



I assent,

GEORGE TUPOU V,

18th December, 2009.

AN ACT

TO AMEND THE LEGISLATIVE ASSEMBLY RETIREMENT SCHEME ACT

BE IT ENACTED by the King and Legislative Assembly of Tonga in the Legislature of the Kingdom as follows:

1. (1) This Act may be cited as the Legislative Assembly Retirement Benefit Scheme (Amendment) Act 2009.
- (2) The Legislative Assembly Retirement Benefit Scheme (Amendment) Act 2004 shall be referred to in this Act, as the Principal Act.
2. Section 2 of the Principal Act is amended by inserting the following definition in the appropriate place:

““financial hardship” means an immediate financial need of a contributing person or his family that includes –

- (a) medical costs;
- (b) tuition fees;
- (c) funeral expenses; or
- (d) unforeseen accidents.”

3. The Principal Act is amended by inserting the following as section 22A.

“22A. Financial Hardship payout

- (1) The Board may permit a contributing person under this Act to draw out part or all of the contributions paid by that contributing person, if the Board determines that he is in financial hardship.
- (2) Notwithstanding sections 19 and 20, a contributing person who has elected to draw out under sub-section (1) above shall not be entitled –
 - (a) to contribute into the Fund; and
 - (b) receive any contributions from the Legislative Assembly,for the immediate one month following payout under sub section (1).”

Passed in the Legislative Assembly this 8th day of December, 2009.