

NORFOLK ISLAND

No. 12 of 1979

AN ORDINANCE

To amend the *Provident Account Ordinance 1958*

WHEREAS it is provided by sub-section (1) of section 16 of the *Norfolk Island Act 1957* that, subject to sub-section (4) of that section, a copy of every proposed Ordinance shall be furnished by the Minister, through the Administrator, to the Norfolk Island Council for its consideration:

AND WHEREAS it is provided by sub-section 16 (4) of that Act, amongst other things, that, where it appears to the Governor-General that an Ordinance should, on account of urgency, be made without the proposed Ordinance being first submitted to the Norfolk Island Council, the Ordinance may be made accordingly:

AND WHEREAS it appears to me, Sir Zelman Cowen, the Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, that the following Ordinance should, on account of urgency, be made without the proposed Ordinance being first submitted to the Norfolk Island Council:

NOW THEREFORE I, the Governor-General, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Norfolk Island Act 1957* accordingly.

Dated this second day of August 1979.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

R. ELLICOTT
Minister of State for Home Affairs

PROVIDENT ACCOUNT (AMENDMENT) ORDINANCE

1. This Ordinance may be cited as the *Provident Account Short title (Amendment) Ordinance 1979*.*

2. This Ordinance shall come into operation on the date fixed under sub-section 2 (2) of the *Norfolk Island Act 1979*. Commence-
ment

* Notified in the *Norfolk Island Government Gazette* on 3 August 1979.

Principal
Ordinance

3. In this Ordinance, "Principal Ordinance" means the *Provident Account Ordinance* 1958.[†]

4. Section 2 of the Principal Ordinance is repealed and the following section substituted:

Ordinance to
have effect
notwith-
standing
Public
Moneys
Ordinance

"2. This Ordinance has effect notwithstanding the provisions of the Public Moneys Ordinance."

Interpret-
ation

5. Section 3 of the Principal Ordinance is amended—

(a) by inserting after the definition of "officer" the following definitions:

" 'Public Moneys Ordinance' means the *Public Moneys Ordinance* 1979;

" 'Revenue Fund' means the Revenue Fund referred to in sub-section 8 (2) of the Public Moneys Ordinance;" and

(b) by omitting the definition of "the Administration."

The
Provident
Account

6. Section 4 of the Principal Ordinance is amended by omitting sub-section (3) and substituting the following sub-section:

"(3) Income from the investment of moneys standing to the credit of the Provident Account and moneys derived from the realisation of any of those investments form part of the Provident Account."

Investment
of Provident
Account

7. Section 6 of the Principal Ordinance is amended by omitting "Minister" (wherever occurring) and substituting "Administrator".

Contributors
to Provident
Account

8. Section 8 of the Principal Ordinance is amended by omitting "Minister" (wherever occurring) and substituting "Administrator".

Payment of
contributions
by Adminis-
tration

9. Section 10 of the Principal Ordinance is amended by omitting from sub-section (1) "contribute to the Provident Account in respect of each contributor" and substituting "in respect of each contributor, credit to the Provident Account and debit to the Revenue Fund".

Payments on
retirement

10. Section 14 of the Principal Ordinance is amended by omitting "Minister" (wherever occurring) and substituting "Administrator".

Payment on
dismissal of
contributor

11. Section 16 of the Principal Ordinance is amended by omitting "Minister" and substituting "Administrator".

[†] Ordinance No. 9, 1958 as amended by No. 6, 1968; and No. 7, 1978.

12. Section 17 of the Principal Ordinance is amended by omitting "Minister" and substituting "Administrator".

Distribution
to
dependants

13. Section 18 of the Principal Ordinance is amended by adding the following sub-section:

Moneys
subject to
lien

"(2) Where an amount deducted under sub-section (1) was not an amount in respect of contributions under this Ordinance, the amount shall be debited to the Provident Account and credited to the Revenue Fund."