

EXTRAORDINARY



# GOVERNMENT OF FIJI GAZETTE

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GOVERNMENT OF FIJI

FIJI NATIONAL PROVIDENT FUND TRANSITION (AMENDMENT) DECREE 2012  
(DECREE NO. 76 OF 2012)

IN exercise of the powers vested in me as the President of the Republic of Fiji and the Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority of Fiji Decree 2009, I hereby make the following Decree—

TO AMEND THE FIJI NATIONAL PROVIDENT FUND TRANSITION DECREE 2011

*Short title and commencement*

1.—(1) This Decree may be cited as the Fiji National Provident Fund Transition (Amendment) Decree 2012, and shall be deemed to have come into force on 1st March, 2012.

(2) The Fiji National Provident Fund Transition Decree 2011 shall be referred to as the “Principal Decree”.

*Section 3 amended*

2. Section 3 of the Principal Decree is amended in subsection (1) by—

(a) deleting the definition of “conversion amount” and substituting the following—

““conversion amount”, for a current annuitant, means—

- (a) if the current annuitant is a person who, immediately before 25th November, 2011, was being paid an annuity under current annuity arrangements, the amount of the annuitant’s entitlement that was required to be used to calculate the amount of the annuitant’s annuity under the Fiji National Provident Fund (Annuity) Order 1974 or the Fiji National Provident Fund (Annuity) Order 1999; or
- (b) the amount calculated under paragraph (a) less the total of the amounts payable to the current annuitant under the current annuity arrangements in respect of the period after 25th November, 2011;”;

(b) inserting the following new definitions—

““subsection (4) amount” means the conversion amount as increased under section 8 (4);

“subsection (5) increase” means the amount that the annuitant is to be paid each month under Schedule 4 of the new Decree that is increased by the amount worked out in the table in section 8 (5);

“subsection (6) increase” means the amount that the annuitant is to be paid each month under Schedule 4 of the new Decree that is increased by the amount worked out in the table in section 8 (6);”.

*Section 7 amended*

3. Section 7 of the Principal Decree is amended by inserting the following new subsection after subsection (2)—

“(2A) The Board may extend a period for satisfying the requirements in subsection (2) (b) or in subsection (2) (f), and the Board may do so before or after any such period has expired.”

*Section 8 amended*

## 4. Section 8 of the Principal Decree is amended by—

## (a) deleting subsection (2) (b) and substituting the following—

“(b) the annuitant uses the whole of the conversion amount to buy—

- (i) if the annuitant’s current annuity arrangements are a single life pension, a single life annuity from the Board; or
- (ii) if the annuitant’s current annuity arrangements are a joint life pension, a single or a joint life annuity from the Board;”;

## (b) deleting subsection (3) (b) and substituting the following—

“(b) the annuitant uses the whole of the conversion amount to buy—

- (i) if the annuitant’s current annuity arrangements are a single life pension, a single life annuity from the Board; or
- (ii) if the annuitant’s current annuity arrangements are a joint life pension, a single or a joint life annuity from the Board;”;

## (c) deleting “(c)” and “(d)” in subsection (3) and substituting “(i)” and “(ii)” respectively;

## (d) deleting subsection (4) (b) and substituting the following—

“(b) the annuitant uses the whole of the conversion amount to buy—

- (i) if the annuitant’s current annuity arrangements are a single life pension, a single life annuity from the Board; or
- (ii) if the annuitant’s current annuity arrangements are a joint life pension, a single or a joint life annuity from the Board; and”;

## (e) deleting “(d)” and “(e)” in subsection (4) and substituting “(i)” and “(ii)” respectively; and

## (f) inserting the following new subsections after subsection (4)—

“(5) Subject to subsections (7) and (8), if—

- (a) subsection (4) applies in relation to an annuitant; and
- (b) the annuitant uses all of his or her conversion amount, as increased under subsection (4), to buy a single life pension,

the amount that the annuitant is to be paid each month under Schedule 4 of the new Decree is increased by the amount worked out in the following table—

<i>If the annuitant, on the date of the application for the annuity, had turned....</i>	<i>the subsection (5) increase is....</i>
20, but not 21	6.6% of the subsection (4) amount ÷ 12
21, but not 22	6.6% of the subsection (4) amount ÷ 12
22, but not 23	6.6% of the subsection (4) amount ÷ 12
23, but not 24	6.6% of the subsection (4) amount ÷ 12
24, but not 25	6.7% of the subsection (4) amount ÷ 12
25, but not 26	6.7% of the subsection (4) amount ÷ 12
26, but not 27	6.7% of the subsection (4) amount ÷ 12
27, but not 28	6.7% of the subsection (4) amount ÷ 12
28, but not 29	6.8% of the subsection (4) amount ÷ 12

29, but not 30	6.8% of the subsection (4) amount ÷ 12
30, but not 31	6.8% of the subsection (4) amount ÷ 12
31, but not 32	6.8% of the subsection (4) amount ÷ 12
32, but not 33	6.9% of the subsection (4) amount ÷ 12
33, but not 34	6.9% of the subsection (4) amount ÷ 12
34, but not 35	7.0% of the subsection (4) amount ÷ 12
35, but not 36	7.0% of the subsection (4) amount ÷ 12
36, but not 37	7.0% of the subsection (4) amount ÷ 12
37, but not 38	7.1% of the subsection (4) amount ÷ 12
38, but not 39	7.1% of the subsection (4) amount ÷ 12
39, but not 40	7.2% of the subsection (4) amount ÷ 12
40, but not 41	7.3% of the subsection (4) amount ÷ 12
41, but not 42	7.3% of the subsection (4) amount ÷ 12
42, but not 43	7.4% of the subsection (4) amount ÷ 12
43, but not 44	7.4% of the subsection (4) amount ÷ 12
44, but not 45	7.5% of the subsection (4) amount ÷ 12
45, but not 46	7.6% of the subsection (4) amount ÷ 12
46, but not 47	7.7% of the subsection (4) amount ÷ 12
47, but not 48	7.8% of the subsection (4) amount ÷ 12
48, but not 49	7.9% of the subsection (4) amount ÷ 12
49, but not 50	8.0% of the subsection (4) amount ÷ 12
50, but not 51	8.1% of the subsection (4) amount ÷ 12
51, but not 52	8.2% of the subsection (4) amount ÷ 12
52, but not 53	8.3% of the subsection (4) amount ÷ 12
53, but not 54	8.5% of the subsection (4) amount ÷ 12
54, but not 55	8.6% of the subsection (4) amount ÷ 12
55, but not 56	8.8% of the subsection (4) amount ÷ 12
56, but not 57	8.9% of the subsection (4) amount ÷ 12
57, but not 58	9.1% of the subsection (4) amount ÷ 12
58, but not 59	9.3% of the subsection (4) amount ÷ 12
59, but not 60	9.5% of the subsection (4) amount ÷ 12
60, but not 61	9.7% of the subsection (4) amount ÷ 12
61, but not 62	10.0% of the subsection (4) amount ÷ 12
62, but not 63	10.2% of the subsection (4) amount ÷ 12
63, but not 64	10.5% of the subsection (4) amount ÷ 12
64, but not 65	10.8% of the subsection (4) amount ÷ 12

65, but not 66	11.1% of the subsection (4) amount ÷ 12
66, but not 67	11.4% of the subsection (4) amount ÷ 12
67, but not 68	11.7% of the subsection (4) amount ÷ 12
68, but not 69	12.1% of the subsection (4) amount ÷ 12
69, but not 70	12.6% of the subsection (4) amount ÷ 12
70, but not 71	13.1% of the subsection (4) amount ÷ 12
71, but not 72	13.5% of the subsection (4) amount ÷ 12
72, but not 73	14.0% of the subsection (4) amount ÷ 12
73, but not 74	14.6% of the subsection (4) amount ÷ 12
74, but not 75	15.2% of the subsection (4) amount ÷ 12
75, but not 76	15.9% of the subsection (4) amount ÷ 12
76, but not 77	16.6% of the subsection (4) amount ÷ 12
77, but not 78	17.3% of the subsection (4) amount ÷ 12
78, but not 79	18.2% of the subsection (4) amount ÷ 12
79, but not 80	19.0% of the subsection (4) amount ÷ 12
80, but not 81	19.9% of the subsection (4) amount ÷ 12
81, but not 82	21.0% of the subsection (4) amount ÷ 12
82, but not 83	22.2% of the subsection (4) amount ÷ 12
83, but not 84	23.5% of the subsection (4) amount ÷ 12
84, but not 85	24.9% of the subsection (4) amount ÷ 12
85, but not 86	26.4% of the subsection (4) amount ÷ 12
86, but not 87	28.2% of the subsection (4) amount ÷ 12
87, but not 88	30.1% of the subsection (4) amount ÷ 12
88, but not 89	32.1% of the subsection (4) amount ÷ 12
89, but not 90	34.1% of the subsection (4) amount ÷ 12
90, but not 91	35.7% of the subsection (4) amount ÷ 12
91, but not 92	38.7% of the subsection (4) amount ÷ 12
92, but not 93	42.0% of the subsection (4) amount ÷ 12
93, but not 94	45.7% of the subsection (4) amount ÷ 12
94, but not 95	49.1% of the subsection (4) amount ÷ 12
95, but not 96	50.9% of the subsection (4) amount ÷ 12
96, but not 97	57.2% of the subsection (4) amount ÷ 12
97, but not 98	65.7% of the subsection (4) amount ÷ 12
98, but not 99	79.0% of the subsection (4) amount ÷ 12
99, but not 100	100.0% of the subsection (4) amount ÷ 12

100, but not 101	100.0% of the subsection (4) amount ÷ 12
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(6) Subject to subsections (7) and (8), if—

(a) subsection (4) applies in relation to an annuitant; and

(b) the annuitant uses all of his or her conversion amount, as increased under subsection (4) , to buy a joint life pension or a combined joint life and single life pension,

the amount that the annuitant is to be paid each month under Schedule 4 of the new Decree is increased by the amount worked out in the following table—

<i>If the annuitant, on the date of the application for the annuity, had turned....</i>	<i>the subsection (6) increase ....</i>
20, but not 21	6.4% of the subsection (4) amount ÷ 12
21, but not 22	6.4% of the subsection (4) amount ÷ 12
22, but not 23	6.4% of the subsection (4) amount ÷ 12
23, but not 24	6.4% of the subsection (4) amount ÷ 12
24, but not 25	6.4% of the subsection (4) amount ÷ 12
25, but not 26	6.4% of the subsection (4) amount ÷ 12
26, but not 27	6.4% of the subsection (4) amount ÷ 12
27, but not 28	6.4% of the subsection (4) amount ÷ 12
28, but not 29	6.5% of the subsection (4) amount ÷ 12
29, but not 30	6.5% of the subsection (4) amount ÷ 12
30, but not 31	6.5% of the subsection (4) amount ÷ 12
31, but not 32	6.5% of the subsection (4) amount ÷ 12
32, but not 33	6.5% of the subsection (4) amount ÷ 12
33, but not 34	6.5% of the subsection (4) amount ÷ 12
34, but not 35	6.5% of the subsection (4) amount ÷ 12
35, but not 36	6.6% of the subsection (4) amount ÷ 12
36, but not 37	6.6% of the subsection (4) amount ÷ 12
37, but not 38	6.6% of the subsection (4) amount ÷ 12
38, but not 39	6.6% of the subsection (4) amount ÷ 12
39, but not 40	6.6% of the subsection (4) amount ÷ 12
40, but not 41	6.7% of the subsection (4) amount ÷ 12
41, but not 42	6.7% of the subsection (4) amount ÷ 12
42, but not 43	6.7% of the subsection (4) amount ÷ 12
43, but not 44	6.8% of the subsection (4) amount ÷ 12
44, but not 45	6.8% of the subsection (4) amount ÷ 12
45, but not 46	6.8% of the subsection (4) amount ÷ 12
46, but not 47	6.9% of the subsection (4) amount ÷ 12

47, but not 48	6.9% of the subsection (4) amount ÷ 12
48, but not 49	7.0% of the subsection (4) amount ÷ 12
49, but not 50	7.0% of the subsection (4) amount ÷ 12
50, but not 51	7.1% of the subsection (4) amount ÷ 12
51, but not 52	7.2% of the subsection (4) amount ÷ 12
52, but not 53	7.2% of the subsection (4) amount ÷ 12
53, but not 54	7.3% of the subsection (4) amount ÷ 12
54, but not 55	7.4% of the subsection (4) amount ÷ 12
55, but not 56	7.5% of the subsection (4) amount ÷ 12
56, but not 57	7.6% of the subsection (4) amount ÷ 12
57, but not 58	7.7% of the subsection (4) amount ÷ 12
58, but not 59	7.8% of the subsection (4) amount ÷ 12
59, but not 60	7.9% of the subsection (4) amount ÷ 12
60, but not 61	8.0% of the subsection (4) amount ÷ 12
61, but not 62	8.1% of the subsection (4) amount ÷ 12
62, but not 63	8.3% of the subsection (4) amount ÷ 12
63, but not 64	8.4% of the subsection (4) amount ÷ 12
64, but not 65	8.6% of the subsection (4) amount ÷ 12
65, but not 66	8.8% of the subsection (4) amount ÷ 12
66, but not 67	9.0% of the subsection (4) amount ÷ 12
67, but not 68	9.2% of the subsection (4) amount ÷ 12
68, but not 69	9.4% of the subsection (4) amount ÷ 12
69, but not 70	9.7% of the subsection (4) amount ÷ 12
70, but not 71	9.8% of the subsection (4) amount ÷ 12
71, but not 72	10.1% of the subsection (4) amount ÷ 12
72, but not 73	10.4% of the subsection (4) amount ÷ 12
73, but not 74	10.7% of the subsection (4) amount ÷ 12
74, but not 75	11.1% of the subsection (4) amount ÷ 12
75, but not 76	11.5% of the subsection (4) amount ÷ 12
76, but not 77	11.9% of the subsection (4) amount ÷ 12
77, but not 78	12.4% of the subsection (4) amount ÷ 12
78, but not 79	12.9% of the subsection (4) amount ÷ 12
79, but not 80	13.4% of the subsection (4) amount ÷ 12
80, but not 81	14.0% of the subsection (4) amount ÷ 12
81, but not 82	14.7% of the subsection (4) amount ÷ 12
82, but not 83	15.4% of the subsection (4) amount ÷ 12

83, but not 84	16.2% of the subsection (4) amount ÷ 12
84, but not 85	17.0% of the subsection (4) amount ÷ 12
85, but not 86	17.9% of the subsection (4) amount ÷ 12
86, but not 87	18.9% of the subsection (4) amount ÷ 12
87, but not 88	20.0% of the subsection (4) amount ÷ 12
88, but not 89	21.1% of the subsection (4) amount ÷ 12
89, but not 90	22.2% of the subsection (4) amount ÷ 12
90, but not 91	23.2% of the subsection (4) amount ÷ 12
91, but not 92	25.0% of the subsection (4) amount ÷ 12
92, but not 93	26.8% of the subsection (4) amount ÷ 12
93, but not 94	28.5% of the subsection (4) amount ÷ 12
94, but not 95	29.7% of the subsection (4) amount ÷ 12
95, but not 96	31.0% of the subsection (4) amount ÷ 12
96, but not 97	35.3% of the subsection (4) amount ÷ 12
97, but not 98	40.2% of the subsection (4) amount ÷ 12
98, but not 99	46.6% of the subsection (4) amount ÷ 12
99, but not 100	55.1% of the subsection (4) amount ÷ 12
100, but not 101	75.8% of the subsection (4) amount ÷ 12

(7) Where a joint life annuity has been purchased, and the spouse of the annuitant buying the annuity is more than seven (7) years younger than the annuitant, the subsection (6) increase is to be the amount determined by the actuary.

(8) The amount of subsection (5) or subsection (6) increase shall cease to be payable on the death of—

- (a) in the case of a joint annuity where the annuitant dies before his or her spouse dies, the annuitant's spouse provided however that the spouse was the annuitant's spouse at the time the annuitant purchased the annuity;
- (b) in the case of a joint annuity where the annuitant dies after his or her spouse dies, the death of that annuitant provided however that the spouse was the annuitant's spouse at the time the annuitant purchased the annuity; or
- (c) in other cases, the annuitant who purchased the annuity."

*Section 11 amended*

5. Section 11 of the Principal Decree is amended in subsection (9) by inserting “, and section 6 (3) of the new Decree” after “Decree” in the definition of “relevant provisions”.

GIVEN under my hand this 6th day of December 2012.

EPELI NAILATIKAU  
President of the Republic of Fiji