributions plus interest of 0.25% for each month and part month of contributory service after 1 May 1985
<u>Old General Scheme</u>	Contributions with no interest
<u>Armed Forces Scheme</u>	Contributions plus interest of 0.25% for each month between date joined GSF and date of payment Plus With the agreement of the New Zealand Defence Council and the Authority interest on contributions paid in year to 30 June at the Fund Earning Rate compounded each June until payment
<u>Judges Scheme</u>	Contributions plus interest of 0.25% for each month and part month of contributory service after 1 May 1985
<u>Parliamentary Scheme</u>	Two time contributions
<u>Police Scheme</u>	Contributions plus interest of 0.25% for each month and part month of actual contributory service after 1 May 1985
<u>Prisons Service Scheme</u>	Contributions plus interest of 0.25% for each month and part month of actual contributory service after 1 May 1985

Where a member of the New General Scheme, Old General Scheme, Police Scheme or Prisons Service Scheme ceases due to redundancy who is not eligible to receive immediate payment of a retiring allowance as a right (that is without the consent of their employer) and a refund is payable, the amount payable is the higher of the amount

above and a refund of the contributions paid by the member in each year to June with interest at the Fund Earning Rate compounded each June until payment. In addition, if the member of the Old General Scheme is also a member of the Niue Sub-Scheme, the refund will include employer subsidy, which will also attract interest.

POLICY

- Any amounts paid by a member representing the equivalent of employer subsidy (for example included in the cost of purchasing additional service or in respect of periods of leave without pay) are not included in any refund.
- Members who are compulsory retired and receive compound interest are not entitled to receive any other interest.
- The New Zealand Defence Council and Authority consider applications from any contributor who through no fault of their own is incapable of efficiently performing the required duties or is no longer required as a member of the Armed Forces, with each case being considered on its own merits.

ADMINISTRATIVE PROCEDURES

- The employer is required to confirm in writing that a member is ceasing due to redundancy.

CONTINUE CONTRIBUTIONS AFTER CEASING SERVICE

PROVISION

New General Scheme	Section 61T
Old General Scheme	Sections 43
Armed Forces Scheme	Section 71S
Judges Scheme	N/A
Parliamentary Scheme	N/A
Police Scheme	Sections 88M
Prisons Service Scheme	Sections 88Z

COMMENT

Where the provision applies, any member who ceases service and is not eligible to receive immediate payment of a retiring allowance at a right (that is without the consent of their employer) may elect to continue to contribute to GSF for a period of up to 3 months, or such longer time as the Authority agrees. Contributions under the election cease in any event if the member is able to resume contributions on joining a new employer or dies.

Any election to continue to contribute must be made in writing before the member ceases service.

Any period during which the member continues to contribute is treated as contributory service.

The member is required to pay both their own contributions and a further amount as certified by the Authority's Actuary to meet the total cost of benefits for the period, unless the Authority agrees a lower amount. The salary on which contributions are paid is determined by the Authority.

At the end of the contributory period unless the member has rejoined Government service and resumed contributions to GSF with a new employer, the member must make a further ceasing service election.

POLICY

- The total cost (including member normal contributions) is the full actuarial cost.
- Elections to contribute for more than 3 months will not be accepted from contributors who resign from Government service and are eligible for early payment of a retiring allowance or have sufficient contributory service to elect to receive a deferred retiring allowance.
- Contributors who are made redundant will be allowed to continue to contribute until they are eligible for early payment of a retiring allowance or have sufficient contributory service to elect to receive a deferred retiring allowance.
- For contributors in a State Owned Enterprise (**SOE**) when it is only partly sold salary is the salary they actually receive, unless the Authority determines otherwise.
- For contributors who are employed in Government Departments which are sold to the private sector without first becoming a SOE the Authority will consider allowing the contributor to continue to contribute to the earlier of the date of

ceasing service with that employer and the date they would qualify for a retiring allowance if they had ceased service with that employer. In this case salary is salary actually received, unless the Authority determines otherwise.

- In all other cases where a member is allowed to continue to contribute for more than a year salary is the member's salary on ceasing service, indexed annually in line with the CPI.
- In exercising its discretion the Authority considers each case on its own merits.

ADMINISTRATIVE PROCEDURES

- Elections must be made in writing before a member ceases service.
- For employees of an SOE which is only partly sold and contributions continue on their actual salary, contributions may be made through the member's employer. (Where an SOE is fully sold the member continues in Government service. See [Page 38](#).) In all other cases contributions are payable fortnightly by direct credit.

TRANSFER TO ANOTHER SUPERANNUATION SCHEME

PROVISION

New General Scheme	Section 61S
Old General Scheme	N/A
Armed Forces Scheme	Section 71K
Judges Scheme	Section 81P
Parliamentary Scheme	N/A
Police Scheme	Sections 88H and 88M
Prisons Service Scheme	Sections 88U and 88Z

COMMENT

Where the provision applies, any member who ceases Government service and has at least 10 years actual contributory service (ie before any enhancement under the Police Scheme or Prisons Service Scheme), may elect to transfer their contributions to another superannuation scheme nominated by the member provided the scheme is a retirement scheme within the meaning of section 6(1) of the Financial Markets Conduct Act 2013 and approved by the Authority.

The transfer value is the lesser of:

- The amount of refund the member would have received if they had elected a refund of their contributions, other than on redundancy (see [Page 32](#)), increased by 10% for each year of actual contributory service in excess of 10 years, AND
- Twice the amount of refund the member would have received if they had elected a refund of their contributions, other than on redundancy.

POLICY

- Members may transfer to any scheme nominated by the member which meets the definition of a retirement scheme within the meaning of section 6(1) of the Financial Markets Conduct Act 2013.

ADMINISTRATIVE PROCEDURES

- All elections to transfer must be made in writing using the form provided by GSF.
- All election forms must be completed by the Superannuation Scheme Manager of the receiving scheme confirming the scheme is a retirement scheme within the meaning of section 6(1) of the Financial Markets Conduct Act 2013 and the Trustee is prepared to accept payment of the transfer value.

LEAVE CONTRIBUTIONS IN THE FUND AND REACTIVATE LATER

PROVISION

New General Scheme	Section 61S
Old General Scheme	Section 60A
Armed Forces Scheme	Section 71K
Judges Scheme	N/A
Parliamentary Scheme	N/A
Police Scheme	Sections 88H and 88M
Prisons Service Scheme	Sections 88U and 88Z

COMMENT

Where the provision applies a member under age 50 may elect to leave their contributions in the Fund on ceasing Government service, with a view to resuming contributions (reactivating) on rejoining Government service with an eligible employer, under the same Scheme, before age 50, or in the case of the Old General Scheme before 15 years have lapsed, if before age 50.

On resuming contributions within the required timescale the member's contributory service is adjusted for the gap and also discounted by:

- 1.25% for each year that they were not contributing and for which they have a corresponding period of contributory service
PLUS
- 2.25% for each year that they were not contributing and for which they do not have a corresponding period of contributory service.

In the case of the Old General Scheme, the member's contribution rate on resuming is based on the member's age on resuming.

Where a member does not resume contributions before age 50 or after 15 years, as appropriate to the scheme, a refund of contributions is payable (see [Page 32](#)).

A member may in any event elect to receive a refund at any time (see [Page 32](#)).

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the form provided by the Authority.

CONTINUING TO CONTRIBUTE ON CHANGING EMPLOYMENT

PROVISIONS

New General Scheme	Sections 61A, 61AA, 61D and 2A
Old General Scheme	Section 2A
Police Scheme	88A
Prisons Service Scheme	88N
All other Schemes	N/A

COMMENT

For a member to resume contributions on rejoining Government service, not only must the member be eligible to resume contributions (see [Page 37](#)), but the employer must be an eligible employer in respect of that employee.

Whether an employer is an eligible employer in respect of an employee depends not only on the provisions in the Act but also legislation governing the employer entity.

Under the New General Scheme members under age 50 who are not in permanent full time employment may only resume contributions with an eligible employer with the consent of the Authority.

There is no provision for members over age 50 to resume contributions after ceasing Government service.

A State Owned Enterprise (SOE) that is sold remains a State enterprise for GSF purposes. That is any contributor employed by a SOE at the date it is sold remains in Government service after the sale.

POLICY

- Applications to continue to contribute from New General Scheme members under age 50 in non-permanent (fixed term) employment are considered on a case by case basis. Members in casual employment are not permitted to resume contributions.
- Applications to continue to contribute from New General Scheme members under age 50 in part-time employment are considered on a case by case basis, but members working less than 20% are not permitted to contribute to GSF.
- The Authority considers all other applications, including those from members over age 50, on a case by case basis.

ADMINISTRATIVE PROCEDURES

- On ceasing employment all members must complete a ceasing service form provided by GSF, even if they intend to apply to resume contributions with a new employer.

- Any application to resume contributions on commencing employment with another employer must be in writing using the form provided by GSF and include details of the member's new employer, the date of their appointment and starting salary.
- Where there is an overlap in service contributions with the new employer cannot commence until service with the old employer has ceased.

Where there is a gap in service between the two employments, unless the member is eligible to and has elected to continue to contribute during the gap, the member's contributory service will be adjusted to allow for the gap. (See [Page 40.](#))

BREAKS IN SERVICE

PROVISION

New General Scheme	See page 39
Old General Scheme	See page 39
All other Schemes	N/A

COMMENT

Members may have breaks, or gaps in service particularly when they change employment. Unless a member has elected to continue to contribute in respect of the gap, the gap will be treated in the same manner as would apply had the member been eligible to elect to leave their contributions in the Fund to reactivate later. That is the member's contributory service will be adjusted and discounted to allow for the gap.

POLICY

- Any gaps or breaks in contributory service will be adjusted and discounted for the gap in the same manner as would have applied had the member been eligible to elect to leave their contributions in the Fund to reactivate later (see [Page 37](#)).

PAYMENT OF A DEFERRED PENSION WHERE A MEMBER HAS PREVIOUSLY ELECTED TO CEASE CONTRIBUTIONS AND JOIN ANOTHER SUPERANNUATION SCHEME

PROVISIONS

All Schemes	Government Superannuation Fund (Ceasing Contributions) Regulations 1995
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COMMENT

A member may elect to receive payment of a deferred pension on the later of:

- Reaching age 50,
- Ceasing Government Service,
- Giving at least 3 months' notice.

Whether a member is eligible to receive payment of a deferred pension depends on their superannuable service, that is, their total contributory service with GSF and the other superannuation scheme to which they transferred. This varies by scheme

	Superannuable Service required to be eligible to receive payment of a Deferred Pension
New General Scheme	10 years
Old General Scheme	20 years
Armed Forces Scheme	20 years
Judges Scheme	10 years
Parliamentary Scheme	9 years
Police Scheme	10 years
Prisons Service Scheme	10 years

In all cases the member's deferred pension is determined at the date they retire, based on their contributory service with GSF (including any enhancement under the Police and Prisons Service Schemes).

Except for the Parliamentary Scheme, where salary is that paid to an ordinary member of Parliament at the time of first payment, the member's final average earnings on ceasing contribution to GSF are indexed between date of cessation and date of payment by the increase in the CPI from the quarter following that in which contributions cease to the quarter preceding payment.

For further details of the calculation of a member's entitlement see [Page 22](#).

Where a member does not have sufficient superannuable service to receive payment of a deferred pension, the member's only entitlement is to receive a refund of their contributions (see [Page 32](#)).

ADMINISTRATIVE PROCEDURES

- All elections must be in writing using the forms provided by GSF.
- All members must give at least 3 months' notice to receive payment.

ALLOWANCES IF RETIRE AS MEDICALLY UNFIT

APPLICATIONS FOR MEDICAL RETIRING ALLOWANCE

PROVISION

New General Scheme	Section 61K and 61T
Old General Scheme	Sections 36 and 37
Armed Forces Scheme	Section 71H
Judges Scheme	Section 81H
Parliamentary Scheme	N/A
Police Scheme	Sections 88F
Prisons Service Scheme	Sections 88T and 88Z

COMMENT

Where a contributor retires on medical grounds their retiring allowance is calculated in the same way as for immediate retirement except that where a pension factor applies, the pension factor is 1.5%. (See [Pages 22 to 24.](#))

Under the Judges Scheme medical retirement is subject to the agreement of the Governor-General in Council that the member has become incapable of performing the duties of their office and resigns their office,

In the other schemes agreement of the member's employer is required and the Authority must be satisfied that, by reason of physical or mental ability, the contributor is to perform any duties which their employer and the Authority consider are suitable and reasonable.

Except for the Judges Scheme the Authority can in certain circumstances suspend, reduce or cancel payment of a medical retiring allowance. Any such suspension, reduction or cancellation must be reinstated in full no later than age 60 for the Old General Scheme and New General Scheme; age 55 for the Police Scheme and age 58 for the Prisons Service Scheme.

Any suspension, reduction or cancellation is ignored for the purpose of calculating benefits on death.

Any member of the Armed Forces Scheme whose medical retiring allowance has been suspended, reduced or cancelled, may elect to receive a refund of contributions (see [Page 32](#)) less any amounts already paid to them.

Where a member of the Old General Scheme, New General Scheme or Prisons Service Scheme retires medically unfit due to injuries suffered in the execution of their duty, and the Authority does not consider the allowance payable is sufficient, the Authority may increase the member's retiring allowance to such an amount as the Authority considers fair and equitable.

Where Authority approval is required, the contributor must provide evidence from at least two registered medical practitioners, approved by the Authority, that they are medically unfit.

POLICY

- Application to receive a medical retiring allowance must be made in writing using the forms provided by the Authority.
- The Authority considers each application for medical retirement on its own merits.
- In considering whether a member's retiring allowance is fair and equitable, where a member retires as a result of injury, the Authority considers each case on its own merits.
- In determining whether a medical retiring allowance should be reduced, cancelled or suspended where a member has resumed paid employment the Authority may take into account any of the following:
 1. The nature of the new employment:
 - a. How comparable are the duties to those undertaken before the medical retirement.
 - b. Whether the duties are menial.
 - c. Opportunities for advancement.
 - d. Whether the position is full or part time.
 - e. Whether the position is permanent or fixed term, and if the latter, the likelihood of renewal.
 - f. How the remuneration compares with the position held at retirement
 2. Medical evidence – commenting on the type of work the person is able to perform and their longer term medical prognosis.
 3. Evidence relating to the job market:
 - a. Types of employment opportunities generally available.
 - b. Remuneration rates for any relevant positions.
 4. Other evidence eg minimum wage.
- The Authority will not make a decision to suspend, reduce or cancel a medical retiring allowance until the member has been given the opportunity to make a submission to the Authority.
- Any suspension, cancellation or reduction to a medical retiring allowance under the Armed Forces Scheme is reinstated when the member would have completed 20 years contributory service had they not retired.
- Medical retiring allowances are reviewed regularly by the Authority as determined by the Authority and advised to the member on a case by case basis, for example, every year, every two years etc.

ADMINISTRATIVE PROCESURES

- All applications must be in writing using the form provided by the Authority and include written confirmation from the contributor's employer in support of the application and confirmation there are no duties the contributor can perform.

- A fee is payable to each medical practitioner for preparation of a medical report, as determined by the Authority. The maximum fee is \$42.50 plus GST.
- At each review of a medical retiring allowance, the member is obliged to provide the Authority with
 - a statement detailing any income they are receiving and the source of the income,
AND
 - a written medical report from a registered medical practitioner approve by the Authority commenting on whether the member is still medically unfit and their longer term prospects.
- Medical retiring allowances are payable from the day after a member's last day of paid service.

APPLICATION FOR ENHANCED REFUND ON MEDICAL RETIREMENT

PROVISIONS

Police Scheme	Section 88G and 88H
All other Schemes	N/A

COMMENT

Applies only to contributors to the Police Scheme who retire on medical grounds before age 50.

Allows a contributor of Police the option of receiving an enhanced refund in addition to the other options for which they may be eligible on ceasing Government service (see [Page 27](#)). The option is colloquially known as Police Employment Rehabilitation Fund or PERF.

POLICY

- Application to receive an enhanced refund must be made in writing using the forms provided by the Authority.
- The Authority considers each application for an enhanced refund on its own merits.
- The contributor must provide evidence from at least two registered medical practitioners, approved by the Authority, that they are medically unfit.

ADMINISTRATION PROCEDURES

- All applications must be in writing using the form provided by the Authority and include written confirmation from the contributor's employer in support of the application and confirmation there are no duties the contributor can perform.
- A fee is payable to each medical practitioner for preparation of a medical report, as determined by the Authority. The maximum fee is \$42.50 plus GST.

**ADDITIONAL OPTIONS AVAILABLE TO THOSE
WHO ARE ELIGIBLE TO RECEIVE A RETIRING
ALLOWANCE OR PENSION**

SUMMARY OF OPTIONS

The following options **may** be available to members eligible to commence receipt of an immediate retiring allowance, a medical retiring allowance, a deferred retiring allowance or deferred pension.

- Capitalise part of their allowance or pension.
- Pay a lump sum to increase their allowance.
- Receive a variable allowance.
- Take a lump sum and defer receipt of allowance.
- Provide an allowance or additional allowance for a spouse, partner or approved dependent.
- Assign part of their allowance or pension to another person.
- Payment of part of their allowance or pension to a spouse or partner under a Matrimonial Property Agreement.

ELIGIBILITY CRITERIA

The options available do not apply to all schemes and different eligibility criteria for each option.

The options may apply only to contributors and former contributors. The do not apply to spouses, partners, other dependents or any other beneficiaries.

CAPITALISE PART OF RETIRING ALLOWANCE OR PENSION

PROVISION

Armed Forces Scheme	Sections 71M
Parliamentary Scheme	Sections 84A and 84AA
All Schemes	Section 91 and Government Superannuation Fund (Ceasing Contributions) Regulations 1995

COMMENT

All members may elect to surrender up to 25% of their allowance or pension in return for a cash lump sum at retirement. Unless a member is receiving payment of a deferred retiring allowance, the lump sum may be taken in up to two parts. The first part being no more than 12.5% of their expected allowance or pension may be taken up to 3 months before their confirmed retirement date, with the second being the amount required to bring the total up to no more than 25% of their actual allowance or pension at retirement. In determining the balance interest may apply to the first payment as determined by the Authority.

An election, once received by GSF cannot be revoked and the member has no further rights in respect of the allowance or pension surrendered. The lump sum is calculated by multiplying the allowance or pension surrendered by a factor, which varies by scheme.

Where a member of the Parliamentary Scheme ceases Government service before age 50, and is entitled to receive a retiring allowance payable from age 50 (see [Page 29](#)), the member may elect to receive a lump sum of up to 25% of their retiring allowance immediately. Any such election must be made within 3 months of ceasing service.

	Factor
New General Scheme (exc Islands Sub-scheme)	12
New General Islands Sub-scheme	10
Old General Scheme (exc Islands Sub-scheme)	10.8
Old General Islands Sub-scheme	9
Armed Forces Scheme	21 at age 40 and under, reducing by 0.075 per month to 12 at age 50 and over
Judges Scheme	12
Parliamentary Scheme	12
Police Scheme	12
Prisons Service Scheme	12

POLICY

- Interest on advanced capitalisation is charged at the 90 day bank bill rate published by the Reserve Bank.

ADMINISTRATION PROCEDURES

- All elections must be made in writing using the form provided by GSF.

PAY A LUMP SUM TO INCREASE AN IMMEDIATE RETIRING ALLOWANCE

PROVISION

New General Scheme	Section 61L
All Other Schemes	N/A

COMMENT

This provision only applies to the New General Scheme. It allows contributors who retire direct from Government service under age 60 and has their employer's consent to receive payment of an immediate retiring allowance (see [Page 29](#)), to elect to pay a lump sum to increase their entitlement to up to that they would have received had they continued to contribute and retire at age 65.

The cost is determined by the Authority.

The option is not available to members who retire on medical grounds or members who have elected to receive a deferred retiring allowance or deferred pension.

Payment must be made in full before payment of the member's retiring allowance commences.

POLICY

- The cost is the full actuarial cost of the increase in the contributor's entitlement.
- For the purpose of determining any future death benefits the contributors contributions will be deemed to include the contributions which the contributor would have had to pay had they stayed in Government service for the period required to achieve the increase in their retiring allowance, assuming no change in salary.

ADMINISTRATIVE PROCEDURES

- The member must have a confirmed last day of paid service before age 60.
- All elections must be made in writing using the form provided by GSF and must include the information required under the Anti-Money Laundering and Counter Financing Terrorism Act 2009 ie verification of the member's name, date of birth and address and confirmation of the source of the funds used to increase their entitlement.
- All elections must be made before the member ceases Government service or such later time as agreed by the Authority, but in any event before any payment of the contributor's entitlement has been made.

RECEIVE A VARIABLE ALLOWANCE

PROVISION

New General Scheme	Section 61T
Old General Scheme	Section 40
Armed Forces Scheme	Section 71S
Judges Scheme	N/A
Parliamentary Scheme	Section 84C
Police Scheme	Sections 88M
Prisons Service Scheme	Sections 88Z

COMMENT

This provision allows a member who retires, other than on medical grounds, to elect to surrender part of their retiring allowance or pension from a future specified date in return for an increased allowance prior to that date. All elections must be made no earlier than 3 months before the member's date of retirement and before any payment has been received. Multiple elections may be made but except for the first are subject to approval by the Authority. The maximum amount that may be surrendered is also determined by the Authority, unless stated in regulation.

Except under the Parliamentary Scheme, late elections may be accepted at the discretion of the Authority.

The additional amount received in respect of the future amount surrendered is determined actuarially so to be neutral to the Fund.

The Authority may request medical evidence as to the health of the member.

Neither the amount given up, nor the amount received, receive cost of living adjustments and are not included when determining death benefits.

The additional amount received is not included in determining the maximum amount that a member can surrender for a lump sum (see [Page 49](#)).

An election can be cancelled by giving notice in writing, with the consent of the Authority. In this case the member's entitlement is reduced going forward to allow for the additional amounts received prior to cancellation and the earlier date of reduction, determined actuarially.

For the Armed Forces Scheme, the additional allowance is included in the calculation of the lump sum payable in lieu of their allowance if a member elects to defer receipt of the whole of their allowance to age 55 or 60. (See [Page 53](#))

POLICY

- All elections must be accompanied by a medical certificate attesting to the member's health.
- The Authority approves the cancellation of elections on a case by case basis.
- Surrender of amounts resulting in the reduction in the increased allowance then payable at the specified date of over \$2,000 per annum are considered by the

Authority on a case by case basis.

- Late elections are considered by the Authority on a case by case basis.

ADMINISTRATIVE PROCEDURES

- All elections must be in writing using the form provided by the Authority and must be accompanied by a medical certificate attesting to the member's health.
- Where a member cancels an election the member's allowance is adjusted actuarially to allow for the additional payments already made. In practice this means that cancellation after the member's allowance has already been reduced (ie after the specified surrender date) has no impact on the reduction which would continue to apply. On cancellation before the specified surrender date the reduction going forward is determined actuarially.

RECEIVE A LUMP SUM AND DEFER RECEIPT OF RETIRING ALLOWANCE

PROVISIONS

Armed Forces Scheme	Section 71N
Parliamentary Scheme	Section 84B
All Other Schemes	N/A

COMMENT

This provision allows a member of the Armed Forces Scheme who is eligible to receive an immediate retiring allowance (see [Page 29](#)), or a member of the Parliamentary Scheme who ceases Government service before age 50 and is eligible to receive a retiring allowance from age 50, to defer receipt of their retiring allowance until age 55 or 60 and instead receive a lump sum payment. The election can be made in addition to an election to capitalise part of their retiring allowance (see [Page 49](#)).

The lump sum payable under the Armed Forces Scheme is the member's retiring allowance [after allowing for any capitalisation (see [Page 49](#)), election to receive a variable allowance (see [Page 51](#)) or election to provide an additional allowance for a spouse or partner (see [Page 54](#))] multiplied by a factor. The factor is determined as the number of months to the deferred age (55 or 60) times 0.08, to a maximum of 20.16.

The lump sum payable under the Parliamentary Scheme is the member's retiring allowance [after allowing for any capitalisation (see [Page 49](#))] multiplied by a factor. The factor is 4.2 if deferral is to age 55 and 8.4 if deferral is to age 60.

On reaching the deferred age the member's retiring allowance is paid at the rate it would have been paid had the member not made an election to defer ie including normal COLA adjustments to the deferred age (see [Page 25](#)) and any variable allowance election (see [Page 51](#)).

No election may be revoked once any payment has been received as a result of the election.

ADMINISTRATIVE PROCEDURES

- All elections must be in writing using the form provided by GSF.

**PROVIDE AN ALLOWANCE OR ADDITIONAL ALLOWANCE FOR A SPOUSE,
PARTNER OR APPROVED DEPENDENT**

PROVISION

New General Scheme	Section 61T
Old General Scheme	Section 48
Armed Forces Scheme	Section 71S
Judges Scheme	N/A
Parliamentary Scheme	N/A
Police Scheme	Sections 88M
Prisons Service Scheme	Sections 88Z

COMMENT

This provision allows a member who retires, other than on medical grounds, to elect to surrender part of their allowance or pension to provide an allowance, or additional allowance, for a spouse, partner or approved dependent on the member's death.

In this context: **spouse** means the member's spouse at the date of the election; **partner** means the member's civil union or de facto partner at the date of the election; and **approved dependent** means a person who is wholly or partially dependent on the member, as approved by the Authority, at the time of the election.

The amount payable to the spouse, partner or dependent is determined actuarially so as to be neutral to the Fund but cannot, when added to any allowance the spouse, partner or dependent might otherwise receive on the member's death, be more than the reduced allowance payable to the member following the election.

The Authority may request medical evidence as to the member's health at the time of the election.

All elections must be made no earlier than 3 months before the member's date of retirement and before any payment has been received.

Later elections may be made after retirement if a member subsequently marries or enters into a civil union or de facto relationship. Any election must be within 3 months of the event.

Where a member has sufficient contributory service and is of a sufficient age that if they ceased service they could retire with the consent of their employer, the member may make an early election with the consent of their employer. On doing so the member is not required to provide further evidence as to their health when they subsequently retire. Early elections cannot be revoked even if payment of the member's entitlement has not yet commenced and will be implemented at date of death, if this is prior to the member's retirement.

There are three options available to a member who makes an election under this provision.

1. An absolute election

Under this option the member's allowance or pension is reduced immediately in return for an allowance payable to the nominated beneficiary on the member's death. If the nominated beneficiary dies before the member, the member's allowance or pension continues at the reduced rate.

2. A contingent election

Under this option the member again surrenders part of their allowance or pension in return for an allowance payable to the nominated beneficiary on the member's death, but the member's allowance or pension is reduced only if the nominated beneficiary pre-deceases the member.

3. A combination of an absolute election and contingent election

The amounts payable as a result of an election are determined actuarially so as to be neutral to the Fund.

On the death of a member who has made an election, the option to receive a refund of the member's contributions is no longer available to a spouse, partner or the member's estate (see [Page 65](#)).

POLICY

- All elections must be accompanied by a medical certificate attesting to the member's health.
- The Authority determines whether a person meets the criteria of a de facto or approved dependent on a case by case basis.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the form provide by GSF and be accompanied by a medical certificate attesting to the member's health, birth certificate of the nominated beneficiary, marriage or civil union certificate or such other evidence to support a de facto relationship as required by the Authority.

ASSIGNMENT OF PART OF RETIRING ALLOWANCE OR PENSION TO ANOTHER PERSON

PROVISION

All Schemes	Section 91B
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COMMENT

Allows all members to assign part of their allowance to another person (the **assignee**) at any time within 3 months before, or any time after, they receive a retiring allowance. The maximum amount which can be surrendered is 50% of the member's allowance, disregarding any increase or reduction in that allowance as a result of a member's election to receive a variable allowance (see [Page 51](#)).

The allowance payable to the assignees is determined actuarially so as to be neutral to the Fund. Depending on the age and gender of the member and the assignee, the amount received by the assignee may be lower (or higher) than the amount surrendered by the member.

The assigned allowance is paid to the assignee until their death and has no contingent benefits or options attached to it.

The assignees allowance is subject to annual cost of living adjustments in the same manner as the member's allowance.

Elections must be made in writing and cannot be revoked once payment as a result of the election has been made.

If the assignee dies before the member, payment to the assignee ceases. Payment does not revert to the member.

If the member dies before the assignee, payment of the assignee's allowance continues. Any spouse annuity payable on a member's death (see [Page 65](#)) is based on the member's reduced allowance.

If for any reason the member's allowance is suspended, reduced or cancelled [as might apply on medical retirement (see [Page 43](#))] the assignees allowance is similarly suspended, reduced or cancelled.

POLICY

- Assignments must be received by the Authority prior to a member's death for the assignment to be put in place. Assignments received after a member's death will be considered by the Authority on a case by case basis.
- Multiple elections are permitted provided the total assigned does not exceed 50% of the member's original allowance.

ADMINISTRATIVE PROCEDURES

- All assignments must be made in writing using the form provided by GSF and include the birth certificate and bank account details of the assignee.
- Unless the effective date of an assignment is the member's retirement date, the first payment under all assignments will be made from the first available 4-

weekly payment date after the later of effective date of the assignment and the date the election is received.

PAY PART OF ALLOWANCE OR PENSION TO A SPOUSE OR PARTNER UNDER A MATRIMONIAL PROPERTY AGREEMENT (AKA PENSION SHARING)

PROVISION

All Schemes	Section 92
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COMMENT

Requires the Authority to implement a Matrimonial Property Agreement (the **Agreement**) in relation to the entitlements of a member, provided the Agreement does not increase the liabilities of the Fund (including expenses) or infringe any requirement relating to compulsory contributions to the Fund.

In practice an Agreement can take two forms:

1. An *assignment* (see [Page 56](#)) where the member gives up part of their entitlement and the recipient receives the actuarial equivalent of that part in their own right.
2. A *pension sharing* where the payments to the member are shared between the member and the recipient.

Under a pension sharing arrangement payments that would otherwise be paid to the member are split in the proportion specified in the Agreement with the respective portions paid to the member and directly to the spouse or partner. The overall outcome is the same as if the member received the full payment and then paid part over to the spouse or partner.

Under a pension sharing if the member dies the payments to the spouse or partner cease. If the spouse or partner dies full payment reverts to the member.

A pension sharing agreement can be varied or cancelled under direction of the Court or on the parties entering another Matrimonial Property Agreement.

An assignment arising as a result of a Matrimonial Property Agreement cannot be revoked.

POLICY

- All Matrimonial Property Agreements are reviewed by the Authority to determine if they are able to be implemented and whether they give rise to an assignment or a pension sharing.

ADMINISTRATIVE PROCEDURES

- Where possible the parties should be requested to provide the Matrimonial Property Agreement in draft for review by the Authority to ensure that it can be implemented as intended.

DEATH BENEFITS

OPTIONS AND ENTITLEMENTS

The options and entitlements available to a spouse or partner on the death of a member depend on the elections previously made by the member.

The following section covers:

- Death in receipt of a retiring allowance or pension
- Death of a contributing member
- Death of a contributor who has suspended contributions including a member of the Prisons Service Scheme who has ceased contributions after completing at least 32 years contributory service (see [Page 14](#))
- Death of a member who has ceased contributions to join another superannuation scheme and receive a deferred pension which is not yet in payment
- Death of a member who has ceased Government service and elected a deferred retiring allowance which is not yet in payment
- Death of a member who has ceased Government service and elected to leave their contributions in Fund with a view to reactivating later on resuming Government service before age 50
- Death of a member who has ceased Government service and has not made an election
- Death of a member who has retired but elected to receive a lump sum and defer receipt of their retiring allowance (see [Page 53](#)) and has not reached the deferred age (55 or 60)

Child allowances may also be payable on the death of a member.

Death benefits are only paid on the death of a contributor or former contributor. No benefits are paid to any other person on the death of a spouse, partner, child or any other person in receipt of an annuity in respect of another person's membership of GSF.

ELIGIBILITY CRITERIA – SPOUSE OR PARTNER

All Schemes	Sections 2 and 90A
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COMMENT

On the death of a contributor or former contributor a death benefit may be payable to the spouse or partner of the deceased.

For this purposes a **spouse** includes any man or woman that the Authority considers to be the wife or husband of a person immediately before the person's death. Being legally married does not automatically qualify a person to receive a spouse entitlement.

Similarly, for this purposes a **partner** includes any person whom the Authority considers to be the civil union partner or de facto spouse of a deceased person immediately before the person's death. Being in a civil union or considered as a de facto spouse by other persons does not automatically qualify a person to receive a partner entitlement.

POLICY

- In determining whether a person is the spouse or partner of the deceased member for GSF purposes and therefore eligible to receive a benefit the Authority considers the circumstances of the relationship on a case by case basis, including, but not restricted to, any of the matters outlined in Section 2D of the Property (Relationships) Act 1976 that may be relevant to the particular case.
- Same sex relationships are recognised.
- There is no minimum timeframe for a relationship to be recognised but the Authority requires the spouse or partner to provide such evidence as the Authority considers necessary to determine their eligibility.

ADMINISTRATIVE PROCEDURES

- Any application from a potential spouse or partner of a deceased member must include sufficient information to enable the Authority to determine their eligibility.
- Where a person is entitled to receive an annuity the person is also required to provide a copy of their birth certificate.

CHILD ALLOWANCES

PROVISION

New General Scheme	Section 61Q
Old General Scheme	Section 47
Armed Forces Scheme	Sections 71L and 71S
Judges Scheme	Section 81O
Parliamentary Scheme	Section 86E
Police Scheme	Sections 88I and 88M
Prisons Service Scheme	Sections 88V and 88Z
All Schemes	Section 2

COMMENT

For GSF purposes a **child** in relation to any deceased member, includes any person whom the Authority regards as being a member of the family of the deceased member immediately before the member's death.

Where a child allowance is paid, it is paid until the child reaches age 16, or if approved by the Authority until the end of the calendar year in which the child reaches age 18, if they continue in full time education.

The Authority may also pay a child allowance to any child who has a mental or physical disability which prevents them from earning a living, for such period as the Authority thinks fit.

A child may only receive one child allowance at any time, but several child allowances may be paid following the death of a member.

The Authority has discretion as to whether payment is made direct to the child, is expended by the Authority for the benefit of the child, or is paid to a guardian or the Public Trust.

Payments are made 4-weekly in advance.

The annual amount payable to any child is at any time:

$$\$1,000 \times A / B$$

Where: A is the Consumer Price Index for the December quarter preceding the financial year (April to March) in which the allowance is being paid

B is the Consumer Price Index for the December quarter in year 1982

This means a child allowance increases each year on the first 4-weekly pay date in April by the increase in the Consumer Price Index over the previous calendar year.

POLICY

- The Authority considers all applications for a child allowance on a case by case basis.
- Where an allowance is approved, other than where a child has a mental or physical disability, payment continues to the end of the year in which the child reaches age 18 provided they continue in full time education.

- The Authority considers payment, and the duration of payments, to a child who has a mental or physical disability, on a case by case basis.
- The Authority considers the recipient of payments in respect of a child on a case by case basis.

ADMINISTRATIVE PROCEDURES

- Any application for a child allowance on the death of a member must include sufficient information to enable the Authority to determine their eligibility.
- Where a child is entitled to receive an allowance the child is also required to provide a copy of their birth certificate.

CAPITALISE PART OF SPOUSE ANNUITY

PROVISION

Parliamentary Scheme	Section 86F
All Other Schemes	Section 91A

COMMENT

In any case where a spouse annuity is payable and the spouse or partner is under age 61 at the date of the member's death, or in the case of an Armed Forces who has elected to receive a lump sum and defer receipt of their retiring allowance to age 55 of 60, is under age 61 at the deferred age, the spouse or partner can elect, at that time, to surrender up to 25% of their annuity in return for a cash lump sum.

The lump sum is calculated by multiplying the annuity by a factor, which varies by scheme.

	Factor
New General Islands Sub-scheme	10
Old General Scheme (exc Islands Sub-scheme)	10.8
Old General Islands Sub-scheme	9
All Other Schemes	12

An election to receive a lump sum payment cannot be revoked.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the form provided by GSF.

DEATH IN RECEIPT OF A RETIRING ALLOWANCE OR PENSION

PROVISION

New General Scheme	Sections 61N, 61O, 61Q and 61T
Old General Scheme	Sections 37 45, 46 and 47
Armed Forces Scheme	Sections 71L and 71S
Judges Scheme	Sections 81M, 81N and 81O
Parliamentary Scheme	Sections 86B, 86C, 86D and 86E
Police Scheme	Sections 88I and 88M
Prisons Service Scheme	Sections 88V and 88Z

COMMENT

Where a member dies and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)), less any payments made to the member before their death,
OR
2. A spouse annuity payable from the day after the member's death.

Once any payment has been made an election cannot be revoked.

The refund option is not available where a member has previously elected to provide an allowance or additional allowance for a spouse, partner or approved dependent.

The spouse annuity payable is a percentage of the allowance or pension the member was receiving at their date of death, disregarding any election to receive a variable allowance (see [Page 51](#)) and any election to provide an allowance or additional allowance to a spouse, partner or approved dependent (see [Page 54](#)).

Where a member of the Parliamentary Scheme who is not yet 50, but is eligible to receive payment of a retiring allowance from age 50, dies before age 50, the spouse annuity is a percentage of the retiring allowance the member would have received had their allowance become payable immediately before their death.

Where a member has retired on medical grounds and their allowance has been suspended, cancelled or reduced by the Authority, the suspension, cancellation or reduction is ignored for the purpose of determining the spouse annuity payable to an eligible spouse or partner.

The percentage of the member's allowance payable depends on how long the person was the spouse or partner of the deceased;

Length or relationship as spouse or partner	Percentage
Prior to date member retired	50%
After date member retired	
Over 5 years	50%
4 to 5 years	40%
3 to 4 years	30%
2 to 3 years	20%
Less than 2 years	10%

The entitlement of any spouse or partner is not affected by any subsequent change in the relationship status of the spouse or partner (eg remarriage).

Under the Old General Scheme, no person may receive more than one spouse annuity.

The above also applies on the death of a member who ceased service and who could at that time have elected to receive an immediate retiring allowance without the approval of their employer (see [Page 29](#)).

Where a member dies and leaves no eligible spouse or partner a refund of the members contributions on ceasing service (see [Page 32](#)), less any payments made to the member before their death, is payable to the member's estate.

Where a member dies and leaves an eligible child a child allowance is payable from the day after the date of the member's death.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the forms provided by GSF.

DEATH OF A CONTRIBUTING MEMBER

PROVISION

New General Scheme	Sections 61M, 61O and 61Q
Old General Scheme	Sections 45, 46 and 47
Armed Forces Scheme	Sections 71L and 71S
Judges Scheme	Sections 81L, 81N and 81O
Parliamentary Scheme	Sections 86A, 86D and 86E
Police Scheme	Sections 88I and 88M
Prisons Service Scheme	Sections 88V and 88Z

COMMENT

Where a contributing member of the Old General Scheme dies and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)),
OR
2. A spouse annuity payable from the date of the member's death.

Where a contributing member of any other scheme dies and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)), or one times the member's annual salary at date of death, if greater,
OR
2. A spouse annuity payable from the date of the member's death.

In all cases the spouse annuity is 50% of the allowance the member would have received if they had retired on medical grounds on their date of death. That is, calculated in the same way as for immediate retirement except that where a pension factor applies, the pension factor is 1.5% (see [Page 22](#)).

Where a member of the Old General Scheme, New General Scheme or Prisons Service Scheme dies as a result of injuries suffered in the execution of their duty, and the Authority does not consider the spouse annuity payable is sufficient, the Authority may increase the member's retiring allowance to such an amount as the Authority considers fair and equitable.

The spouse or partner may elect to surrender part of their annuity in return for a cash lump sum. The maximum they can receive is 80% of the maximum the member could have received (equivalent to 20% of the member's allowance). The spouse annuity is then 50% of the allowance the member would have received had they elected to surrender part of their allowance for the full lump sum.

The lump sum payable to the spouse or partner is calculated by multiplying the annuity surrendered by a factor, which varies by scheme.

	Factor
New General Islands Sub-scheme	10
Old General Scheme (exc Islands Sub-scheme)	10.8
Old General Islands Sub-scheme	9
All Other Schemes	12

The entitlement of any spouse or partner is not affected by any subsequent change in the relationship status of the spouse or partner (eg remarriage).

Under the Old General Scheme, no person may receive more than one spouse annuity.

Once any payment has been made an election cannot be revoked.

Where a member dies and leaves no eligible spouse or partner a refund of the members contributions on ceasing service (see [Page 32](#)) is payable to the member's estate.

Where a member dies and leaves an eligible child a child allowance is payable from the date of the member's death.

POLICY

- In considering whether a spouse annuity is fair and equitable, where a member dies as a result of injury, the Authority considers each case on its own merits.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the forms provided by GSF.

DEATH OF A MEMBER WHO HAS SUSPENDED CONTRIBUTIONS (including a member of the Prisons Service Scheme who has ceased contributions after completing at least 32 years contributory service)

PROVISIONS

New General Scheme	Section 61R
Prisons Service Scheme	Sections 88P and 88PA
Other Schemes	N/A

COMMENT

If a member who has suspended contributions whilst still in service dies and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)),
OR
2. A spouse annuity payable from the date of the member's death.

The spouse annuity is 50% of the allowance the member would have received had been entitled to receive a retiring allowance at this date of death. In this case the member's Final Average Earnings is determined at the date they ceased contributions, indexed between date of cessation of contributions and date of death by the increase in the CPI from the quarter following that in which contributions cease to the quarter preceding payment.

If a member of the Prisons Service Scheme, who has ceased contributions after completing at least 32 years contributory service, dies whilst still in service and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)), or one times the member's annual salary at date contributions ceased, if greater,
OR
2. A spouse annuity payable from the date of the member's death.

In all cases the spouse annuity is 50% of the allowance the member would have received had they been eligible to retire on medical grounds on their date of death. That is, calculated in the same way as for immediate retirement except that where a pension factor applies, the pension factor is 1.5% (see [Page 22](#)).

In this case the member's Final Average Earnings is determined at the date they ceased contributions, indexed between date of cessation of contributions and date of death by the increase in the CPI from the quarter following that in which contributions cease to the quarter preceding payment.

The spouse or partner may elect to surrender part of their annuity in return for a cash lump sum. The maximum they can receive is 80% of the maximum the member could have received (equivalent to 20% of the member's allowance). The spouse annuity is then 50% of the allowance the member would have received had they elected to surrender part of their allowance for the full lump sum.

The lump sum payable to the spouse or partner is calculated by multiplying the annuity surrendered by a factor of 12.

The entitlement of any spouse or partner is not affected by any subsequent change in the relationship status of the spouse or partner (eg remarriage).

Once any payment has been made an election cannot be revoked.

Where a member dies and leaves no eligible spouse or partner a refund of the members contributions on ceasing service (see [Page 32](#)) is payable to the member's estate.

Where a member dies and leaves an eligible child, a child allowance is payable from the date of the member's death.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the forms provided by GSF.

DEATH OF A MEMBER WHO HAS CEASED CONTRIBUTIONS TO JOIN ANOTHER SUPERANNUATION SCHEME AND RECEIVE A DEFERRED PENSION WHICH IS NOT YET IN PAYMENT

PROVISIONS

New General Scheme	Sections 61R and 61S
Old General Scheme	Sections 45 and 46
Armed Forces Scheme	Sections 71K
Judges Scheme	Section 81Q
Parliamentary Scheme	Section 86A and 86D
Police Scheme	Sections 88I and 88M
Prisons Service Scheme	Sections 88V and 88Z
All Schemes	Government Superannuation Fund (Ceasing Contributions) Regulations 1995

COMMENT

Where a member dies before their deferred pension comes into payment and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)), but including interest to date of death where interest applies
OR
2. A spouse annuity payable from the date of the member's death.

In all cases the spouse annuity is 50% of the deferred pension the member would have received if they had retired on their date of death (see [Page 22](#)). In the case of the Old General Scheme the spouse annuity is subject to a minimum of \$390 per annum.

The member's deferred pension is determined at the date they die, based on their contributory service with GSF (including any enhancement under the [Police Scheme](#) and [Prisons Service Scheme](#)).

Except for the [Parliamentary Scheme](#), where salary is that paid to an ordinary member of Parliament at the time of first payment, the member's final average earnings on ceasing contribution to GSF are indexed between date of cessation and date of payment by the increase in the CPI from the quarter following that in which contributions cease to the quarter preceding payment.

For further details of the calculation of a member's entitlement see [Page 22](#).

The entitlement of any spouse or partner is not affected by any subsequent change in the relationship status of the spouse or partner (eg remarriage).

Once any payment has been made an election cannot be revoked.

Where a member dies and leaves no eligible spouse or partner a refund of the members contributions on ceasing service (see [Page 32](#)) is payable to the member's estate. Where the refund includes interest, interest applies to the date of death.

No child allowances are payable.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the forms provided by GSF.

DEATH OF A MEMBER WHO HAS CEASED CONTRIBUTIONS AND ELECTED A DEFERRED RETIRING ALLOWANCE WHICH IS NOT YET IN PAYMENT

PROVISIONS

New General Scheme	Section 61S
Old General Scheme	N/A
Armed Forces Scheme	N/A
Judges Scheme	Sections 81P
Parliamentary Scheme	N/A
Police Scheme	Sections 88H
Prisons Service Scheme	Sections 88U

COMMENT

Where a member dies before their deferred retiring allowance comes into payment and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)), but including interest to date of death where interest applies
OR
2. A spouse annuity payable from the date of the member's death.

In all cases the spouse annuity is 50% of the deferred retiring allowance the member would have received if they had retired on their date of death (see [Page 32](#)).

The member's deferred retiring allowance is determined at the date they die, based on their contributory service including any enhancement under the Police and Prisons Service Schemes.

The member's final average earnings on ceasing contribution to GSF are indexed between date of cessation and date of payment by the increase in the CPI from the quarter following that in which contributions cease to the quarter preceding payment.

For further details of the calculation of a member's entitlement see [Page 22](#).

The entitlement of any spouse or partner is not affected by any subsequent change in the relationship status of the spouse or partner (eg remarriage).

Once any payment has been made an election cannot be revoked.

Where a member dies and leaves no eligible spouse or partner a refund of the members contributions on ceasing service (see [Page 32](#)) is payable to the member's estate, but including interest to the date of death.

No child allowances are payable.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the forms provided by GSF.

DEATH OF A MEMBER WHO HAS CEASED CONTRIBUTIONS AND ELECTED TO LEAVE THEIR CONTRIBUTIONS IN THE FUND WITH A VIEW TO REACTIVATING LATER ON RESUMING GOVERNMENT SERVICE BEFORE AGE 50

PROVISIONS

New General Scheme	Section 61R
Old General Scheme	60A
Armed Forces Scheme	Section 71K
Judges Scheme	N/A
Parliamentary Scheme	N/A
Police Scheme	Sections 88H and 88M
Prisons Service Scheme	Sections 88U and 88Z

COMMENT

Where a member of the Old General Scheme dies before reactivating their contributions a refund of the member's contributions only is payable to the member's estate.

For the other schemes where the provision applies, where the member dies before age 50 and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)), but including interest to date of death
OR
2. A spouse annuity payable from the date of the member's death.

In all cases the spouse annuity is 50% of the retiring allowance the member would have received if they had retired on their date of death (see [Page 22](#)).

The member's retiring allowance is determined at the date they die, based on their contributory service excluding any enhancement under the Police Scheme and Prisons Service Scheme.

The member's final average earnings on ceasing contribution to GSF are indexed between date of cessation and date of payment by the increase in the CPI from the quarter following that in which contributions cease to the quarter preceding payment.

For further details of the calculation of a member's entitlement see [Page 22](#).

The entitlement of any spouse or partner is not affected by any subsequent change in the relationship status of the spouse or partner (eg remarriage).

Once any payment has been made an election cannot be revoked.

Where a member dies and leaves no eligible spouse or partner a refund of the members contributions on ceasing service (see [Page 32](#)) is payable to the member's estate, but including interest to the date of death where interest applies.

No child allowances are payable.

If a member has not reactivated before age 50, the member is only entitled to a refund of their contributions on ceasing service (see [Page 32](#)). If the refund has not been paid and the member subsequently dies, the refund is payable to the member's estate.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the forms provided by GSF.

DEATH OF A MEMBER WHO HAS CEASED SERVICE AND NOT MADE AN ELECTION

PROVISIONS

New General Scheme	Section 61S
Old General Scheme	N/A
Armed Forces Scheme	Sections 71K and 71S
Judges Scheme	N/A
Parliamentary Scheme	N/A
Police Scheme	Sections 88H and 88M
Prisons Service Scheme	Sections 88U and 88Z

COMMENT

Where a member has ceased Government service dies before making any election regarding their GSF entitlements, a refund of the member's contributions (see [Page 32](#)) is payable to the member's estate.

No allowances are payable to a spouse, partner or child.

ADMINISTRATIVE PROCEDURES

- All such cases must be referred to the Authority.

DEATH OF A MEMBER WHO HAS RETIRED BUT ELECTED TO RECEIVE A LUMP SUM AND DEFER RECEIPT OF THEIR RETIRING ALLOWANCE AND HAS NOT REACHED THE DEFERRED AGE (55 or 60)

PROVISIONS

Armed Forces Scheme	Section 71N
Parliamentary Scheme	Section 86B
All Other Schemes	N/A

COMMENT

Where a member who has elected to receive a lump sum and defer receipt of their retiring allowance to age 55 or 60, dies before reaching that age and leaves an eligible spouse or partner, the spouse or partner has the option of receiving:

1. A refund of the members contributions on ceasing service (see [Page 32](#)), less any payments made to the member before their death,
OR
2. A spouse annuity payable from the day the member would have received the deferred allowance (age 55 or 60).

Once any payment has been made an election cannot be revoked.

The refund option is not available where a member has previously elected to provide an allowance or additional allowance for a spouse, partner or approved dependent.

A spouse annuity payable is a percentage of the allowance or pension the member would have received at the deferred age (55 or 60), disregarding any election to receive a variable allowance (see [Page 51](#)) and any election to provide an allowance to a spouse, partner or approved dependent (see [Page 54](#)).

The percentage of the member's allowance payable depends on how long the person was the spouse or partner of the deceased;

Length or relationship as spouse or partner	Percentage
Prior to date member retired	50%
After date member retired	
Over 5 years	50%
4 to 5 years	40%
3 to 4 years	30%
2 to 3 years	20%
Less than 2 years	10%

The entitlement of any spouse or partner is not affected by any subsequent change in the relationship status of the spouse or partner (eg remarriage).

Under the Old General Scheme, no person may receive more than one spouse annuity.

Where a member dies and leaves no eligible spouse or partner a refund of the members contributions on ceasing service (see [Page 32](#)), less any payments made to the member before their death, is payable to the member's estate.

Where a member dies and leaves an eligible child a child allowance is payable from the day after the date of the member's death.

ADMINISTRATIVE PROCEDURES

- All elections must be made in writing using the forms provided by GSF.

PAYMENT OF ENTITLEMENTS

PAYMENT OF ENTITLEMENTS

PROVISIONS

All Schemes	Sections 89, 89E, 95B and 18 Government Superannuation Fund Regulations 1995
Parliamentary Scheme	Section 86

COMMENT

Every retiring allowance, pension or annuity is paid by 4 weekly or monthly instalment, as determined by the Authority, in advance and is payable to the person entitled to receive the payment, unless the Authority agrees otherwise.

No instalment made prior to the death of a member or other beneficiary is recoverable in full or in part.

The Authority may require members and other beneficiaries to provide proof of identity and survival at any time, and may withhold a member's or other beneficiary's entitlement until such proof is provided.

Any outstanding debts must be paid unless agreed by the Authority that the debt may be deducted from the member's or other beneficiary's entitlement either as a lump sum or over a period of time, or the member's contributory service adjusted.

In instances where money is held in error the Authority may pay interest between the date the payment could have been made to the date payment was made.

Where a member of a scheme, other than the Parliamentary Scheme, ceases Government service and elects to receive an immediate retiring allowance (see [Page 29](#)), or is otherwise in receipt of an allowance or pension, payment of the member's entitlement is not affected if the member subsequently resumes employment, even if that employment is with the member's last employer.

Under the Parliamentary Scheme, if a member is re-elected as a Member of Parliament, payment of any entitlement is suspended, until the member again ceases Government service.

POLICY

- All payments are made to a personal bank account held in the name of the member or other beneficiary entitled to receive the payment. Exceptions are considered by the Authority on a case by case basis.
- The Authority requires all persons resident overseas or with an overseas bank account, and all persons over age 100 to provide proof of identity and survival annually using the form provided by GSF. The Authority may also require other members or other beneficiaries provide such proof on a case by case basis.
- Where monies are owed to GSF, interest applies at the before tax Fund Earning Rate, or the 90 day bank bill rate where the Fund Earning Rate is not yet published.

- Debts outstanding when a payment falls due may be deducted from the member's or other beneficiary's entitlement as a lump sum. Spreading a debt repayment over a number of payments is considered on a case by case basis.
- Where the Authority determines money has been held in error interest is paid at the after tax Fund Earning Rate, or the 90 day bank bill rate (less tax) published by the Reserve Bank where the Fund Earning Rate is not yet published.

ADMINISTRATIVE PROCEDURES

- All payments, whether lump sums, allowances, pensions or annuities are made by the Scheme Administrator within 7 working days of receiving all the information required to calculate the relevant entitlement and to make payment, or the date the payment falls due, if later.
- Any charges registered to the member must be settled before payment can be made.
- All outstanding debts must be paid or a payment schedule agreed with the Authority before payment can be made.
- Where the first payment of an allowance, pension or annuity falls due between the 4-weekly pay dates, a part payment is payable in advance.
- Any payments made after a member's or other beneficiary's death will be recovered by the Scheme Administrator on behalf of the Authority.
- A fee is charged for each payment made to overseas bank accounts and is deducted from the relevant payment.
- Where the Authority has agreed, at a member's or other beneficiary's request, to make a deduction of subscriptions for membership of the Government Superannuitants Association, the deduction will be made from each relevant payment.
- For payment of any entitlement on the death of a member, a copy of the death certificate must be provided, unless already independently verified with the Department of Internal Affairs, Birth, Deaths and Marriages.
- For payment to a member's or other beneficiary's estate following the death of a member or other beneficiary, the estate must provide a copy of probate or letters of administration where granted, or other such evidence as required.
- Any change to a member's or other beneficiary's personal details, including address and nominated bank account, must be made in writing using the form provided by GSF.

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