



Tonga

**TONGA DEFENCE SERVICES PENSIONS
(AMENDMENT) REGULATIONS 2013**



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TONGA DEFENCE SERVICES ACT 1992

IN EXERCISE of the powers conferred by section 141 of the Tonga Defence Services Act 1992, His Majesty hereby makes the following Regulations -

1 Short Title

- (1) These Regulations may be cited as the Tonga Defence Services Pensions (Amendment) Regulations 2013.
- (2) The Tonga Defence Services Pensions Regulations 1994, as amended, are in these Regulations referred to as the Principal Regulations.

2 New regulation 11A inserted

The Principal Regulations is amended by inserting the following new regulation 11A immediately after regulation 11:

“11A Application of these Regulations

- (1) These Regulations shall apply to every member of the Tonga Defence Services who, on 1 July 2013, is aged 47 years or more, provided that before 1 July 2013, such persons shall elect whether to be subject to these Regulations, or transfer to the Retirement Fund.

- (2) These Regulations shall not apply to a member of the Tonga Defence Services who on 1 July 2013 is aged less than 47 years, or is enlisted or appointed to be a member of the Tonga Defence Services after 1 July 2013.
- (3) The retirement benefits of persons who elect to be transferred to the Retirement Fund or is covered under sub-regulation (2), shall be provided for under the Retirement Fund Act.

3 Regulation 13 amended

Regulation 13 of the Principal Regulations is amended:

- (a) in sub-regulation (2) by deleting the words “Subject to sub-regulation (4) the” and replacing it with “The”;
- (b) by repealing sub-regulation (3) and replacing it with the following:
 - “(3) The rate of pension payable to an officer of the Regular Force who:
 - (a) retires before reaching the age for compulsory retirement applicable to his rank; and
 - (b) has completed at least 22 years of effective service,is an amount per annum that is equal to the percentage of his rate of pay on the date of retirement opposite the number of complete years of effective service shown in the table set out in sub-regulation (2).”;
- (c) by repealing sub-regulation (4) and replacing it with the following:
 - “(4) The rate of pension payable to an officer of the Regular Force who:
 - (a) retires on reaching the age of compulsory retirement; and
 - (b) has completed at least 15 years but less than 22 years of effective service,is an amount per annum that is equal to the percentage of his rate of pay on the date of retirement opposite the number of complete years of effective service shown in the table set out in sub-regulation (2).”.

4 Regulation 21 amended

Regulation 21 of the Principal Regulations is amended by repealing sub-regulation (3) and replacing it with the following:

- “(3) The rate of pension payable to a soldier who retires before reaching the age of compulsory retirement who has completed at

least 22 years or more effective service shall be an amount per calendar month that is equal to the percentage of 4 times the rate of pay for 7 days on the issue to the soldier on the date of retirement opposite the number of complete years of effective service shown in the table set out in sub-regulation (2).”.

Made at Nuku’alofa this 28th day of June 2013.

TUPOU VI
His Majesty