

Definitions of relevant words

Fund means Tuvalu National Provident Fund.

Employer means any person, group of persons or body corporate having another person or persons in their employ.

Employed person (employee) means a person who is gainfully employed whether – under contract of service, as a director of a limited company, holder of an office, the Governor General, members of Parliament, Ministers of religion, and includes any person who though not bound by a formal contract of service, is subject to the control of another person(s) in which he carries out his duties.

Person includes individual persons, partnerships, statutory bodies, body corporate, incorporated and unincorporated entities, religious bodies, etc.

EMPLOYER'S REGISTRATION DUTIES

1. Registration of Employers:

A person becomes an employer once he employs his first employee and within 7 days is required to submit to the Fund an application (in a proper form) for registration as an employer.

2. Registration of new Employees:

An employer employing a new employee, who may be an unregistered person with the Fund, is required to submit to the Fund an application (in a proper form) for registration of that person. The application form for registration of such a new employee is required to be completed and signed by that person in the presence of the employer who should witness the signature.

Registration of Voluntary Members:

An unemployed person, over 15 but is under 60 years of age, may apply to the Fund (on an approved form) to be registered as a voluntary member of the Fund.

EMPLOYER DUTY TO PAY CONTRIBUTIONS, etc

In any employment where there exists an employer and employee relationship, the Employer and/or his Agents is initially be liable for the payment of the employee's provident fund contributions.

1. Employer and Employee Contribution Rates:

By law, an Employer is required to contribute 10% of the equivalent of an employee's gross earnings. The Employee on the other hand is required to contribute 13% of the equivalent of his gross earnings. This will make a total savings of 23% for the workers of Tuvalu. However, it is the Employer's responsibility to deduct both Employer and Employee contributions and to pay such amount to the Fund.

2. Monthly Contribution Returns:

Employers are required to record the name(s) and membership number of every employee and to enter the amount payable to the Fund in respect of each employee. At the end of the month the employer is required to complete the return by carrying out required additions and submit with payments the completed monthly contribution returns to the Fund before the payment due date. The employers in the outer islands are required to submit the same returns and their payments to the Fund's respective islands Agents.

If the employer discovers an error in a return or payment he had made, he shall immediately inform the Fund in writing of the amount and nature of the error so that the Manager could make appropriate directions on how it should be adjusted.

3. When to pay the Contributions?

All Contributions to the Fund are required to be paid no later than the 15th day of the month following the month in which employees received their earnings.

4. Penalty for Late Contributions:

Where a contribution is not paid by the proper time, a surcharge equal to 5% of the amount due to be paid but not paid will be charged for every month or part of a month during which the contribution remains unpaid.

A surcharge imposed is recoverable by the Fund in the same way as the contribution in respect of which it was imposed. Every payment of a contribution or surcharge is required to be accompanied by the approved form or forms duly completed.

5. Legal Proceeding:

Where a member being an employer or a director of a body corporate employer, owing debts to the Fund for unpaid contributions or surcharges, such member's funds held by the Fund in his contribution account is automatically charged as security to such debts.

All sums due to the Fund are recoverable as a civil debt without prejudice to any other remedy. The Fund may at any time initiate proceedings for the recovery of all sums when they become due.

6. Unidentified Contributions Account:

This account comprises of contributions paid by those employers who have not registered their new employees with the Fund. The "Unidentified Contributions" account was created as a temporary account to hold such contribution payments in transit. All employers must ensure that their employee's contributions do not ended up in this account. It is employer's duty to make sure that those new employees have been registered so their contributions are reversed from the Unidentified Contributions account and credited to their respective registered TPNF account.

INSPECTORS AND THEIR POWERS

The Fund's Inspectors are very friendly and are willing to assist you in anything within their authority, however, note that by law they have the powers to:

- a) enter at all reasonable times any premises or place where he has reason to believe that any person is employed;
- b) ascertain by examination and enquiry whether the provisions of this Ordinance are being complied with;
- c) question any employer, employed person or any other person on any matter concerning the application of or compliance with any of the provisions of this Ordinance;
- d) require on written application the production, at any reasonable time and place, of any document or records as he may require to examine;
- e) seize and detain any document or thing which may be of evidential value in a prosecution for an offence against this Ordinance;
- f) exercise other powers which may be provided for in regulations.

CREDITING OF MEMBER'S ACCOUNTS

Contributions received by the Fund from all employers, being their employee's contributions are credited to member's account at the following rates : (a) 73.91% of the amount received is credited to member's Retirement account; and (b) 26.09% of the amount received is credited to member's MEDU account.

ACKNOWLEDGEMENTS

The Fund's Management Team and Board wishes to acknowledge the commitments of all current and past Employers. Your continuous support in paying your employee's contributions is essential to supporting the Fund's corporate objectives and processes so that it continues providing the best services to its members.

Call in to the Fund's office and consult with the following senior officers for assistance.

Contact persons:

Secretary:

Ms. Lina Vagalia

Receptionist:

Ms. Neipai Vailagi

Customer Service Officer:

Ms. Malofou Kaokoro

Loan Recovery Officer:

Ms. Lessa Lui

Record Processing Officer:

Ms. Sepola Uota

Client Relation Officer:

Ms. Suafale Kelisiano

Data Service Officer:

Ms. Loluama Eti

Data Entry Clerk:

Ms. Velina Tepaula

Contact details:

Phone: (688) 20698 / 20853

Email: tnpfgm@gmail.com

Submit all your registration forms and correspondences to the Fund using the following address:

General Manager

Tuvalu National Provident Fund

PO Box 51,

Vaiaku,

Funafuti.



**TUVALU NATIONAL
PROVIDENT FUND**

EMPLOYER'S DUTIES UNDER TNPF ACT

Simplified requirements of the TNPF Act related to Employer's various duties and responsibilities towards their workers/employees