



Tuvalu

**PROVIDENT FUND (REGISTRATION)
REGULATIONS**

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PROVIDENT FUND (REGISTRATION) REGULATIONS¹

MADE UNDER THE PROVIDENT FUND ACT

1 Citation and interpretation

- (1) These Regulations may be cited as the Provident Fund (Registration) Regulations.
- (2) In these Regulations, unless the context otherwise requires —
“**appointed day**” means 1st April 1984;
“**provident fund identity card**” means a card issued for the purpose of identifying the contributions paid and benefit claimed with an individual member.

2 Issue of notices, etc

Any notice, application, card or other document which is authorized or required to be given, submitted, issued or delivered under these Regulations may be sent by post.

3 Registration of employers

- (1) Every employer covered by the Act shall, within 14 days of being requested so to do by the Manager, submit to the Manager on the appropriate form an application for registration as an employer.
- (2) Failing the receipt of such a request, every employer shall submit to the Manager an application for registration not later than the appointed day.

4 Action after the appointed day

Every person who becomes an employer after the appointed day shall, within 7 days of employing his first employee, submit to the Manager on the appropriate form an application for registration as an employer.

5 Information required

- (1) On registering an employer the Manager shall request that employer to submit an application for registration in respect of each of his employees on the appropriate form
- (2) The form for registration of an employee shall be completed so far as possible by the person to whom that form relates and shall be signed by that person in the presence of the employer who shall witness the signature.

6 Registration of new employees

Where an employer employs a person after the appointed day who has not previously registered under the Act, the employer shall forthwith submit to the Manager an application on the appropriate form in respect of that person.

7 Evidence of previous registration

The failure of an employee to produce to his employer, within 4 days of the commencement of his employment with that employer, a provident fund identity card issued under regulation 9 shall, for the purpose of regulation 6, be prima facie evidence that the employee has not previously registered under the Act.

8 Registration of individual members

- (1) A person covered by the Act who has not already been registered under the foregoing regulations shall, within 14 days after being requested so to do by the Manager, submit to the Manager on the appropriate form an application for registration as a member.
- (2) Failing the receipt of such a request a person covered shall present to the Manager an application for registration as a member not later than the appointed day.

9 Issue of identity cards

- (1) Where upon receipt of an application for registration as a member the Manager is satisfied that the person concerned is required to be registered and has not already done so, he shall cause to be issued to the individual a provident fund identity card.

- (2) At the time of the issue of the provident fund identity card the Manager may require the person concerned to attend at the Fund to sign the card in the presence of an officer of the Fund.
- (3) The provident fund identity card shall bear the full name and membership number of the member.
- (4) Where the entries on the provident fund identity card are amended or altered in any way the card shall be invalid and shall be returned to the Manager forthwith.

10 Obligations of employees

- (1) An employee shall furnish to his employer or the Manager when requested so to do any personal particulars as may be required by the employer or the Manager for the purposes of these Regulations.
- (2) The employed person concerned shall be responsible for the accuracy of the particulars furnished under subregulation (1) and shall sign the appropriate form in the place provided for this purpose.

11 Safe custody of cards

- (1) A person to whom a provident fund identity card has been issued under regulation 9 shall be responsible for its safe custody and shall produce it to an employer or to an officer of the Fund whenever he is required to do so in connection with the payment of contributions or a claim for benefit.
- (2) Where any provident fund identity card is lost or destroyed or, because of defacement or change of name or otherwise, ceases to represent the identity of the member to whom it was issued, the member concerned shall apply to the Manager for the issue of a replacement card.
- (3) On application for a replacement provident fund identity card the person concerned shall furnish the Manager with such information as he may require.
- (4) The Manager may, if he is satisfied that the loss, destruction or defacement of the provident fund identity card was due to the negligence of the person concerned, require payment in respect of the issue of the replacement card.

12 Offences and penalties

Any person who —

- (a) contravenes any of these Regulations; or
- (b) steals or misuses a provident fund identity card in any way for gain or knowingly gives false information for the purpose of obtaining a card to which he is not entitled or for a purpose other than for which it is lawfully intended,

shall be liable to a fine of \$10,000 for each such offence and to imprisonment for 3 months and in the case of a continuing offence, to a fine of \$100 for each day on which the offence continues.

ENDNOTES

¹ LN 8/1984