

REPUBLIC OF KIRIBATI
(No. 3 of 1982)



We assent,

A. Onorio Chairman
Chairman Public
Service Commission
V. R. Jones. Member
Chief Justice
Samuel S. Member
Speaker

The Council of State
performing in accordance
with the Constitution the
functions of the Beretitenti,
30th December, 1982.

AN ACT TO AMEND THE PROVIDENT FUND ORDINANCE
(Chapter 78A).

Commencement: 1982.

MADE by the Maneaba ni Maungatabu and assented to by the
Council of State.

Short title

1. This Act may be cited as the Provident Fund (Amendment)
Act, 1982.

Repeal of
S. 17(4) of the
Principal
Ordinance.

2. Section 17(4) of the Principal Ordinance is repealed and
the following Section 17(4) substituted therefor:

Section 17(4)(1) For the purpose of providing for the
payment of special death benefit under the provisions of
Section 27, the Board shall cause to be deducted at the
commencement of each financial year from the account of
each qualified member the sum of \$5.00 PROVIDED that such
deduction shall not be made where such deduction would
exceed the interest payable to the credit of that account
for that financial year:

PROVIDED FURTHER that the amount of the sum to be deducted
under the provisions of this subsection may be varied from
time to time by resolution of the House of Assembly.

17(4)(2) Where under and by virtue of the first
proviso to the preceding subsection deductions are not
made, then for the purposes of Sections 9, and 27 of this
Act and otherwise the member in respect of whom deduction
have not been made, shall not be entitled to payment of
special death benefit*.

Repeal of
S.20(1)(e) of
Cap. 78A as
amended.

3. Section 20(1)(e) of the Principal Ordinance is hereby repealed.

Appointment of
staff.

4. Section 5(1) of the Principal Ordinance is hereby repealed and the following Section 5(1) substituted therefor:

"Section 5(1)(i) Without prejudice to appointments made prior to the effective date of this Act, the Board shall, after consultation with the Public Service Commission, appoint a Manager.

(ii) The Manager shall be the Chief Executive of the Board, and shall direct the entire staff and all other administrative and operational functions of the Board.

(iii) The Board may from time to time establish such other posts (including that of Accountant) as it considers necessary and proper for the due and efficient administration and performance by the Board of its duties under this Act and shall, acting on the recommendation of the Public Service Commission, appoint staff to fill those posts.

(iv) The termination of appointment, dismissal and disciplinary control of the staff of the Board shall be vested in the Board, acting on the recommendation of the Public Service Commission.

(v) With the approval of the Board, the Public Service Commission may second to any office in the service of the Board a public officer and the Public Service Commission may approve the transfer of an officer from the service of the Board to the public service or from the public service to the service of the Board."


This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on the 9th day of December, 1982, and is found by me to be a true and correctly printed copy of the said Bill.



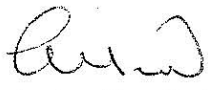
Clerk to the Maneaba
ni Maungatabu.

Published by exhibition -

- (a) at the Public Office of the Beretitenti
on the 30 day of December 1982.


Secretary to the Cabinet.

- (b) at the Maneaba ni Maungatabu on the
30 day of December, 1982.


Clerk to the Maneaba
ni Maungatabu.

PROVIDENT FUND (AMENDMENT) ACT 1982

EXPLANATORY MEMORANDUM

It transpired that some members of the Fund, having ceased work and having only a small sum to their credit in the Fund, were having to watch such sum being reduced each year, instead of increasing, by the deduction of the statutory \$5.00 per annum as a contribution to Special Death Benefit. This Act rectifies the situation by providing that deduction in such cases shall not be made.

Further, S.20(1)(e) of Cap. 78A discriminated by allowing women who have married, but not men, to withdraw their contributions. This has been repealed.

Also, appointment of staff provisions have been amended so as to involve the Public Service Commission.

R.L. Davey
Attorney General

LEGAL REPORT

I hereby certify my opinion that none of the provisions of the above Act conflict with the provisions of the Constitution and that the Beretitenti may properly assent to the Act.

R.L. Davey
Attorney General
26 May 1982