

REPUBLIC OF KIRIBATI
(No. 4 of 2004)

I assent,

Beretitenti
09/09/2004

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

Commencement:
2004

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

Short title

1. This Act may be cited as the Provident Fund (Amendment) Act 2004.

Amendment of section 2

2. Section 2 of the Provident Fund Ordinance (Cap. 78A) (hereinafter referred to as the principal Ordinance) is amended by inserting immediately before the definition of “wages” a new definition as follows -

“voluntary member” means a member other than an employee who is not a voluntary contributor under section 16(1);

Amendment of section 16

3. Section 16 of the principal Ordinance is amended as follows -

- (a) by repealing subsection (2) and substituting it with the following -

“(2) Any person intending to be a voluntary member may apply in writing to the Board to be registered as a voluntary member, and upon approval by the Board, becomes a voluntary member and pay contributions on his own behalf into the Fund.”; and

- (b) by inserting a new subsection (3) as follows -

“(3) Voluntary contributions made under the provisions of -

- (a) subsections (1) shall not exceed an aggregate of \$1,200 in any contribution half year; and

- (b) subsection (2) shall be unrestricted.

Insertion of a new section 48

4. The principal Ordinance is amended by the insertion of a new section 48 as follows -

“Application to voluntary member

48. The provisions of this Ordinance relating to a member shall apply mutatis mutandis to a voluntary member.”

PROVIDENT FUND (AMENDMENT) BILL 2004

Explanatory Memorandum

Under the existing arrangements, only employees, as defined, and a voluntary contributor as provided under section 16(1) can contribute to the Fund. The amendment extends that now to almost anyone be it copra cutters, seamen, etc., but they have to apply and the Board to approve of their membership to the Fund to allow their contributions to be deposited in the Fund.

A new section 48 is inserted to apply the Ordinance to a voluntary member in the same way as it does to an employee with necessary modifications.

Titabu Tabane
Attorney General
5 May 2004