

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 5 December, 1940.*

## New South Wales.



ANNO QUARTO

# GEORGI VI REGIS.

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## Act No. 53, 1940.

An Act to amend the Superannuation Act, 1916-1940, in certain respects; and for purposes connected therewith. [Assented to, 11th December, 1940.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Superannuation (War Service) Amendment Act, 1940." Short title and citation.

(2) The Superannuation Act, 1916-1940, as amended by this Act, may be cited as the Superannuation Acts, 1916-1940.

**2.**

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. W. HEDGES,  
*Chairman of Committees of the Legislative Assembly.*

*Superannuation (War Service) Amendment.*

Amendment  
of Act No. 28,  
1916.

Sec. 12.  
(Scale of  
units of  
contribu-  
tions.)

**2.** The Superannuation Act, 1916-1940, is amended—

(a) by inserting at the end of section twelve the following new paragraph:—

(i) Notwithstanding paragraph (h) of this proviso an employee who is engaged on war service may elect to contribute for additional units of pension on account of any increase of salary to which he may become entitled within the period during which he is engaged on war service notwithstanding that the increased rate of salary is not actually paid within that period; and in such case the employer shall contribute in respect of the like number of units.

An election under this paragraph may be made by an employee who became engaged on war service before as well as by an employee who becomes engaged on war service after the commencement of the Superannuation (War Service) Amendment Act, 1940.

The right of election conferred by this paragraph shall be in addition to the right of election conferred by paragraph (e) of this proviso.

Any election under this paragraph shall be in writing and shall take effect from the date upon which it is received into the office of the Board, or from a later date to be specified in the instrument of election.

For the purposes of this paragraph an employee shall be deemed to be engaged on war service if—

(a) he is bound to continuous service for the duration of the present war between His Majesty and Germany and her Allies (whether or not he has agreed to serve or does serve beyond the limits of the Commonwealth of Australia and those of any territory under the authority of the Commonwealth)—

(i) as a member of His Majesty's  
naval, military or air forces;

or (ii)

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*Superannuation (War Service) Amendment.*

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- (ii) as a member of the Army Medical Service; or
- (iii) as a member of the Medical Corps Nursing Service of His Majesty's naval, military or air forces; or
- (b) he is, in connection with the present war between His Majesty and Germany and her Allies, a prisoner of war in the enemy's country or is interned in the country of any neutral power;
- (b) by inserting next after section thirty the following new section:—

New sec.  
30A.

30A. For the purposes of sections twenty-seven, twenty-nine and thirty of this Act an employee who has, pursuant to paragraph (i) of the proviso to section twelve of this Act, elected to contribute for additional units of pension but who has not made the contributions in respect of those additional units, shall be deemed to have contributed, or to have been contributing, for a pension according to the number of units which comprises the sum of the units for which he was actually contributing and such additional units.

Special provisions in the case of employees engaged on war service.

This section shall not be construed so as to limit the powers of the Board relating to the recovery of unpaid contributions.

*In the name and on behalf of His Majesty I assent to this Act.*

WAKEHURST,  
*Governor.*

*Government House,  
Sydney, 11th December, 1940.*

1870

Wm. H. ...  
...

1870

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 28 November, 1940.*

## New South Wales.



ANNO QUARTO

## GEORGII VI REGIS.

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Act No. , 1940.

An Act to amend the Superannuation Act, 1916-1940, in certain respects; and for purposes connected therewith.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

**1.** (1) This Act may be cited as the "Superannuation (War Service) Amendment Act, 1940." Short title and citation.

(2) The Superannuation Act, 1916-1940, as amended by this Act, may be cited as the Superannuation  
10 Acts, 1916-1940.

57031 445—

2.

*Superannuation (War Service) Amendment.*

2. The Superannuation Act, 1916-1940, is amended—

Amendment  
of Act No. 28,  
1916.

(a) by inserting at the end of section twelve the following new paragraph:—

Sec. 12.

(Scale of  
units of  
contribu-  
tions.)

5 (i) Notwithstanding paragraph (h) of this proviso an employee who is engaged on war service may elect to contribute for additional units of pension on account of any increase of salary to which he may become entitled within the period during which he is engaged on war service notwithstanding that the increased rate of salary is not actually paid within that period; and in such case the employer shall contribute in respect of the like number of units.

10 An election under this paragraph may be made by an employee who became engaged on war service before as well as by an employee who becomes engaged on war service after the commencement of the Superannuation (War Service) Amendment Act, 1940.

15 The right of election conferred by this paragraph shall be in addition to the right of election conferred by paragraph (e) of this proviso.

20 Any election under this paragraph shall be in writing and shall take effect from the date upon which it is received into the office of the Board, or from a later date to be specified in the instrument of election.

25 For the purposes of this paragraph an employee shall be deemed to be engaged on war service if—

30 (a) he is bound to continuous service for the duration of the present war between His Majesty and Germany and her Allies (whether or not he has agreed to serve or does serve beyond the limits of the Commonwealth of Australia and those of any territory under the authority of the Commonwealth)—

35 (i) as a member of His Majesty's naval, military or air forces; or (ii)

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*Superannuation (War Service) Amendment.*

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- 5 (ii) as a member of the Army  
Medical Service; or
- (iii) as a member of the Medical  
Corps Nursing Service of His  
Majesty's naval, military or  
air forces; or
- 10 (b) he is, in connection with the present war  
between His Majesty and Germany and  
her Allies, a prisoner of war in the  
enemy's country or is interned in the  
country of any neutral power;

(b) by inserting next after section thirty the following new section:—

New sec.  
30A.

15 30A. For the purposes of sections twenty-  
seven, twenty-nine and thirty of this Act an  
employee who has, pursuant to paragraph (i)  
of the proviso to section twelve of this Act,  
elected to contribute for additional units of  
pension but who has not made the contributions  
20 in respect of those additional units, shall be  
deemed to have contributed, or to have been con-  
tributing, for a pension according to the number  
of units which comprises the sum of the units  
for which he was actually contributing and such  
25 additional units.

Special  
provisions  
in the  
case of  
employees  
engaged on  
war service.

This section shall not be construed so as to  
limit the powers of the Board relating to the  
recovery of unpaid contributions.



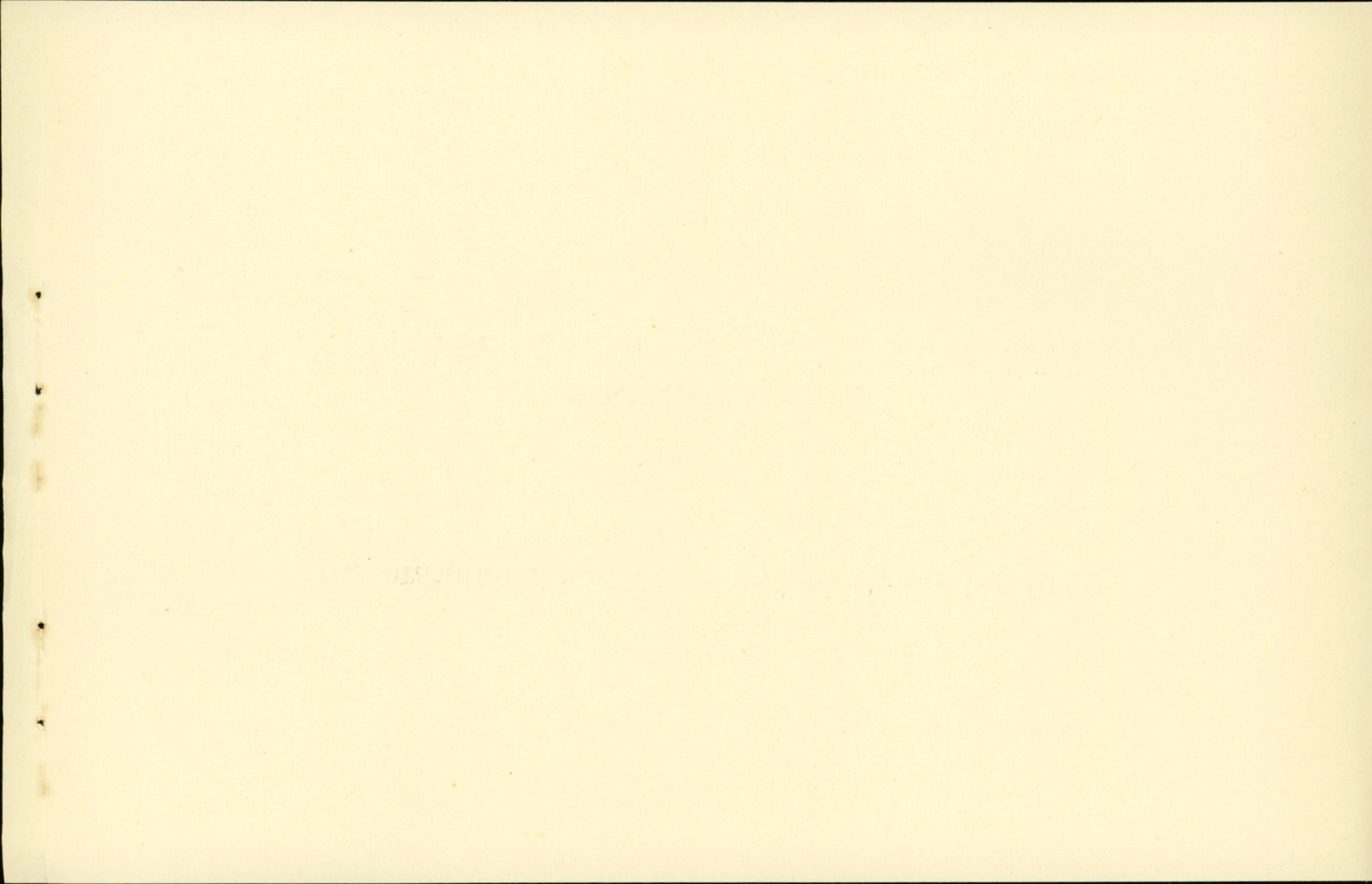


# Superannuation (War Service) Amendment Bill, 1940.

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## **EXPLANATORY NOTE.**

THE purpose of this Bill is to enable an employee who is engaged on war service to elect to contribute for additional units of pension on account of increases in salary during his period of war service.



No. , 1940.

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## A BILL

To amend the Superannuation Act, 1916-1940, in certain respects; and for purposes connected therewith.

[MR. TREATT;—21 November, 1940.]

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of 5 the same, as follows:—

1. (1) This Act may be cited as the "Superannuation (War Service) Amendment Act, 1940." Short title and citation.

(2) The Superannuation Act, 1916-1940, as amended by this Act, may be cited as the Superannuation 10 Acts, 1916-1940.

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(i) Notwithstanding paragraph (h) of this proviso an employee who is engaged on war service may elect to contribute for additional units of pension on account of any increase of salary to which he may become entitled within the period during which he is engaged on war service notwithstanding that the increased rate of salary is not actually paid within that period; and in such case the employer shall contribute in respect of the like number of units.

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The right of election conferred by this paragraph shall be in addition to the right of election conferred by paragraph (e) of this proviso.

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Any election under this paragraph shall be in writing and shall take effect from the date upon which it is received into the office of the Board, or from a later date to be specified in the instrument of election.

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For the purposes of this paragraph an employee shall be deemed to be engaged on war service if—

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(a) he is bound to continuous service for the duration of the present war between His Majesty and Germany and her Allies (whether or not he has agreed to serve or does serve beyond the limits of the Commonwealth of Australia and those of any territory under the authority of the Commonwealth)—

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(i) as a member of His Majesty's naval, military or air forces;  
or (ii)

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*Superannuation (War Service) Amendment.*

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(ii) as a member of the Army Medical Service; or

(iii) as a member of the Medical Corps Nursing Service of His Majesty's naval, military or air forces; or

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(b) he is, in connection with the present war between His Majesty and Germany and her Allies, a prisoner of war in the enemy's country or is interned in the country of any neutral power;

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(b) by inserting next after section thirty the following new section:—

New sec.  
30A.

30A. For the purposes of sections twenty-seven, twenty-nine and thirty of this Act an employee who has, pursuant to paragraph (i) of the proviso to section twelve of this Act, elected to contribute for additional units of pension but who has not made the contributions in respect of those additional units, shall be deemed to have contributed, or to have been contributing, for a pension according to the number of units which comprises the sum of the units for which he was actually contributing and such additional units.

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Special provisions in the case of employees engaged on war service.

This section shall not be construed so as to limit the powers of the Board relating to the recovery of unpaid contributions.



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 28 November, 1940.*

## New South Wales.



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Sec. 12.

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or (ii)



*Superannuation (War Service) Amendment.*

- (ii) as a member of the Army Medical Service; or
- (iii) as a member of the Medical Corps Nursing Service of His Majesty's naval, military or air forces; or
- (b) he is, in connection with the present war between His Majesty and Germany and her Allies, a prisoner of war in the enemy's country or is interned in the country of any neutral power;

(b) by inserting next after section thirty the following new section:—

New sec. 30A.

30A. For the purposes of sections twenty-seven, twenty-nine and thirty of this Act an employee who has, pursuant to paragraph (i) of the proviso to section twelve of this Act, elected to contribute for additional units of pension but who has not made the contributions in respect of those additional units, shall be deemed to have contributed, or to have been contributing, for a pension according to the number of units which comprises the sum of the units for which he was actually contributing and such additional units.

Special provisions in the case of employees engaged on war service.

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