



Tuvalu

PROVIDENT FUND (CONTRIBUTION) (AMENDMENT) REGULATIONS 2008

LN 12 of 2009

MADE UNDER SECTION 14 OF THE PROVIDENT FUND ACT 1984

Commencement [11 September 2009]

In exercise of the power conferred by section 14 of the Provident Fund Act 1984, I hereby make the following regulations —

1 Short title, commencement and interpretations

- (1) These Regulations may be cited as the Provident Fund (Contributions) (Amendment) Regulations 2008.
- (2) These Regulations shall come into operation on a date to be appointed by the Minister by notice.
- (3) In these Regulations, “the Regulations” means the Provident Fund (Contributions) Regulation 1984 including all subsequent amendments that has been made to it.

2 Amendment of Schedule

The Schedule to the Regulations is amended —

- (a) Rename “Schedule” as “Schedule 1”; and
- (b) in paragraph 1 by deleting “10%” and substituting “13%”.

3 New Schedule

Insert a new schedule entitled “Schedule 2” to provide as follows:

“1 Group 1 contributions (employed seafarers)

- (i) The contributions shall be 10 per cent of the employed seafarer’s gross earnings.
- (ii) Employed seafarer may make additional contribution at their own expense and without any obligation on the Agent to make any payment. Such contributions shall be payable to the Fund provided that:
 - (a) such payments are made once only in a month; and
 - (b) shall not be less than \$20.00

2 Group 2 contributions (employers / Agents)

- (i) For the first 12 months after the coming into effect of these Regulations, the contribution shall be 0 per cent of the gross earnings for each member employed under a contract of service by an employer / Agent.
- (ii) After 12 months of the coming into effect of these Regulations, the contribution shall be 5 per cent of the gross earnings for each member employed under a contract of service by an employer / Agent.

3 Contribution rate subject to further adjustment

Subject to further negotiations between the Government of Tuvalu and the employers / Agents and all other stakeholders, the contribution rate in 2(ii) above shall be subject to further adjustment.

4 Liability for payment of contributions

The employer / Agent shall initially be liable for the payment of both group 1 and group 2 contributions, subject to recovery of the group 1 contribution from the employed seafarer by deduction from salary.”