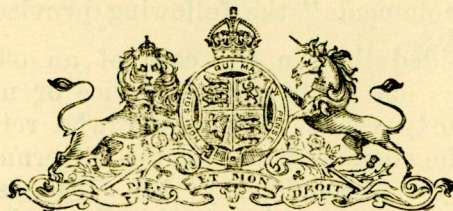


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 15 March, 1945.*

## New South Wales.



ANNO NONO

## GEORGI VI REGIS.

\*\*\*\*\*

Act No. , 1945.

An Act to amend Part IX of the Government Railways Act, 1912-1944, relating to superannuation allowances and gratuities payable to contributors to the Government Railways Superannuation Account; 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 the same, as follows :—

1. (1) This Act may be cited as the "Government Railways (Amendment) Act, 1945,"

Short title and citation,

73733 76—

(2)



*Government Railways (Amendment).*

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1945.

2. The Government Railways Act, 1912-1944, as amended by subsequent Acts, is amended—

Amendment of Act No. 30, 1912.

- (a) (i) by inserting in section one hundred and fourteen after the words "such annual salary and emoluments" the following proviso:—

Sec. 114.  
(Period and amount of allowance.)

10 Provided that in the case of an officer who has had forty years' service or more than forty years' service and who retires after the commencement of the Government Railways (Amendment) Act, 1945, such allowance shall, subject to this Part of this Act, be two-thirds of the average of the annual salaries and emoluments of the officer during the forty years' service next preceding the date of his retirement.

- 15 (ii) by inserting at the end of the same section the following new subsection:—

20 (2) Superannuation allowances shall be payable in fortnightly instalments at the rate of fourteen three-hundred and sixty-fifths of the annual superannuation allowances;

- 25 (b) by omitting section one hundred and fifteen and by inserting in lieu thereof the following section:—

Substituted s. 115.

30 115. (1) An officer who has not contributed during his service an amount equivalent to one and one-half per centum of the average determined under section one hundred and fourteen of this Act as the basis for the computation of the superannuation allowance payable to such officer pursuant to the said section multiplied, in the case of an officer with less than forty years' service, by the number of complete years of his service, and in the case of an officer with forty years'

Payment by officer of deductions appropriate to his superannuation allowance.



*Government Railways (Amendment).*

5 years' service or with more than forty years' service by forty, shall pay to the Government Railways Superannuation Account the difference between such amount and the amounts of the deductions made pursuant to section one hundred and eleven of this Act.

10 (2) Any officer, who at the date of his retirement has paid to the Government Railways Superannuation Account by way of deductions from his salary and emoluments an amount in excess of that which is due under this Part of this Act, shall be refunded the amount of such excess payment.

15 (3) An officer who has been re-employed in the service and who has received a refund pursuant to this Part of this Act of the deductions made from his salary and emoluments under this Part of this Act, shall repay the amount of the refund so received to the Government Railways Superannuation Account.

20 (4) An officer to whom subsection one of this section applies shall be entitled to the superannuation allowances herein provided subject to such an annual abatement over a period of ten years as on the certificate of an actuary appointed by the Board is equivalent to the amount payable by such officer pursuant to the said subsection, or such officer may, at his option, pay such amount in one sum.

25 (5) An officer to whom subsection three of this section applies shall pay the amount to be repaid pursuant to that subsection in one sum or by deductions of a sum of five shillings or such greater sum as such officer elects to pay from his salary and emoluments fortnightly. Any portion of such amount remaining unpaid pursuant to this subsection at the date of the officer's retirement shall be paid by such an annual abatement of the superannuation allowance payable to such officer over a period of ten  
30  
35  
40 years



---

*Government Railways (Amendment).*

---

years as on the certificate of an actuary appointed by the Board is equivalent to the portion of the amount so remaining unpaid, or such officer may, at his option, pay such portion in one sum.

5 (6) Subject to payment in accordance with subsection four or subsection five of this section an officer shall be entitled to his superannuation allowance without abatement.

10 (7) Any officer who has retired prior to the commencement of the Government Railways (Amendment) Act, 1945, and whose superannuation allowance has been subjected to an annual abatement shall be entitled to the superannuation allowance payable to him without further abatement if the total amount to which his superannuation allowances have been subjected by annual abatement is at the commencement of the Government Railways (Amendment) Act, 1945, or at any time thereafter sufficient to discharge the liability of such officer to the Government Railways Superannuation Account at the date of his retirement.

20 (c) by omitting subsection two of section one hundred and nineteen and by inserting in lieu thereof the following subsection:—

Sec. 119.  
(Medical examination of officers.)

25 (2) (a) If, in the opinion of the Board, the health of any such officer has become so restored as to enable him to perform his duties, the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, may require him to resume such duties, or to undertake any other duties, in the service for which he is qualified at not less than the salary for the time being payable to officers with the same classification and with the same length of service therein as such officer had at the date upon which he was compelled to retire through infirmity of body or mind, and thereupon any superannuation allowance granted to such officer shall cease to be payable.

30  
35  
40  
If



---

*Government Railways (Amendment).*

---

5 If any such officer who has received a gratuity fails to resume or undertake such duties when so required, the Board may recover from him, as a Crown debt, the amount of such gratuity, and pay the same into the Government Railways Superannuation Account.

10 (b) If, in the opinion of the Board, the health of any such retired officer has not become so restored as to enable him to perform his duties, but the health of such retired officer would permit of him performing duties in keeping with the condition of his health the officer may, at his option, undertake such duties as may be offered to him by the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, at the ruling rate of pay applicable to same, and upon undertaking such duties his superannuation allowance shall cease to be payable.

20 (c) In the event of the recurrence of his infirmity any officer who resumes duty under the provisions of paragraph (a) or paragraph (b) of this subsection, shall be entitled to his superannuation allowance together with any increase in the same to which he would be entitled from additional length of service.

5

10

15

20

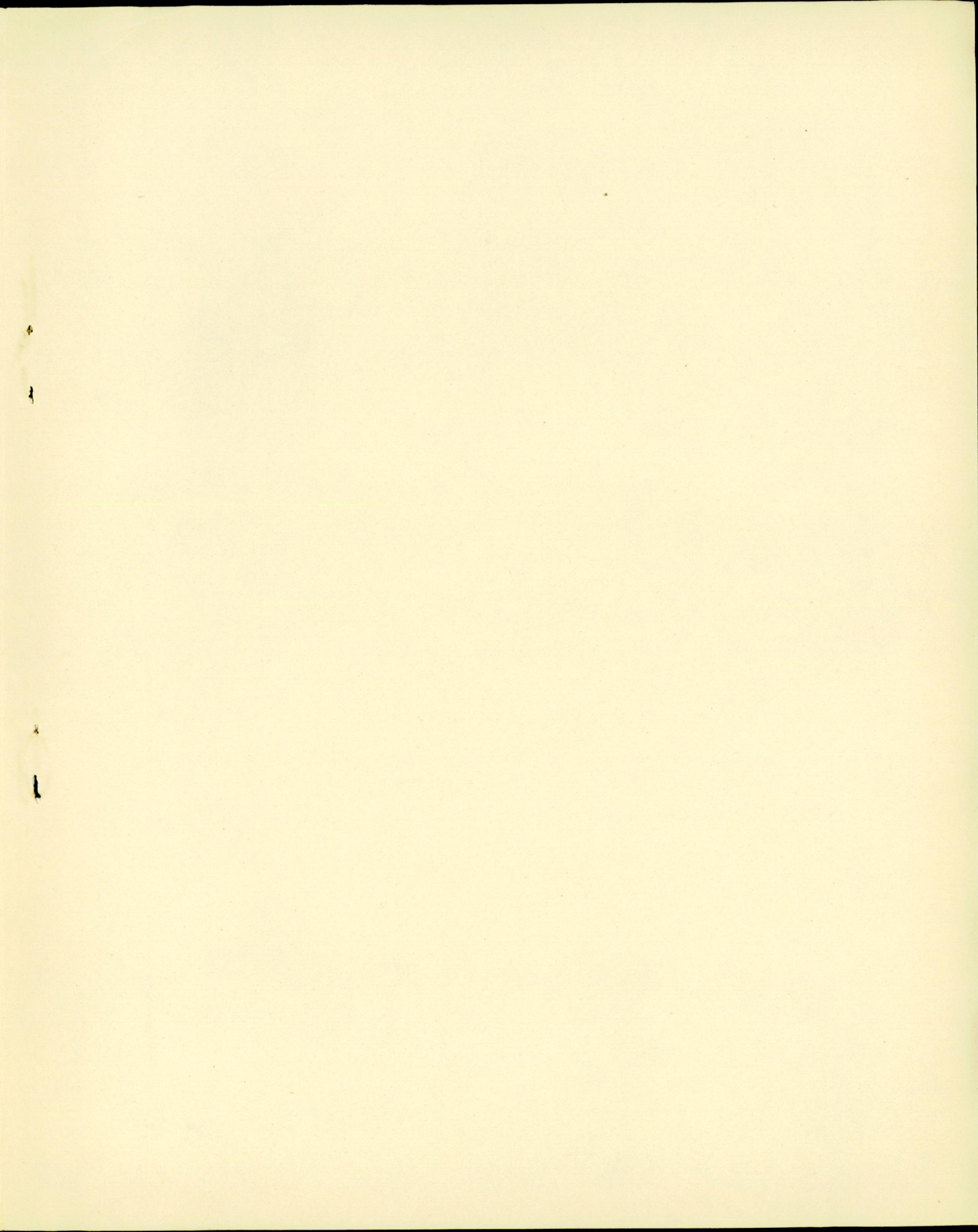
25



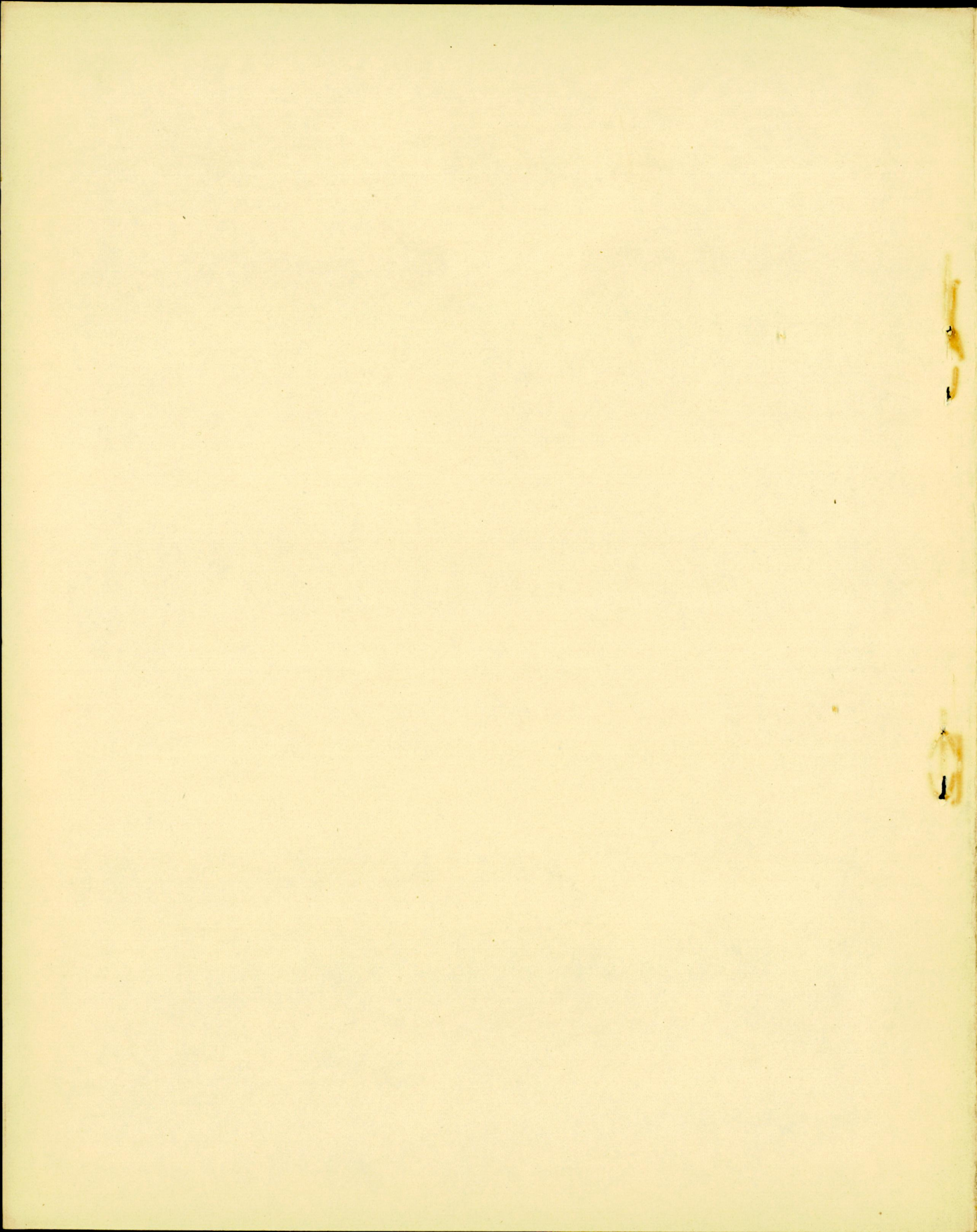
Government Printing (Continued)

<p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> <p>48</p> <p>49</p> <p>50</p> <p>51</p> <p>52</p> <p>53</p> <p>54</p> <p>55</p> <p>56</p> <p>57</p> <p>58</p> <p>59</p> <p>60</p> <p>61</p> <p>62</p> <p>63</p> <p>64</p> <p>65</p> <p>66</p> <p>67</p> <p>68</p> <p>69</p> <p>70</p> <p>71</p> <p>72</p> <p>73</p> <p>74</p> <p>75</p> <p>76</p> <p>77</p> <p>78</p> <p>79</p> <p>80</p> <p>81</p> <p>82</p> <p>83</p> <p>84</p> <p>85</p> <p>86</p> <p>87</p> <p>88</p> <p>89</p> <p>90</p> <p>91</p> <p>92</p> <p>93</p> <p>94</p> <p>95</p> <p>96</p> <p>97</p> <p>98</p> <p>99</p> <p>100</p>	<p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> <p>48</p> <p>49</p> <p>50</p> <p>51</p> <p>52</p> <p>53</p> <p>54</p> <p>55</p> <p>56</p> <p>57</p> <p>58</p> <p>59</p> <p>60</p> <p>61</p> <p>62</p> <p>63</p> <p>64</p> <p>65</p> <p>66</p> <p>67</p> <p>68</p> <p>69</p> <p>70</p> <p>71</p> <p>72</p> <p>73</p> <p>74</p> <p>75</p> <p>76</p> <p>77</p> <p>78</p> <p>79</p> <p>80</p> <p>81</p> <p>82</p> <p>83</p> <p>84</p> <p>85</p> <p>86</p> <p>87</p> <p>88</p> <p>89</p> <p>90</p> <p>91</p> <p>92</p> <p>93</p> <p>94</p> <p>95</p> <p>96</p> <p>97</p> <p>98</p> <p>99</p> <p>100</p>
--	--











No. , 1945.

---

---

## A BILL

To amend Part IX of the Government Railways Act, 1912-1944, relating to superannuation allowances and gratuities payable to contributors to the Government Railways Superannuation Account; and for purposes connected therewith.

[MR. EVATT;—14 March, 1945.]

---

---

**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 "Government Railways (Amendment) Act, 1945."

Short title  
and  
citation.



*Government Railways (Amendment).*

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1945.

5 **2.** The Government Railways Act, 1912-1944, as amended by subsequent Acts, is amended— Amendment of Act No. 30, 1912.

(a) (i) by inserting in section one hundred and fourteen after the words "such annual salary and emoluments" the following proviso:— Sec. 114. (Period and amount of allowance.)

10 Provided that in the case of an officer who has had forty years' service or more than forty years' service and who retires after the commencement of the Government Railways (Amendment) Act, 1945, such allowance shall, subject to this Part of this Act, be two-thirds of the average of the annual salaries and emoluments of the officer during the forty years' service next preceding the date of his retirement.

15  
20 (ii) by inserting at the end of the same section the following new subsection:—

25 (2) Superannuation allowances shall be payable in fortnightly instalments at the rate of fourteen three-hundred and sixty-fifths of the annual superannuation allowances;

(b) by omitting section one hundred and fifteen and by inserting in lieu thereof the following section:— Substituted s. 115.

30 115. (1) An officer who has not contributed during his service an amount equivalent to one and one-half per centum of the average determined under section one hundred and fourteen of this Act as the basis for the computation of the superannuation allowance payable to such officer pursuant to the said section multiplied, in the case of an officer with less than forty years' service, by the number of complete years of his service, and in the case of an officer with forty **years'** Payment by officer of deductions appropriate to his superannuation allowance.



---

*Government Railways (Amendment).*

---

5 years' service or with more than forty years' service by forty, shall pay to the Government Railways Superannuation Account the difference between such amount and the amounts of the deductions made pursuant to section one hundred and eleven of this Act.

10 (2) Any officer, who at the date of his retirement has paid to the Government Railways Superannuation Account by way of deductions from his salary and emoluments an amount in excess of that which is due under this Part of this Act, shall be refunded the amount of such excess payment.

15 (3) An officer who has been re-employed in the service and who has received a refund pursuant to this Part of this Act of the deductions made from his salary and emoluments under this Part of this Act, shall repay the amount of the refund so received to the Government Railways Superannuation Account.

20 (4) An officer to whom subsection one of this section applies shall be entitled to the superannuation allowances herein provided subject to such an annual abatement over a period of ten years as on the certificate of an actuary appointed by the Board is equivalent to the amount payable by such officer pursuant to the said subsection, or such officer may, at his option, pay such amount in one sum.

25  
30 (5) An officer to whom subsection three of this section applies shall pay the amount to be repaid pursuant to that subsection in one sum or by deductions of a sum of five shillings or such greater sum as such officer elects to pay from his salary and emoluments fortnightly. Any portion of such amount remaining unpaid pursuant to this subsection at the date of the officer's retirement shall be paid by such an annual abatement of the superannuation allowance payable to such officer over a period of ten  
40 years



*Government Railways (Amendment).*

years as on the certificate of an actuary appointed by the Board is equivalent to the portion of the amount so remaining unpaid, or such officer may, at his option, pay such portion in one sum.

5 (6) Subject to payment in accordance with subsection four or subsection five of this section an officer shall be entitled to his superannuation allowance without abatement.

10 (7) Any officer who has retired prior to the commencement of the Government Railways (Amendment) Act, 1945, and whose superannuation allowance has been subjected to an annual abatement shall be entitled to the superannuation allowance payable to him without  
15 further abatement if the total amount to which his superannuation allowances have been subjected by annual abatement is at the commencement of the Government Railways (Amendment) Act, 1945, or at any time there-  
20 after sufficient to discharge the liability of such officer to the Government Railways Superannuation Account at the date of his retirement.

(c) by omitting subsection two of section one hundred and nineteen and by inserting in lieu thereof the following subsection:—  
25

Sec. 119.  
(Medical examination of officers.)

30 (2) (a) If, in the opinion of the Board, the health of any such officer has become so restored as to enable him to perform his duties, the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, may require him to resume such duties, or to undertake any other duties, in the service for which he is qualified at not less than the  
35 salary for the time being payable to officers with the same classification and with the same length of service therein as such officer had at the date upon which he was compelled to retire through infirmity of body or mind, and thereupon any superannuation allowance granted to such officer  
40 shall cease to be payable.

If



---

*Government Railways (Amendment).*

---

5 If any such officer who has received a gratuity fails to resume or undertake such duties when so required, the Board may recover from him, as a Crown debt, the amount of such gratuity, and pay the same into the Government Railways Superannuation Account.

10 (b) If, in the opinion of the Board, the health of any such retired officer has not become so restored as to enable him to perform his duties, but the health of such retired officer would permit of him performing duties in keeping with the condition of his health the officer may, at his option, undertake such duties as may be offered to him by the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, at the ruling rate of pay applicable to same, and upon undertaking such duties his superannuation allowance shall cease to be payable.

20 (c) In the event of the recurrence of his infirmity any officer who resumes duty under the provisions of paragraph (a) or paragraph (b) of this subsection, shall be entitled to his superannuation allowance together with any increase in the same to which he would be entitled from additional length of service.



It is the duty of the Government to provide for the health and safety of its citizens, and to that end it is authorized to regulate the manufacture, sale, and distribution of food and drugs.

Section 1. The Secretary of Health is authorized to regulate the manufacture, sale, and distribution of food and drugs, and to issue such orders and regulations as may be necessary to carry out the purposes of this Act.

Section 2. The Secretary of Health is authorized to require the manufacturer or distributor of any food or drug to submit to him for his examination and testing such samples of such food or drug as he may deem necessary.

2

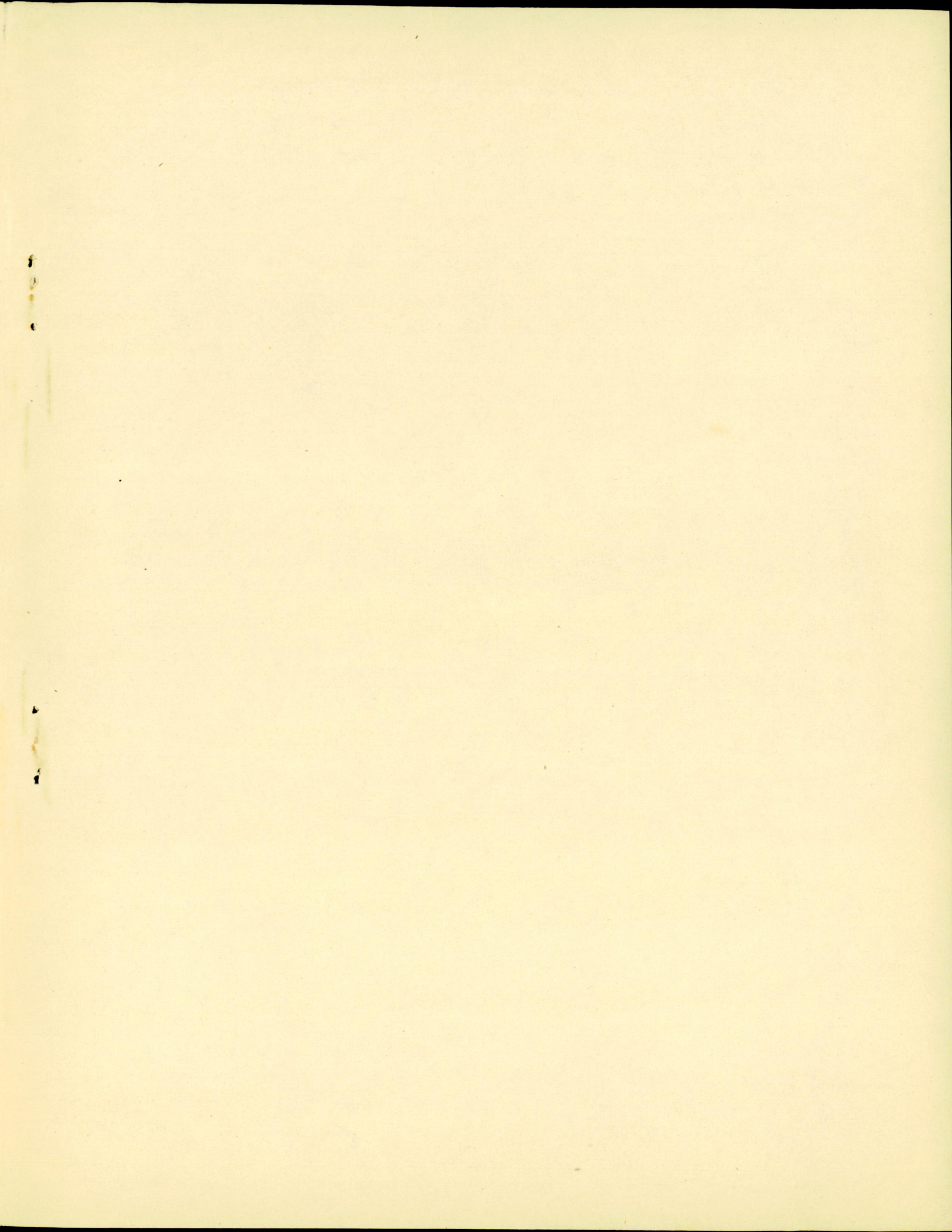
13

14

20

22











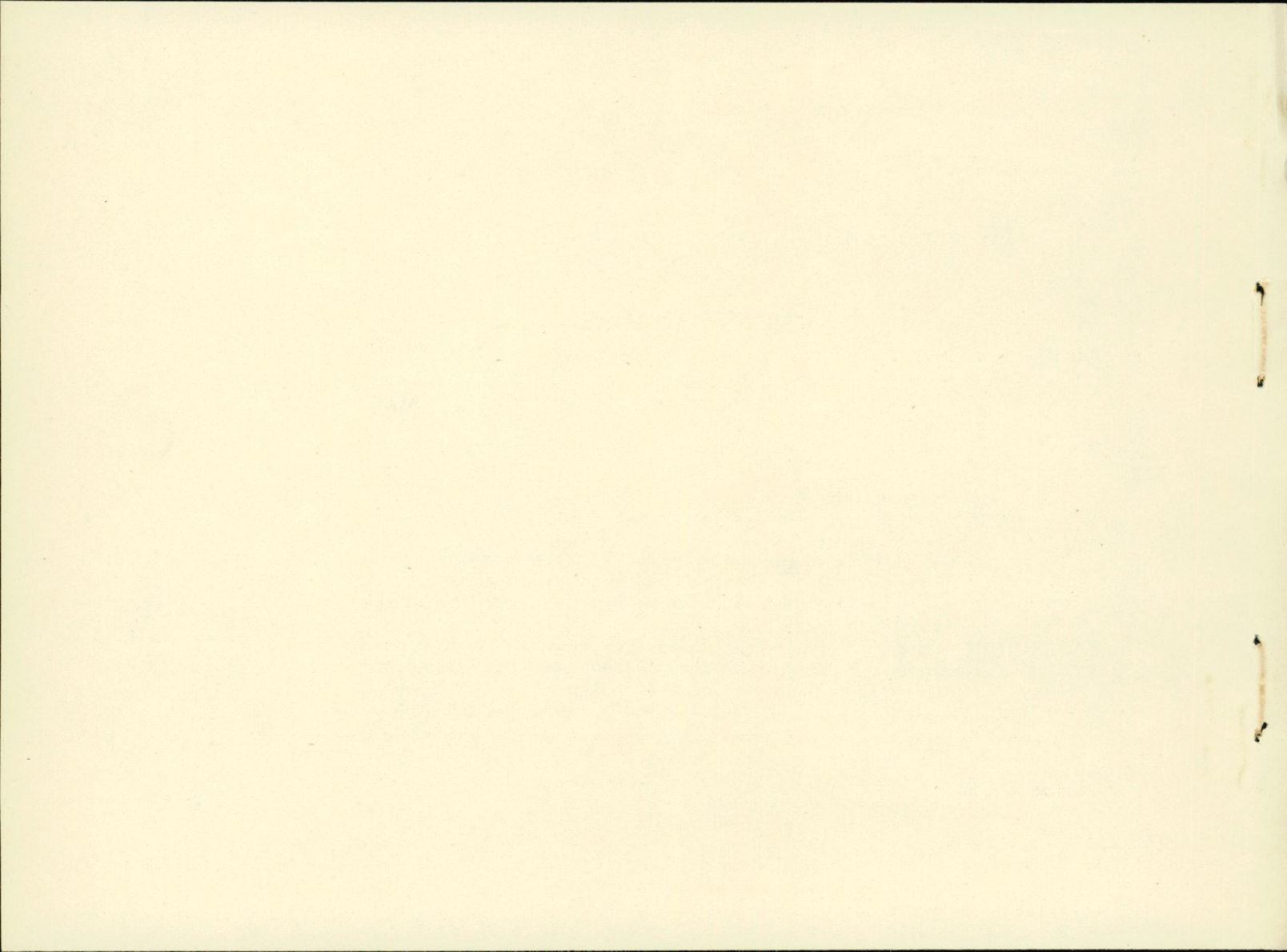
## Government Railways (Amendment) Bill.

### EXPLANATORY NOTE.

THE objects of this Bill are:—

- (a) To enable the superannuation allowances of an officer with over forty years' service to be calculated on the basis of the average salary received during the last forty years of his service;
- (b) to fix superannuation allowances payable fortnightly at the rate of fourteen three-hundred and sixty-fifths of the annual superannuation allowances;
- (c) To revise section 115—
  - (i) to provide the manner in which outstanding contributions to the Superannuation Account are to be paid by an officer upon retirement and to reduce the period of abatement of the superannuation allowance to meet outstanding contributions to a period of ten years;
  - (ii) to provide for refunds of any excess deductions made from an officer's salary and emoluments;
  - (iii) to provide that an officer, who has been re-employed and has received a refund of his contributions to the Fund, shall repay the amount of the refund to the Superannuation Account;
- (d) To make provision as to the re-employment of, and the salary to be paid to, an officer who has been retired owing to ill-health and who has been required to resume duties, or who resumes other duties after his health has become restored.







PROOF

No. , 1945.

---

## A BILL

To amend Part IX of the Government Railways Act, 1912-1944, relating to superannuation allowances and gratuities payable to contributors to the Government Railways Superannuation Account; and for purposes connected therewith.

[MR. EVATT;—14 March, 1945.]

---

**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 "Government Railways (Amendment) Act, 1945."

Short title  
and  
citation.

73733

76—

(2)



*Government Railways (Amendment).*

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1945.

2. The Government Railways Act, 1912-1944, as amended by subsequent Acts, is amended—

Amendment of Act No. 30, 1912.

(a) (i) by inserting in section one hundred and fourteen after the words "such annual salary and emoluments" the following proviso:—

Sec. 114. (Period and amount of allowance.)

10

Provided that in the case of an officer who has had forty years' service or more than forty years' service and who retires after the commencement of the Government Railways (Amendment) Act, 1945, such allowance shall, subject to this Part of this Act, be two-thirds of the average of the annual salaries and emoluments of the officer during the forty years' service next preceding the date of his retirement.

15

20

(ii) by inserting at the end of the same section the following new subsection:—

(2) Superannuation allowances shall be payable in fortnightly instalments at the rate of fourteen three-hundred and sixty-fifths of the annual superannuation allowances;

25

(b) by omitting section one hundred and fifteen and by inserting in lieu thereof the following section:—

Substituted s. 115.

30

115. (1) An officer who has not contributed during his service an amount equivalent to one and one-half per centum of the average determined under section one hundred and fourteen of this Act as the basis for the computation of the superannuation allowance payable to such officer pursuant to the said section multiplied, in the case of an officer with less than forty years' service, by the number of complete years of his service, and in the case of an officer with forty years'

Payment by officer of deductions appropriate to his superannuation allowance.

35



---

*Government Railways (Amendment).*

---

5 years' service or with more than forty years' service by forty, shall pay to the Government Railways Superannuation Account the difference between such amount and the amounts of the deductions made pursuant to section one hundred and eleven of this Act.

10 (2) Any officer, who at the date of his retirement has paid to the Government Railways Superannuation Account by way of deductions from his salary and emoluments an amount in excess of that which is due under this Part of this Act, shall be refunded the amount of such excess payment.

15 (3) An officer who has been re-employed in the service and who has received a refund pursuant to this Part of this Act of the deductions made from his salary and emoluments under this Part of this Act, shall repay the amount of the refund so received to the Government Railways Superannuation Account.

20 (4) An officer to whom subsection one of this section applies shall be entitled to the superannuation allowances herein provided subject to such an annual abatement over a period of ten years as on the certificate of an actuary appointed by the Board is equivalent to the amount payable by such officer pursuant to the said subsection, or such officer may, at his option, pay such amount in one sum.

25 (5) An officer to whom subsection three of this section applies shall pay the amount to be repaid pursuant to that subsection in one sum or by deductions of a sum of five shillings or such greater sum as such officer elects to pay from his salary and emoluments fortnightly. Any portion of such amount remaining unpaid pursuant to this subsection at the date of the officer's retirement shall be paid by such an annual abatement of the superannuation allowance payable to such officer over a period of ten  
30 years  
35  
40



*Government Railways (Amendment).*

years as on the certificate of an actuary appointed by the Board is equivalent to the portion of the amount so remaining unpaid, or such officer may, at his option, pay such portion in one sum.

5 (6) Subject to payment in accordance with subsection four or subsection five of this section an officer shall be entitled to his superannuation allowance without abatement.

10 (7) Any officer who has retired prior to the commencement of the Government Railways (Amendment) Act, 1945, and whose superannuation allowance has been subjected to an annual abatement shall be entitled to the superannuation allowance payable to him without  
15 further abatement if the total amount to which his superannuation allowances have been subjected by annual abatement is at the commencement of the Government Railways (Amendment) Act, 1945, or at any time there-  
20 after sufficient to discharge the liability of such officer to the Government Railways Superannuation Account at the date of his retirement.

(c) by omitting subsection two of section one hundred and nineteen and by inserting in lieu thereof the following subsection:—  
25

Sec. 119.  
(Medical examination of officers.)

(2) (a) If, in the opinion of the Board, the health of any such officer has become so restored as to enable him to perform his duties, the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, may require him to resume such duties, or to undertake any other duties, in the service for which he is qualified at not less than the salary for the time being payable to officers with the same classification and with the same length  
30 of service therein as such officer had at the date upon which he was compelled to retire through infirmity of body or mind, and thereupon any superannuation allowance granted to such officer shall cease to be payable.  
35  
40

If



---

*Government Railways (Amendment).*

---

5 If any such officer who has received a gratuity fails to resume or undertake such duties when so required, the Board may recover from him, as a Crown debt, the amount of such gratuity, and pay the same into the Government Railways Superannuation Account.

10 (b) If, in the opinion of the Board, the health of any such retired officer has not become so restored as to enable him to perform his duties, but the health of such retired officer would permit of him performing duties in keeping with the condition of his health the officer may, at his option, undertake such duties as may be offered to him by the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, at the ruling rate of pay applicable to same, and upon undertaking such duties his superannuation allowance shall cease to be payable.

20 (c) In the event of the recurrence of his infirmity any officer who resumes duty under the provisions of paragraph (a) or paragraph (b) of this subsection, shall be entitled to his superannuation allowance together with any increase in the same to which he would be entitled from additional length of service.

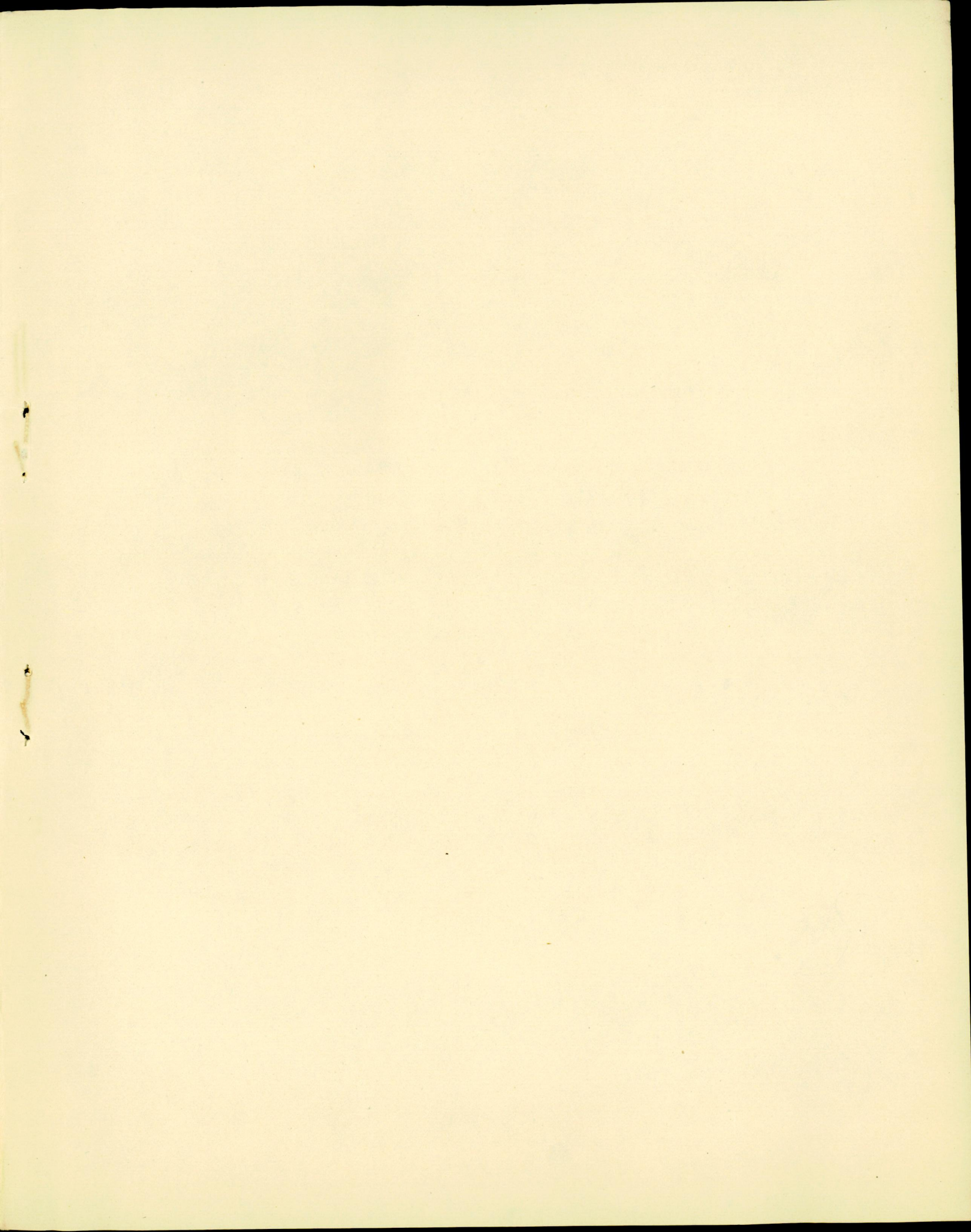
25



The Commission on the Administration of Justice  
 has the honor to acknowledge the receipt of your  
 letter of the 10th inst. in relation to the  
 proposed amendments to the Code of Civil  
 Procedure. The Commission has considered the  
 same and has the honor to advise you that  
 the same have been referred to the  
 appropriate committees for their consideration.  
 The Commission is sure that the amendments  
 proposed will result in a more efficient  
 and economical administration of the  
 courts. The Commission is sure that the  
 amendments will result in a more efficient  
 and economical administration of the  
 courts.

5  
 10  
 15  
 20  
 25  
 30











# New South Wales.



ANNO NONO

## GEORGI VI REGIS.

\*\*\*\*\*

Act No. 12, 1945.

An Act to amend Part IX of the Government Railways Act, 1912-1944, relating to superannuation allowances and gratuities payable to contributors to the Government Railways Superannuation Account; and for purposes connected therewith. [Assented to, 3rd April, 1945.]

**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 "Government Railways (Amendment) Act, 1945."

Short title and citation.



---

*Government Railways (Amendment).*

---

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1945.

Amendment of  
Act No. 30,  
1912.

**2.** The Government Railways Act, 1912-1944, as amended by subsequent Acts, is amended—

Sec. 114.

(Period and  
amount of  
allowance.)

- (a) (i) by inserting in section one hundred and fourteen after the words “such annual salary and emoluments” the following proviso:—

Provided that in the case of an officer who has had forty years’ service or more than forty years’ service and who retires after the commencement of the Government Railways (Amendment) Act, 1945, such allowance shall, subject to this Part of this Act, be two-thirds of the average of the annual salaries and emoluments of the officer during the forty years’ service next preceding the date of his retirement.

- (ii) by inserting at the end of the same section the following new subsection:—

(2) Superannuation allowances shall be payable in fortnightly instalments at the rate of fourteen three-hundred and sixty-fifths of the annual superannuation allowances;

Substituted  
s. 115.

- (b) by omitting section one hundred and fifteen and by inserting in lieu thereof the following section:—

Payment by  
officer of  
deductions  
appropriate  
to his  
superannua-  
tion  
allowance.

115. (1) An officer who has not contributed during his service an amount equivalent to one and one-half per centum of the average determined under section one hundred and fourteen of this Act as the basis for the computation of the superannuation allowance payable to such officer pursuant to the said section multiplied, in the case of an officer with less than forty years’ service, by the number of complete years of his service, and in the case of an officer with forty  
years’



---

*Government Railways (Amendment).*

---

years' service or with more than forty years' service by forty, shall pay to the Government Railways Superannuation Account the difference between such amount and the amounts of the deductions made pursuant to section one hundred and eleven of this Act.

(2) Any officer, who at the date of his retirement has paid to the Government Railways Superannuation Account by way of deductions from his salary and emoluments an amount in excess of that which is due under this Part of this Act, shall be refunded the amount of such excess payment.

(3) An officer who has been re-employed in the service and who has received a refund pursuant to this Part of this Act of the deductions made from his salary and emoluments under this Part of this Act, shall repay the amount of the refund so received to the Government Railways Superannuation Account.

(4) An officer to whom subsection one of this section applies shall be entitled to the superannuation allowances herein provided subject to such an annual abatement over a period of ten years as on the certificate of an actuary appointed by the Board is equivalent to the amount payable by such officer pursuant to the said subsection, or such officer may, at his option, pay such amount in one sum.

(5) An officer to whom subsection three of this section applies shall pay the amount to be repaid pursuant to that subsection in one sum or by deductions of a sum of five shillings or such greater sum as such officer elects to pay from his salary and emoluments fortnightly. Any portion of such amount remaining unpaid pursuant to this subsection at the date of the officer's retirement shall be paid by such an annual abatement of the superannuation allowance payable to such officer over a period of ten

years



---

*Government Railways (Amendment).*

---

years as on the certificate of an actuary appointed by the Board is equivalent to the portion of the amount so remaining unpaid, or such officer may, at his option, pay such portion in one sum.

(6) Subject to payment in accordance with subsection four or subsection five of this section an officer shall be entitled to his superannuation allowance without abatement.

(7) Any officer who has retired prior to the commencement of the Government Railways (Amendment) Act, 1945, and whose superannuation allowance has been subjected to an annual abatement shall be entitled to the superannuation allowance payable to him without further abatement if the total amount to which his superannuation allowances have been subjected by annual abatement is at the commencement of the Government Railways (Amendment) Act, 1945, or at any time thereafter sufficient to discharge the liability of such officer to the Government Railways Superannuation Account at the date of his retirement.

(c) by omitting subsection two of section one hundred and nineteen and by inserting in lieu thereof the following subsection:—

(2) (a) If, in the opinion of the Board, the health of any such officer has become so restored as to enable him to perform his duties, the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, may require him to resume such duties, or to undertake any other duties, in the service for which he is qualified at not less than the salary for the time being payable to officers with the same classification and with the same length of service therein as such officer had at the date upon which he was compelled to retire through infirmity of body or mind, and thereupon any superannuation allowance granted to such officer shall cease to be payable.

Sec. 119.  
(Medical  
examination  
of officers.)



---

*Government Railways (Amendment)*

---

If any such officer who has received a gratuity fails to resume or undertake such duties when so required, the Board may recover from him, as a Crown debt, the amount of such gratuity, and pay the same into the Government Railways Superannuation Account.

(b) If, in the opinion of the Board, the health of any such retired officer has not become so restored as to enable him to perform his duties, but the health of such retired officer would permit of him performing duties in keeping with the condition of his health the officer may, at his option, undertake such duties as may be offered to him by the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, at the ruling rate of pay applicable to same, and upon undertaking such duties his superannuation allowance shall cease to be payable.

(c) In the event of the recurrence of his infirmity any officer who resumes duty under the provisions of paragraph (a) or paragraph (b) of this subsection, shall be entitled to his superannuation allowance together with any increase in the same to which he would be entitled from additional length of service.

---

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1945.



It is the duty of the Board to see that the  
interests of the public are protected and that  
the service is conducted in a safe and efficient  
manner. The Board shall have the authority to  
investigate and report to the Legislature on  
the operations of the Board and on the  
conduct of its officers and employees.

The Board shall have the authority to  
appoint and remove its officers and employees  
and to fix their salaries. It shall also have  
the authority to suspend or remove any  
officer or employee who is guilty of  
negligence or misconduct in the  
performance of his or her duties. The  
Board shall also have the authority to  
investigate and report to the Legislature  
on the operations of the Board and on  
the conduct of its officers and employees.

(c) In the event of the resignation of an  
officer or employee of the Board, the  
Board shall have the authority to appoint  
a temporary officer or employee to fill  
the vacancy until such time as a permanent  
officer or employee can be appointed.

Approved and adopted by the Board of  
Public Utilities on this 15th day of  
January, 1915.

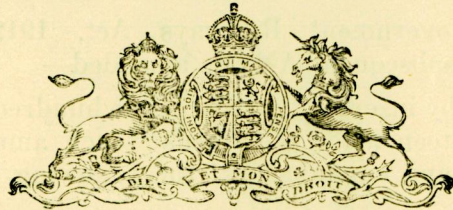


*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 22 March, 1945.*

## New South Wales.



ANNO NONO

# GEORGI VI REGIS.

\*\*\*\*\*

## Act No. 12, 1945.

An Act to amend Part IX of the Government Railways Act, 1912-1944, relating to superannuation allowances and gratuities payable to contributors to the Government Railways Superannuation Account; and for purposes connected therewith. [Assented to, 3rd April, 1945.]

**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 "Government Railways (Amendment) Act, 1945."

Short title  
and  
citation.

(2)

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

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*



---

*Government Railways (Amendment).*

---

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1945.

Amendment of  
Act No. 30,  
1912.

**2.** The Government Railways Act, 1912-1944, as amended by subsequent Acts, is amended—

Sec. 114.  
(Period and  
amount of  
allowance.)

(a) (i) by inserting in section one hundred and fourteen after the words "such annual salary and emoluments" the following proviso:—

Provided that in the case of an officer who has had forty years' service or more than forty years' service and who retires after the commencement of the Government Railways (Amendment) Act, 1945, such allowance shall, subject to this Part of this Act, be two-thirds of the average of the annual salaries and emoluments of the officer during the forty years' service next preceding the date of his retirement.

(ii) by inserting at the end of the same section the following new subsection:—

(2) Superannuation allowances shall be payable in fortnightly instalments at the rate of fourteen three-hundred and sixty-fifths of the annual superannuation allowances;

Substituted  
s. 115.

(b) by omitting section one hundred and fifteen and by inserting in lieu thereof the following section:—

Payment by  
officer of  
deductions  
appropriate  
to his  
superannua-  
tion  
allowance.

115. (1) An officer who has not contributed during his service an amount equivalent to one and one-half per centum of the average determined under section one hundred and fourteen of this Act as the basis for the computation of the superannuation allowance payable to such officer pursuant to the said section multiplied, in the case of an officer with less than forty years' service, by the number of complete years of his service, and in the case of an officer with forty years'



---

*Government Railways (Amendment).*

---

years' service or with more than forty years' service by forty, shall pay to the Government Railways Superannuation Account the difference between such amount and the amounts of the deductions made pursuant to section one hundred and eleven of this Act.

(2) Any officer, who at the date of his retirement has paid to the Government Railways Superannuation Account by way of deductions from his salary and emoluments an amount in excess of that which is due under this Part of this Act, shall be refunded the amount of such excess payment.

(3) An officer who has been re-employed in the service and who has received a refund pursuant to this Part of this Act of the deductions made from his salary and emoluments under this Part of this Act, shall repay the amount of the refund so received to the Government Railways Superannuation Account.

(4) An officer to whom subsection one of this section applies shall be entitled to the superannuation allowances herein provided subject to such an annual abatement over a period of ten years as on the certificate of an actuary appointed by the Board is equivalent to the amount payable by such officer pursuant to the said subsection, or such officer may, at his option, pay such amount in one sum.

(5) An officer to whom subsection three of this section applies shall pay the amount to be repaid pursuant to that subsection in one sum or by deductions of a sum of five shillings or such greater sum as such officer elects to pay from his salary and emoluments fortnightly. Any portion of such amount remaining unpaid pursuant to this subsection at the date of the officer's retirement shall be paid by such an annual abatement of the superannuation allowance payable to such officer over a period of ten  
years



---

*Government Railways (Amendment).*

---

years as on the certificate of an actuary appointed by the Board is equivalent to the portion of the amount so remaining unpaid, or such officer may, at his option, pay such portion in one sum.

(6) Subject to payment in accordance with subsection four or subsection five of this section an officer shall be entitled to his superannuation allowance without abatement.

(7) Any officer who has retired prior to the commencement of the Government Railways (Amendment) Act, 1945, and whose superannuation allowance has been subjected to an annual abatement shall be entitled to the superannuation allowance payable to him without further abatement if the total amount to which his superannuation allowances have been subjected by annual abatement is at the commencement of the Government Railways (Amendment) Act, 1945, or at any time thereafter sufficient to discharge the liability of such officer to the Government Railways Superannuation Account at the date of his retirement.

Sec. 119.  
(Medical  
examination  
of officers.)

(c) by omitting subsection two of section one hundred and nineteen and by inserting in lieu thereof the following subsection:—

(2) (a) If, in the opinion of the Board, the health of any such officer has become so restored as to enable him to perform his duties, the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, may require him to resume such duties, or to undertake any other duties, in the service for which he is qualified at not less than the salary for the time being payable to officers with the same classification and with the same length of service therein as such officer had at the date upon which he was compelled to retire through infirmity of body or mind, and thereupon any superannuation allowance granted to such officer shall cease to be payable.

If



---

*Government Railways (Amendment).*

---

If any such officer who has received a gratuity fails to resume or undertake such duties when so required, the Board may recover from him, as a Crown debt, the amount of such gratuity, and pay the same into the Government Railways Superannuation Account.

(b) If, in the opinion of the Board, the health of any such retired officer has not become so restored as to enable him to perform his duties, but the health of such retired officer would permit of him performing duties in keeping with the condition of his health the officer may, at his option, undertake such duties as may be offered to him by the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be, at the ruling rate of pay applicable to same, and upon undertaking such duties his superannuation allowance shall cease to be payable.

(c) In the event of the recurrence of his infirmity any officer who resumes duty under the provisions of paragraph (a) or paragraph (b) of this subsection, shall be entitled to his superannuation allowance together with any increase in the same to which he would be entitled from additional length of service.

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

F. R. JORDAN,

*By Deputation from His Excellency the Governor.*

*Government House,*

*Sydney, 3rd April, 1945.*



