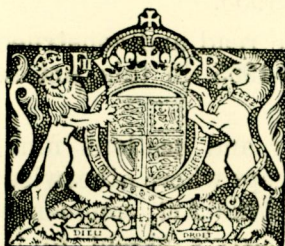


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 24 February, 1955.*

New South Wales



ANNO QUARTO

ELIZABETHÆ II REGINÆ

Act No. , 1955.

An Act to increase the amount payable by way of pension to employees under the Superannuation Act, 1916, as amended by subsequent Acts; to extend the scale of pension units in respect of which contributions may be made; to make certain provisions in relation to the State Superannuation Fund; for these and other purposes to amend the said Act as so amended, the Superannuation (Amendment) Act, 1930, and certain other Acts; and for purposes connected therewith.

Superannuation (Amendment).

BE it enacted by the Queen'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 (Amendment) Act, 1955." Short title, citation, construction and commencement.

(2) The Superannuation Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the
10 Superannuation Act, 1916-1955.

(3) This Act shall be read and construed with the Superannuation Act, 1916-1955, in this Act referred to as the Principal Act.

(4) (a) This section and sections nine, ten and
15 eleven of this Act shall, except where otherwise expressly provided in section ten of this Act, commence upon the day upon which Her Majesty's assent to this Act is signified.

(b) Sections two, three, four, five and six of
20 this Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-five.

(c) Sections seven and eight of this Act shall commence upon the first day of July, one thousand
25 nine hundred and fifty-five.

(5) (a) This subsection applies to any employee who—

(i) being of the age of fifty-nine years upon the day
30 upon which Her Majesty's assent to this Act is signified, would attain the age of sixty years before the commencement of the month or four-weekly contribution period, as the case may be, occurring next before the first day of July, one thousand nine hundred and fifty-five; and

(ii) notifies the Board, in writing, forwarded so as to
35 be received in the office of the Board before he attains the age of sixty years, that he elects to have the provisions of this subsection apply to him.

(b)

Superannuation (Amendment).

(b) Notwithstanding anything in paragraph (c) of subsection four of this section, in respect of any employee to whom this subsection applies, section seven and paragraph (a) of subsection one and subsection two of section eight of this Act shall commence upon the first day of the month or four-weekly contribution period, as the case may be, that commences next after the day upon which Her Majesty's assent to this Act is signified.

2. Where any pension, other than a pension payable in respect of a child, was at the commencement of this section payable to, or after such commencement became or becomes payable to, any person under the Superannuation Act, 1916, as amended by subsequent enactments, other than this section, such pension shall, as from such commencement or, as the case may be, as from the date upon which such person so became or becomes entitled to such pension, be increased by one-sixth or by twenty-six pounds per annum, whichever is the greater, and any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

Increase
of rates
of certain
pensions.

3. (1) Where on or after the commencement of this section any pension was or is payable under the Principal Act to a pensioner or to the widow of a deceased pensioner or contributor the employer in whose service such pensioner or deceased pensioner was employed at the date of his retirement or retrenchment or in whose service such contributor was employed at the date of his death, shall pay to the fund at monthly or such other intervals as may be determined by the Board and on the requisition of the Board an amount equal to the difference between the amount of the pension so payable and the amount of pension which would have been so payable had section two of this Act not been enacted.

Additional
payment
by
employers
in respect
of increase
in pension
unit value.

(2) This section shall not apply in respect of any pension payable under the Principal Act which is wholly payable out of the Consolidated Revenue Fund or the funds of the employer nor in respect of any pension wholly

Superannuation (Amendment).

wholly payable out of the fund and in respect of which the fund is wholly repaid or wholly recouped by the Consolidated Revenue Fund or the employer.

(3) Any amount payable under this section shall be
5 in addition to any contribution or other payment which the employer may be required to make under the Principal Act, the Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, or the Superannuation (Amendment) Act, 1951, as amended by subsequent
10 Acts.

4. The Superannuation Act, 1916, as amended by
subsequent Acts, is amended by inserting at the end of
section 17B the following new subsection:—

Amendment
of Act No. 28,
1916.
Sec. 17B.
(Additional
payment by
employers
in respect
of increase
in pension
unit value.)

(4) The liability of employers to make payments
15 to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

5. The Superannuation (Amendment) Act, 1930, as
amended by subsequent Acts, is amended by inserting at
20 the end of section two the following new subsection:—

Amendment
of Act No. 31,
1930.
Sec. 2.
(Payments
to fund
by certain
employers.)

(8) The liability of the Government of New South
Wales, the Maritime Services Board of New South
Wales and the Water Conservation and Irrigation
Commission to make payments to the fund pursuant
25 to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

6. The Superannuation (Amendment) Act, 1951, as
amended by subsequent Acts, is amended by inserting at
30 the end of section four the following new subsection:—

Amendment
of Act No. 53,
1951.
Sec. 4.
(Additional
payment by
employers
in respect
of increase
in rate of
pension, &c.)

(6) The liability of employers to make payments
to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

7. The Superannuation Act, 1916, as amended by
subsequent Acts, is further amended—

Further
amendment
of Act No. 28,
1916.
Sec. 12.
(Scale of
units of
pension.)

(a) (i) by omitting the scale set out in subsection
one of section twelve and by inserting in
lieu

Superannuation (Amendment).

lieu thereof the following scale:—

Where the salary of the employee is equivalent to an annual rate		The employee shall contribute the amount necessary to provide units of pension as under—		
Exceeding—	But not exceeding—		£	s. d.
10	£ ...	162	Two units, or	65 0 0
	162	260	Three units, or	97 10 0
	260	325	Four units, or	130 0 0
	325	390	Five units, or	162 10 0
	390	455	Six units, or	195 0 0
15	455	520	Seven units, or	227 10 0
	520	585	Eight units, or	260 0 0
	585	650	Nine units, or	292 10 0
	650	715	Ten units, or	325 0 0
	715	780	Eleven units, or	357 10 0
20	780	845	Twelve units, or	390 0 0
	845	910	Thirteen units, or	422 10 0
	910	975	Fourteen units, or	455 0 0
	975	1,040	Fifteen units, or	487 10 0
	1,040	1,105	Sixteen units, or	520 0 0
25	1,105	1,170	Seventeen units, or	552 10 0
	1,170	1,235	Eighteen units, or	585 0 0
	1,235	1,300	Nineteen units, or	617 10 0
	1,300	1,430	Twenty units, or	650 0 0
	1,430	1,560	Twenty-one units, or	682 10 0
30	1,560	1,690	Twenty-two units, or	715 0 0
	1,690	1,820	Twenty-three units, or	747 10 0
	1,820	1,950	Twenty-four units, or	780 0 0
	1,950	2,080	Twenty-five units, or	812 10 0
	2,080	2,210	Twenty-six units, or	845 0 0
35	2,210	2,340	Twenty-seven units, or	877 10 0
	2,340	2,470	Twenty-eight units, or	910 0 0
	2,470	2,600	Twenty-nine units, or	942 10 0
	2,600	2,730	Thirty units, or	975 0 0
	2,730	2,860	Thirty-one units, or	1,007 10 0
40	2,860	2,990	Thirty-two units, or	1,040 0 0
	2,990	3,120	Thirty-three units, or	1,072 10 0
	3,120	3,250	Thirty-four units, or	1,105 0 0
	3,250	3,380	Thirty-five units, or	1,137 10 0
	3,380	...	Thirty-six units, or	1,170 0 0

Superannuation (Amendment).

5 (ii) by inserting in subparagraph (i) of para-
graph (b) of the proviso to the same sub-
section after the words "so increased," the
words "or in the case of an employee under
the age of forty years contributing in
respect of twenty-six units of pension
immediately before the commencement of
section seven of the Superannuation
10 (Amendment) Act, 1955, his salary is, on
or after the commencement of that section,
so increased,";

(iii) by inserting in the same subparagraph after
the words "paid on that date" the following
words:—

15 "Where at the date of commencement of
section seven of the Superannuation
(Amendment) Act, 1955, the actual salary
of an employee is in excess of the annual
rate of two thousand two hundred and ten
20 pounds his salary shall, for the purposes
of this paragraph, be deemed to have been
increased on that date from that rate to
that actual salary and that actual salary
shall, for the purposes of subparagraph
25 (iii) of this paragraph and of paragraph
(h) of this proviso and of subsection (1B)
of this section, be deemed to have been
actually paid on that date."

30 (iv) by inserting at the end of the same para-
graph the following new subparagraphs:—

35 (iv) Where the number of units of
pension for which an employee was
contributing immediately before the
commencement of this subparagraph
is less than the number of units of
pension specified in the scale in this
subsection opposite the salary group
within which a salary equal to his
salary

Superannuation (Amendment).

5 salary immediately before that
commencement fell at that commence-
ment and the difference between
those numbers is less than the
number of his abandoned units as
existing immediately before that
commencement, then the number of
those abandoned units shall, as from
10 that commencement and for all
purposes of this Act, be reduced to
a number equal to that difference.

15 (v) Where the number of units of
pension for which an employee was
contributing immediately before the
commencement of this subparagraph
is equal to or greater than the
number of units of pension specified
in the scale in this subsection
opposite the salary group within
20 which a salary equal to his salary
immediately before that commence-
ment fell at that commencement, his
abandoned units, if any, as existing
immediately before that commence-
25 ment shall, as from that commence-
ment, be disregarded for all purposes
of this Act.

(v) by inserting at the end of the same sub-
section the following new subsections:—

30 (1A) (a) In this subsection "employee"
means an employee who was, immediately
before the commencement of this subsection,
contributing for a number of units of
pension (hereinafter in this subsection
35 referred to as the prescribed number of
units) that is equal to or exceeds the
number of units of pension specified in the
scale in subsection one of this section
opposite the salary group within which a
salary

Superannuation (Amendment).

salary equal to the salary of the employee immediately before that commencement fell at that commencement.

5 (b) Subject to sections eleven and
thirteen of this Act, paragraphs (a), (g)
and (j) of the proviso to subsection one of
this section and paragraph (c) of this
subsection, an employee shall continue to
10 contribute for the prescribed number of
units until the first day of the month or
four-weekly contribution period, as the case
may be, in which he is actually paid a salary
that falls within a salary group that requires
15 him to contribute for a number of units of
pension greater than the prescribed number
of units or would, if paragraph (b) of the
proviso to subsection one of this section
had not been enacted, have required him
so to contribute.

20 (c) Paragraph (b) of this sub-
section does not apply to an employee who
is actually paid, on or after the commence-
ment of this subsection but during the
month or four-weekly contribution period,
25 as the case may be, that commences on the
commencement of this subsection, a salary
that falls within a salary group that requires
him to contribute for a greater number of
units of pension than the prescribed number
30 of units or would, if paragraph (b) of the
proviso to subsection one of this section
had not been enacted, have required him so
to contribute.

35 (1B) (a) In this subsection "employee"
means an employee who was, immediately
before the commencement of this subsection,
contributing for a number of units of
pension

Superannuation (Amendment).

5 pension (hereinafter in this subsection
referred to as the prescribed number of
units) that is less than the number of units
of pension (hereinafter in this subsection
referred to as the specified number of
units) specified in the scale in subsection
one of this section opposite the salary group
within which a salary equal to the salary
of the employee immediately before that
10 commencement fell at that commencement.

15 (b) Subject to sections eleven and
thirteen of this Act, paragraphs (a), (g)
and (j) of the proviso to subsection one of
this section and paragraph (c) of this
subsection, an employee shall continue to
contribute for the prescribed number of
units until the first day of the month or four-
weekly contribution period, as the case may
be, in which he is actually paid a salary that
falls within a salary group that requires
20 him to contribute for a number of units of
pension greater than the specified number of
units or would, if paragraph (b) of the
proviso to subsection one of this section
had not been enacted, have required him
25 so to contribute.

30 (c) Paragraph (b) of this subsec-
tion does not apply to an employee who is
actually paid, on or after the commence-
ment of this subsection but during the
month or four-weekly contribution period,
as the case may be, that commences on the
commencement of this subsection, a salary—

35 (i) that, by reason of its being in excess
of an annual rate of two thousand
two

Superannuation (Amendment).

5 two hundred and ten pounds, requires him to contribute for the specified number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute; or

10 (ii) that falls within a salary group that requires him to contribute for a greater number of units than the specified number of units or would, if paragraph (b) of that proviso had not been enacted, have required him so to contribute.

15 (1c) Where, immediately before the commencement of this subsection, the time within which an employee had a right to make an election under paragraph (b) of the proviso to subsection one of this section
20 had not expired, the right of that employee to make an election shall, notwithstanding the amendment made by subparagraph (i) of paragraph (a) of section seven of the Superannuation (Amendment) Act, 1955,
25 be deemed to continue until the expiration of that time, and if, before the expiration of that time, the employee makes an election under paragraph (b) of that proviso, the provisions of subparagraphs (iv) and (v) of paragraph (b) of that proviso and sub-
30 sections (1A) and (1B) of this section apply as if he had made the election before the commencement of this subsection.

(1D)

Superannuation (Amendment).

(1D) (a) Notwithstanding anything contained in subsection (1B) of this section, where, immediately before the commencement of this subsection—

- 5 (i) an employee's salary did not exceed an annual rate of two thousand two hundred and ten pounds; and
- 10 (ii) the employee was contributing for a number of units of pension less than the number of units of pension specified in the scale in subsection one of this section as enacted immediately before that commencement
- 15 opposite the salary group within which the salary of the employee fell immediately before that commencement,

20 the employee may elect to increase the amount of his contribution so as to entitle him to units of pension not exceeding the number specified in the scale in subsection one of this section opposite the salary group in which a salary equal to his salary immediately before that commencement fell at

25 that commencement.

(b) Where an employee makes an election under this subsection the number of his abandoned units, if any, shall be reduced by a number equal to the number of additional units for which he becomes a contributor by virtue of the election.

30

The provisions of this paragraph are in addition to, and not in substitution for, the provisions of subparagraphs (iv) and (v) of paragraph (b) of the proviso to subsection one of this section.

35

In

Superannuation (Amendment).

In this paragraph "abandoned units" has the same meaning as in paragraph (b) of that proviso.

5 (c) Any election under this subsection shall become effective only when the election has been approved by the Board, but any increase in contributions resulting from the election shall be payable as from the first day of the month or of the four-weekly contribution period, as the case may be, in which the election is received in the office of the Board. The Board may require
10 any employee who makes such election to furnish evidence as to the state of his health and may refuse its approval if
15 evidence is not so furnished or if, from the evidence furnished, the Board is satisfied that the employee is not in good health.

20 (d) Any such election shall be in writing and shall be forwarded so as to be received in the office of the Board within a period of three months from the commencement of this subsection or within such
25 further period as the Board may, in special circumstances, allow.

Any such election shall be void unless made in the manner and within the period or further period referred to in this paragraph.
30

(1E) Except in the circumstances and for the time specified in paragraph (b) of subsection (1A) of this section or in the circumstances specified in section 13A of this Act, no employee shall contribute for a
35 greater number of units of pension than is specified in the scale in subsection one of this section opposite the salary group in which his salary falls.

(b)

Superannuation (Amendment).

(b) by inserting at the end of the scale in subsection one of section twenty-seven the following words and figures:—

Sec. 27.
(Amount of pension on retirement.)

	Twenty-seven units	..	877	10	0
5	Twenty-eight units	..	910	0	0
	Twenty-nine units	..	942	10	0
	Thirty units	..	975	0	0
	Thirty-one units	..	1,007	10	0
	Thirty-two units	..	1,040	0	0
10	Thirty-three units	..	1,072	10	0
	Thirty-four units	..	1,105	0	0
	Thirty-five units	..	1,137	10	0
	Thirty-six units	..	1,170	0	0

8. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

(a) (i) by omitting paragraph (e) of the proviso to subsection one of section twelve;

Sec. 12.
(Scale of units of pension.)

(ii) by omitting from paragraphs (i) and (j) of the same proviso the words “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

(iii) by omitting subsections two, three, four and five of the same section;

(b) (i) by omitting from subsection three of section 15A the word “two” and by inserting in lieu thereof the word “four”;

Sec. 15A.
(Reserve units.)

(ii)

Superannuation (Amendment).

(ii) by omitting from paragraph (a) of subsection six of the same section the word "both" and by inserting in lieu thereof the word "more";

5 (iii) by inserting at the end of subsection seven of the same section the following new proviso:—

Provided that a contributor who—

10 (a) has, before the first day of July, one thousand nine hundred and fifty-five, made an election under subsection five of this section; but

(b) has not made an election under subsection six of this section,

15 may, within three months from that date, elect to contribute for reserve units, but so that the number of reserve units for which he becomes a contributor by virtue of the operation of this proviso, together with the
20 reserve unit, if any, for which he was contributing immediately before that date, shall not exceed four.

(2) Any election made under paragraph (e) of the proviso to subsection one of section twelve of the Super-
25 annuation Act, 1916, as amended by subsequent Acts, before that paragraph was repealed by subsection one of this section, shall, as on and from the commencement of this section, cease to have any force or effect.

Nothing in this subsection affects the operation of
30 subsection (1A) of section twelve of the Superannuation Act, 1916-1955.

9. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 23, 1916.

35 (a) by omitting paragraph (c) of the proviso to subsection two of section eleven;

Sec. 11. (When to commence.)

(b)

Superannuation (Amendment).

(b) (i) by inserting next after subsection (1B) of section fifteen the following new subsection:—

Sec. 15.
(Tables of contributions in Schedule I.)

5

10

15

(1c) Until other tables of contributions are prescribed as hereinafter provided the table of contributions for men according to the ages set out in Schedule VI shall be in force and shall apply to both employees, being members of the fire fighting staff of the Board of Fire Commissioners of New South Wales who become contributors on or after the first day of July, one thousand nine hundred and fifty-five, and that Board in respect of those employees, in lieu of the tables set out in Schedules IV and V.

20

Contributions in accordance with the table set out in Schedule VI shall be made in respect of all units of pension the contributions for which commence on or after that date and are paid by or in respect of those employees.

25

The provisions of section three of the Superannuation (Amendment) Act, 1951, apply to and in respect of those contributions deducted from the salaries of those employees under section twenty of this Act or payable by those employees under section nineteen of this Act.

30

(ii) by omitting from paragraph (a) of subsection two of the same section the words "or Schedule V" and by inserting in lieu thereof the words ", Schedule V or Schedule VI";

(c)

Superannuation (Amendment).

- 5 (c) by omitting from subsection four of section thirty-seven the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";
- 10 (d) by omitting from subsection two of section thirty-eight the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";
- (e) by omitting section forty-seven and by inserting in lieu thereof the following section:—
- 15 47. (1) Where a pensioner marries after retirement from service, pension shall not, upon the death of the pensioner, be payable to the widow or in respect of her children who are not children of that marriage.
- 20 The foregoing provisions of this section do not apply to or in respect of the widow or her children where the pensioner, after marrying her, was re-employed by an employer and again became a contributor.
- 25 (2) For the purposes of subsection one of this section a pensioner who marries while in receipt of "breakdown" pension shall, notwithstanding anything contained in this Act, be deemed to have married after retirement from service.
- 30 (f) by inserting next after Schedule V the following new Schedule:—

Sec.37.
(Contributor
retrenched
has choice
of
benefits.)

Sec. 38.
(Refund of
contribu-
tions.)

Subst.
sec. 47.

No pension
for widow, &c.,
if pensioner
marries.

New Schedule
VI.

SCHEDULE

Superannuation (Amendment).

SCHEDULE VI.

MEN—FIRE FIGHTING STAFF, BOARD OF FIRE COMMISSIONERS
OF NEW SOUTH WALES.*Contributions by Employees—Payable Four-weekly.
Retirement at Sixty.*

5

Age next birth- day.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.		Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.		Age next birth- day.	Age next birth- day.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.		Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.		Age next birth- day.					
	£	s.	d.	£			s.	d.	£	s.		d.	£	s.	d.	
15	16	0	7	6	0	7	2	16	40	1	4	6	1	3	8	40
	17	0	7	10	0	7	6	17	41	1	5	10	1	5	0	41
	18	0	8	4	0	7	10	18	42	1	7	2	1	6	4	42
	19	0	8	10	0	8	4	19	43	1	8	10	1	8	0	43
	20	0	9	4	0	8	10	20	44	1	10	6	1	9	8	44
	21	0	9	10	0	9	4	21	45	1	12	6	1	11	8	45
	22	0	10	4	0	9	10	22	46	1	14	10	1	14	0	46
	23	0	10	10	0	10	4	23	47	1	17	4	1	16	6	47
	24	0	11	4	0	10	10	24	48	2	0	6	1	19	6	48
	25	0	11	10	0	11	4	25	49	2	4	2	2	3	2	49
	26	0	12	6	0	12	0	26	50	2	8	6	2	7	6	50
	27	0	13	2	0	12	8	27	51	2	13	10	2	12	10	51
	28	0	13	10	0	13	4	28	52	3	0	6	2	19	4	52
	29	0	14	6	0	14	0	29	53	3	9	0	3	7	10	53
	30	0	15	4	0	14	8	30	54	4	0	4	3	19	0	54
	31	0	16	0	0	15	4	31	55	4	16	2	4	14	8	55
	32	0	16	10	0	16	0	32	56	£320 ÷ n*			£316 ÷ n*			56
	33	0	17	8	0	16	10	33	57	£314 ÷ n*			£310 ÷ n*			57
	34	0	18	6	0	17	8	34	58	£308 ÷ n*			£304 ÷ n*			58
	35	0	19	4	0	18	6	35	59	£302 ÷ n*			£298 ÷ n*			59
	36	1	0	2	0	19	4	36	60	£298 ÷ n*			£294 ÷ n*			60
	37	1	1	2	1	0	4	37								
	38	1	2	2	1	1	4	38								
	39	1	3	4	1	2	6	39								

*n Denotes the number of complete four-weekly contributions payable before attainment of age 60.

† The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.

Superannuation (Amendment).

10. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

- 5 (a) by omitting from sections thirty, thirty-one, thirty-three, forty-one, forty-three and forty-four the word "sixteen" and by inserting in lieu thereof the word "eighteen";
- 10 (b) (i) by omitting from Table A of Schedule I the words, figures and symbols "£26† for each child to age 16." wherever occurring and by inserting in lieu thereof the words, figures and symbol "and pension† for each child to age 18.";
- 15 (ii) by omitting from the same Table the footnote "†Of this amount of £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance" and by inserting in lieu thereof the following footnote:—
- 20 "†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance.
- 25 Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.";
- 30 (c) (i) by omitting from Table A of Schedule IV the words, figures and symbols "£26† p.a. for each child to age 16." wherever occurring and by inserting in lieu thereof the words, figures and symbol "and pension† for each child to age 18.";
- 35 (ii) by omitting from the same Table the footnote "†Of this amount of £26, £13 is payable by

Secs. 30, 31, 33, 41, 43, 44. (Pension to orphans on death of employee or pensioner.)

Sch. I.

Sch. IV.

Superannuation (Amendment).

by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

- 5 “†The pension for each child is (i) £26
p.a. where it is payable under section 30 or
31; or (ii) £52 p.a. where it is payable under
section 33. Where the amount of pension
is £26, £13 is payable by the employer under
10 section 17A, and the contribution includes
half-cost of the balance. Where the amount
of pension is £52, £39 is payable by the
employer, and the contribution includes
half-cost of the balance.”;
- 15 (d) (i) by omitting from Table A of Schedule V **Sch. V.**
the words, figures and symbols “£26† p.a.
for each child to age 16.” and by inserting
in lieu thereof the words, figures and symbol
“and pension† for each child to age 18.”;
- 20 (ii) by omitting from the same Table the foot-
note “†Of this amount of £26, £13 is payable
by the employer under section 17A, and the
contribution includes half-cost of the
balance” and by inserting in lieu thereof
25 the following footnote:—
- 30 “†The pension for each child is (i) £26
p.a. where it is payable under section 30 or
31; or (ii) £52 p.a. where it is payable under
section 33. Where the amount of pension
is £26, £13 is payable by the employer under
section 17A, and the contribution includes
half-cost of the balance. Where the amount
of pension is £52, £39 is payable by the
employer, and the contribution includes
35 half-cost of the balance.”

(e)

Superannuation (Amendment).

- (e) by omitting from subsection one of section thirty-three the words "twenty-six pounds" and by inserting in lieu thereof the words "fifty-two pounds"; Sec. 33.
(Pension to orphans on death of employee or pensioner.)
- 5 (f) by inserting at the end of subsection one of section 17A the words "where the pension is payable pursuant to paragraph (b) of section thirty or paragraph (b) of section thirty-one of this Act or three-quarters of the amount of such pension where the pension is payable pursuant to section thirty-three of this Act." Sec. 17A.
(Payments by employers in respect of infants' pensions.)
- 10

(2) The amendments made by paragraph (a) of subsection one of this section—

- 15 (a) shall commence upon the first day of the month next after the date on which Her Majesty's assent to this Act is signified;
- 20 (b) apply to and in respect of children who at that day were over the age of sixteen but under the age of eighteen as well as to and in respect of children who reach the age of sixteen on or after that day.

Nothing in the amendments made by paragraph (a) of subsection one of this section or in this subsection authorises the payment of pension in respect of any 25 period before the commencement of those amendments.

(3) The amendment made by paragraph (e) of subsection one of this section applies to and in respect of pensions that are payable at the commencement of this section as well as to and in respect of pensions that 30 become payable after that commencement; but, in the case of pensions that are payable at that commencement, the increased rate applies only as from the first day of the month next after that commencement.

Superannuation (Amendment).

11. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

5 (a) (i) by inserting in subsection one of section thirty-eight after the words "there shall be paid to such contributor" the words ", upon application by him in or to the effect of the prescribed form,";

Sec. 38. (Refund of contributions.)

(ii) by inserting next after the same subsection the following new subsection:—

10 (1A) Where a contributor resigns or is dismissed or discharged from the service of an employer, the employer shall take all practicable steps to obtain from the contributor the application referred to in
15 subsection one of this section.

The employer shall, after obtaining the application, forward it forthwith to the Board.

20 (b) by inserting next after section sixty-six the following new section:—

New sec. 66A.

66A. The Board may—

Power to close accounts.

25 (a) by notice in writing direct an employer to cease making deductions pursuant to subsection one of section sixty-two of this Act from the salary of an employee whose name is specified in the notice and thereupon the employer shall cease making those deductions;

30 (b) refuse to accept from an employee any direct payment to the Fund pursuant to subsection two of the same section.

35 In any such case there shall be paid to the employee concerned the whole amount lying at his credit in the Fund under this Part (both principal and interest).

(c)

Superannuation (Amendment).

(c) by omitting section sixty-nine;

Sec. 69.
(Purchase
of homes.)

(d) by inserting at the end of section 89A the words:—

Sec. 89A.
(Evidence
as to age,
marriage
or death.)

5 Where any moneys are not immediately
payable from the fund to the person (being a
contributor) from whom such evidence is
required his employer shall, on the requisition
of the Board and with the approval of the
10 Minister, deduct the amount of the expenses so
incurred from the contributor's salary and shall
forward that amount to the Board.

No. , 1955.

A BILL

To increase the amount payable by way of pension to employees under the Superannuation Act, 1916, as amended by subsequent Acts; to extend the scale of pension units in respect of which contributions may be made; to make certain provisions in relation to the State Superannuation Fund; for these and other purposes to amend the said Act as so amended, the Superannuation (Amendment) Act, 1930, and certain other Acts; and for purposes connected therewith.

[MR. SHEAHAN;—16 *February*, 1955.]

Superannuation (Amendment).

BE it enacted by the Queen's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative 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
(Amendment) Act, 1955."

Short title,
citation,
construction
and
commence-
ment.

(2) The Superannuation Act, 1916, as amended by
subsequent Acts and by this Act, may be cited as the
10 Superannuation Act, 1916-1955.

(3) This Act shall be read and construed with the
Superannuation Act, 1916-1955, in this Act referred to
as the Principal Act.

(4) (a) This section and sections nine, ten and
15 eleven of this Act shall, except where otherwise expressly
provided in section ten of this Act, commence upon the
day upon which Her Majesty's assent to this Act is
signified.

(b) Sections two, three, four, five and six of
20 this Act shall be deemed to have commenced upon the
first day of January, one thousand nine hundred and fifty-
five.

(c) Sections seven and eight of this Act shall
commence upon the first day of July, one thousand
25 nine hundred and fifty-five.

2. Where any pension, other than a pension payable
in respect of a child, was at the commencement of this
section payable to, or after such commencement became
or becomes payable to, any person under the Superannua-
30 tion Act, 1916, as amended by subsequent enactments,
other than this section, such pension shall, as from such
commencement

Increase
of rates
of certain
pensions.

Superannuation (Amendment).

commencement or, as the case may be, as from the date upon which such person so became or becomes entitled to such pension, be increased by one-sixth or by twenty-six pounds per annum, whichever is the greater, and any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

3. (1) Where on or after the commencement of this section any pension was or is payable under the Principal Act to a pensioner or to the widow of a deceased pensioner or contributor the employer in whose service such pensioner or deceased pensioner was employed at the date of his retirement or retrenchment or in whose service such contributor was employed at the date of his death, shall pay to the fund at monthly or such other intervals as may be determined by the Board and on the requisition of the Board an amount equal to the difference between the amount of the pension so payable and the amount of pension which would have been so payable had section two of this Act not been enacted.

Additional
payment
by
employers
in respect
of increase
in pension
unit value.

(2) This section shall not apply in respect of any pension payable under the Principal Act which is wholly payable out of the Consolidated Revenue Fund or the funds of the employer nor in respect of any pension wholly payable out of the fund and in respect of which the fund is wholly repaid or wholly recouped by the Consolidated Revenue Fund or the employer.

(3) Any amount payable under this section shall be in addition to any contribution or other payment which the employer may be required to make under the Principal Act, the Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, or the Superannuation (Amendment) Act, 1951, as amended by subsequent Acts.

Superannuation (Amendment).

4. The Superannuation Act, 1916, as amended by subsequent Acts, is amended by inserting at the end of section 17B the following new subsection:—

Amendment
of Act No. 28,
1916.

Sec. 17B.
(Additional
payment by
employers
in respect
of increase
in pension
unit value.)

5 (4) The liability of employers to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

5. The Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, is amended by inserting at the end of section two the following new subsection:—

Amendment
of Act No. 31,
1930.

Sec. 2.
(Payments
to fund
by certain
employers.)

15 (8) The liability of the Government of New South Wales, the Maritime Services Board of New South Wales and the Water Conservation and Irrigation Commission to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

6. The Superannuation (Amendment) Act, 1951, as amended by subsequent Acts, is amended by inserting at the end of section four the following new subsection:—

Amendment
of Act No. 53,
1951.

Sec. 4.
(Additional
payment by
employers
in respect
of increase
in rate of
pension, &c.)

(6) The liability of employers to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

25 7. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further
amendment
of Act No. 28,
1916.

(a) (i) by omitting the scale set out in subsection one of section twelve and by inserting in lieu

Sec. 12.
(Scale of
units of
pension.)

Superannuation (Amendment).

lieu thereof the following scale:—

Where the salary of the employee is equivalent to an annual rate		The employee shall contribute the amount necessary to provide units of pension as under—			
Exceeding—	But not exceeding—		£	s.	d.
10	£ ...	£ 162	Two units, or	...	65 0 0
	162	260	Three units, or	...	97 10 0
	260	325	Four units, or	...	130 0 0
	325	390	Five units, or	...	162 10 0
	390	455	Six units, or	...	195 0 0
15	455	520	Seven units, or	...	227 10 0
	520	585	Eight units, or	...	260 0 0
	585	650	Nine units, or	...	292 10 0
	650	715	Ten units, or	...	325 0 0
	715	780	Eleven units, or	...	357 10 0
20	780	845	Twelve units, or	...	390 0 0
	845	910	Thirteen units, or	...	422 10 0
	910	975	Fourteen units, or	...	455 0 0
	975	1,040	Fifteen units, or	...	487 10 0
	1,040	1,105	Sixteen units, or	...	520 0 0
25	1,105	1,170	Seventeen units, or	...	552 10 0
	1,170	1,235	Eighteen units, or	...	585 0 0
	1,235	1,300	Nineteen units, or	...	617 10 0
	1,300	1,430	Twenty units, or	...	650 0 0
	1,430	1,560	Twenty-one units, or	...	682 10 0
30	1,560	1,690	Twenty-two units, or	...	715 0 0
	1,690	1,820	Twenty-three units, or	...	747 10 0
	1,820	1,950	Twenty-four units, or	...	780 0 0
	1,950	2,030	Twenty-five units, or	...	812 10 0
	2,030	2,210	Twenty-six units, or	...	845 0 0
35	2,210	2,340	Twenty-seven units, or	...	877 10 0
	2,340	2,470	Twenty-eight units, or	...	910 0 0
	2,470	2,600	Twenty-nine units, or	...	942 10 0
	2,600	2,730	Thirty units, or	...	975 0 0
	2,730	2,860	Thirty-one units, or	...	1,007 10 0
40	2,860	2,990	Thirty-two units, or	...	1,040 0 0
	2,990	3,120	Thirty-three units, or	...	1,072 10 0
	3,120	3,250	Thirty-four units, or	...	1,105 0 0
	3,250	3,380	Thirty-five units, or	...	1,137 10 0
	3,380	...	Thirty-six units, or	...	1,170 0 0

Superannuation (Amendment).

5 (ii) by inserting in subparagraph (i) of para-
graph (b) of the proviso to the same sub-
section after the words "so increased," the
words "or in the case of an employee under
the age of forty years contributing in
respect of twenty-six units of pension
immediately before the commencement of
section seven of the Superannuation
10 (Amendment) Act, 1955, his salary is, on
or after the commencement of that section,
so increased,";

(iii) by inserting in the same subparagraph after
the words "paid on that date" the following
words:—

15 "Where at the date of commencement of
section seven of the Superannuation
(Amendment) Act, 1955, the actual salary
of an employee is in excess of the annual
rate of two thousand two hundred and ten
20 pounds his salary shall, for the purposes
of this paragraph, be deemed to have been
increased on that date from that rate to
that actual salary and that actual salary
shall, for the purposes of subparagraph
25 (iii) of this paragraph and of paragraph
(h) of this proviso and of subsection (1B)
of this section, be deemed to have been
actually paid on that date."

30 (iv) by inserting at the end of the same para-
graph the following new subparagraphs:—

35 (iv) Where the number of units of
pension for which an employee was
contributing immediately before the
commencement of this subparagraph
is less than the number of units of
pension specified in the scale in this
subsection opposite the salary group
within which a salary equal to his
salary

Superannuation (Amendment).

5 salary immediately before that commencement fell at that commencement and the difference between those numbers is less than the number of his abandoned units as existing immediately before that commencement, then the number of those abandoned units shall, as from that commencement and for all purposes of this Act, be reduced to a number equal to that difference.

10
15 (v) Where the number of units of pension for which an employee was contributing immediately before the commencement of this subparagraph is equal to or greater than the number of units of pension specified in the scale in this subsection opposite the salary group within which a salary equal to his salary immediately before that commencement fell at that commencement, his abandoned units, if any, as existing immediately before that commencement shall, as from that commencement, be disregarded for all purposes of this Act.

20
25
30 (v) by inserting at the end of the same subsection the following new subsections:—

35 (1A) (a) In this subsection "employee" means an employee who was, immediately before the commencement of this subsection, contributing for a number of units of pension (hereinafter in this subsection referred to as the prescribed number of units) that is equal to or exceeds the number of units of pension specified in the scale in subsection one of this section opposite the salary group within which a salary

Superannuation (Amendment).

salary equal to the salary of the employee immediately before that commencement fell at that commencement.

5 (b) Subject to sections eleven and
thirteen of this Act, paragraphs (a), (g)
and (j) of the proviso to subsection one of
this section and paragraph (c) of this
10 subsection, an employee shall continue to
contribute for the prescribed number of
units until the first day of the month or
four-weekly contribution period, as the case
may be, in which he is actually paid a salary
that falls within a salary group that requires
15 him to contribute for a number of units of
pension greater than the prescribed number
of units or would, if paragraph (b) of the
proviso to subsection one of this section
had not been enacted, have required him
so to contribute.

20 (c) Paragraph (b) of this sub-
section does not apply to an employee who
is actually paid, on or after the commence-
ment of this subsection but during the
month or four-weekly contribution period,
25 as the case may be, that commences on the
commencement of this subsection, a salary
that falls within a salary group that requires
him to contribute for a greater number of
units of pension than the prescribed number
30 of units or would, if paragraph (b) of the
proviso to subsection one of this section
had not been enacted, have required him so
to contribute.

35 (1B) (a) In this subsection "employee"
means an employee who was, immediately
before the commencement of this subsection,
contributing for a number of units of
pension

Superannuation (Amendment).

5 pension (hereinafter in this subsection
referred to as the prescribed number of
units) that is less than the number of units
of pension (hereinafter in this subsection
referred to as the specified number of
10 units) specified in the scale in subsection
one of this section opposite the salary group
within which a salary equal to the salary
of the employee immediately before that
commencement fell at that commencement.

15 (b) Subject to sections eleven and
thirteen of this Act, paragraphs (a), (g)
and (j) of the proviso to subsection one of
this section and paragraph (c) of this
subsection, an employee shall continue to
contribute for the prescribed number of
units until the first day of the month or four-
weekly contribution period, as the case may
20 be, in which he is actually paid a salary that
falls within a salary group that requires
him to contribute for a number of units of
pension greater than the specified number of
units or would, if paragraph (b) of the
25 proviso to subsection one of this section
had not been enacted, have required him
so to contribute.

30 (c) Paragraph (b) of this subsec-
tion does not apply to an employee who is
actually paid, on or after the commence-
ment of this subsection but during the
month or four-weekly contribution period,
as the case may be, that commences on the
commencement of this subsection, a salary—

35 (i) that, by reason of its being in excess
of an annual rate of two thousand
two

Superannuation (Amendment).

5 two hundred and ten pounds, requires him to contribute for the specified number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute; or

10 (ii) that falls within a salary group that requires him to contribute for a greater number of units than the specified number of units or would, if paragraph (b) of that proviso had not been enacted, have required him so to contribute.

15 (1c) Where, immediately before the commencement of this subsection, the time within which an employee had a right to make an election under paragraph (b) of the proviso to subsection one of this section
20 had not expired, the right of that employee to make an election shall, notwithstanding the amendment made by subparagraph (i) of paragraph (a) of section seven of the Superannuation (Amendment) Act, 1955,
25 be deemed to continue until the expiration of that time, and if, before the expiration of that time, the employee makes an election under paragraph (b) of that proviso, the provisions of subparagraphs (iv) and (v) of paragraph (b) of that proviso and sub-
30 sections (1A) and (1B) of this section apply as if he had made the election before the commencement of this subsection.

(1D)

Superannuation (Amendment).

(1D) (a) Notwithstanding anything contained in subsection (1B) of this section, where, immediately before the commencement of this subsection—

5 (i) an employee's salary did not exceed an annual rate of two thousand two hundred and ten pounds; and

10 (ii) the employee was contributing for a number of units of pension less than the number of units of pension specified in the scale in subsection one of this section as enacted immediately before that commencement
15 opposite the salary group within which the salary of the employee fell immediately before that commencement,

20 the employee may elect to increase the amount of his contribution so as to entitle him to units of pension not exceeding the number specified in the scale in subsection one of this section opposite the salary group in which a salary equal to his salary immediately before that commencement fell at
25 that commencement.

(b) Where an employee makes an election under this subsection the number of his abandoned units, if any, shall be reduced by a number equal to the number
30 of additional units for which he becomes a contributor by virtue of the election.

The provisions of this paragraph are in addition to, and not in substitution for, the provisions of subparagraphs (iv) and (v)
35 of paragraph (b) of the proviso to subsection one of this section.

In

Superannuation (Amendment).

In this paragraph "abandoned units" has the same meaning as in paragraph (b) of that proviso.

5 (c) Any election under this subsection shall become effective only when the election has been approved by the Board, but any increase in contributions resulting from the election shall be payable as from
10 the first day of the month or of the four-weekly contribution period, as the case may be, in which the election is received in the office of the Board. The Board may require
15 any employee who makes such election to furnish evidence as to the state of his health and may refuse its approval if evidence is not so furnished or if, from the evidence furnished, the Board is satisfied that the employee is not in good health.

20 (d) Any such election shall be in writing and shall be forwarded so as to be received in the office of the Board within a period of three months from the commencement of this subsection or within such
25 further period as the Board may, in special circumstances, allow.

Any such election shall be void unless made in the manner and within the period or further period referred to in this paragraph.
30

(1E) Except in the circumstances and for the time specified in paragraph (b) of subsection (1A) of this section or in the circumstances specified in section 13A of this Act, no employee shall contribute for a
35 greater number of units of pension than is specified in the scale in subsection one of this section opposite the salary group in which his salary falls.

(b)

Superannuation (Amendment).

(b) by inserting at the end of the scale in subsection one of section twenty-seven the following words and figures:—

Sec. 27.
(Amount of pension on retirement.)

	Twenty-seven units ..	877 10 0
5	Twenty-eight units ..	910 0 0
	Twenty-nine units ..	942 10 0
	Thirty units ..	975 0 0
	Thirty-one units ..	1,007 10 0
	Thirty-two units ..	1,040 0 0
10	Thirty-three units ..	1,072 10 0
	Thirty-four units ..	1,105 0 0
	Thirty-five units ..	1,137 10 0
	Thirty-six units ..	1,170 0 0

8. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

(a) (i) by omitting paragraph (e) of the proviso to subsection one of section twelve;

Sec. 12.
(Scale of units of pension.)

(ii) by omitting from paragraphs (i) and (j) of the same proviso the words "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

(iii) by omitting subsections two, three, four and five of the same section;

(b) (i) by omitting from subsection three of section 15A the word "two" and by inserting in lieu thereof the word "four";

Sec. 15A.
(Reserve units.)

(ii)

Superannuation (Amendment).

- (ii) by omitting from paragraph (a) of subsection six of the same section the word "both" and by inserting in lieu thereof the word "more";
- 5 (iii) by inserting at the end of subsection seven of the same section the following new proviso:—
- Provided that a contributor who—
- 10 (a) has, before the first day of July, one thousand nine hundred and fifty-five, made an election under subsection five of this section; but
- (b) has not made an election under subsection six of this section,
- 15 may, within three months from that date, elect to contribute for reserve units, but so that the number of reserve units for which he becomes a contributor by virtue of the operation of this proviso, together with the
- 20 reserve unit, if any, for which he was contributing immediately before that date, shall not exceed four.

(2) Any election made under paragraph (e) of the proviso to subsection one of section twelve of the Superannuation Act, 1916, as amended by subsequent Acts, before that paragraph was repealed by subsection one of this section, shall, as on and from the commencement of this section, cease to have any force or effect.

Nothing in this subsection affects the operation of subsection (1A) of section twelve of the Superannuation Act, 1916-1955.

9. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

- 35 (a) by omitting paragraph (c) of the proviso to subsection two of section eleven;

Further amendment of Act No. 23, 1916.
Sec. 11.
(When to commence.)

(b)

Superannuation (Amendment).

(b) (i) by inserting next after subsection (1B) of section fifteen the following new subsection:—

Sec. 15.
(Tables of contributions in Schedule I.)

5

10

15

(1c) Until other tables of contributions are prescribed as hereinafter provided the table of contributions for men according to the ages set out in Schedule VI shall be in force and shall apply to both employees, being members of the fire fighting staff of the Board of Fire Commissioners of New South Wales who become contributors on or after the first day of July, one thousand nine hundred and fifty-five, and that Board in respect of those employees, in lieu of the tables set out in Schedules IV and V.

20

Contributions in accordance with the table set out in Schedule VI shall be made in respect of all units of pension the contributions for which commence on or after that date and are paid by or in respect of those employees.

25

The provisions of section three of the Superannuation (Amendment) Act, 1951, apply to and in respect of those contributions deducted from the salaries of those employees under section twenty of this Act or payable by those employees under section nineteen of this Act.

30

(ii) by omitting from paragraph (a) of subsection two of the same section the words "or Schedule V" and by inserting in lieu thereof the words ", Schedule V or Schedule VI";

(c)

Superannuation (Amendment).

- 5 (c) by omitting from subsection four of section thirty-seven the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";
- 10 (d) by omitting from subsection two of section thirty-eight the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";
- 15 (e) by omitting section forty-seven and by inserting in lieu thereof the following section:—
- 20 47. (1) Where a pensioner marries after retirement from service, pension shall not, upon the death of the pensioner, be payable to the widow or in respect of her children who are not children of that marriage.
- 25 The foregoing provisions of this section do not apply to or in respect of the widow or her children where the pensioner, after marrying her, was re-employed by an employer and again became a contributor.
- 30 (2) For the purposes of subsection one of this section a pensioner who marries while in receipt of "breakdown" pension shall, notwithstanding anything contained in this Act, be deemed to have married after retirement from service.
- (f) by inserting next after Schedule V the following new Schedule:—

Sec.37.
(Contributor
retrenched
has choice
of
benefits.)

Sec. 38.
(Refund of
contribu-
tions.)

Subst.
sec. 47.

No pension
for widow, &c.,
if pensioner
marries.

New Schedule
VI.

SCHEDULE

Superannuation (Amendment).

SCHEDULE VI.

MEN—FIRE FIGHTING STAFF, BOARD OF FIRE COMMISSIONERS
OF NEW SOUTH WALES.*Contributions by Employees—Payable Four-weekly.
Retirement at Sixty.*

5

Age next birth- day.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.	Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.	Age next birth- day.	Age next birth- day.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.	Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.	Age next birth- day.	
								£ s. d.
15	16	0 7 6	0 7 2	16	40	1 4 6	1 3 8	40
	17	0 7 10	0 7 6	17	41	1 5 10	1 5 0	41
	18	0 8 4	0 7 10	18	42	1 7 2	1 6 4	42
	19	0 8 10	0 8 4	19	43	1 8 10	1 8 0	43
	20	0 9 4	0 8 10	20	44	1 10 6	1 9 8	44
	21	0 9 10	0 9 4	21	45	1 12 6	1 11 8	45
	22	0 10 4	0 9 10	22	46	1 14 10	1 14 0	46
	23	0 10 10	0 10 4	23	47	1 17 4	1 16 6	47
	24	0 11 4	0 10 10	24	48	2 0 6	1 19 6	48
	25	0 11 10	0 11 4	25	49	2 4 2	2 3 2	49
	26	0 12 6	0 12 0	26	50	2 8 6	2 7 6	50
	27	0 13 2	0 12 8	27	51	2 13 10	2 12 10	51
	28	0 13 10	0 13 4	28	52	3 0 6	2 19 4	52
	29	0 14 6	0 14 0	29	53	3 9 0	3 7 10	53
	30	0 15 4	0 14 8	30	54	4 0 4	3 19 0	54
	31	0 16 0	0 15 4	31	55	4 16 2	4 14 8	55
	32	0 16 10	0 16 10	32	56	£320 ÷ n*	£316 ÷ n*	56
	33	0 17 8	0 16 10	33	57	£314 ÷ n*	£310 ÷ n*	57
	34	0 18 6	0 17 8	34	58	£308 ÷ n*	£304 ÷ n*	58
	35	0 19 4	0 18 6	35	59	£302 ÷ n*	£298 ÷ n*	59
	36	1 0 2	0 19 4	36	60	£298 ÷ n*	£294 ÷ n*	60
	37	1 1 2	1 0 4	37				
	38	1 2 2	1 1 4	38				
	39	1 3 4	1 2 6	39				

*n Denotes the number of complete four-weekly contributions payable before attainment of age 60.

† The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.

Superannuation (Amendment).

10. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

5 (a) by omitting from sections thirty, thirty-one, thirty-three, forty-one, forty-three and forty-four the word "sixteen" and by inserting in lieu thereof the word "eighteen";

Secs. 30, 31, 33, 41, 43, 44. (Pension to orphans on death of employee or pensioner.)

10 (b) (i) by omitting from Table A of Schedule I the words, figures and symbols "£26† for each child to age 16." wherever occurring and by inserting in lieu thereof the words, figures and symbol "and pension† for each child to age 18.";

Sch. I.

15 (ii) by omitting from the same Table the footnote "†Of this amount of £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance" and by inserting in lieu thereof the following footnote:—

20 "†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.";

30 (c) (i) by omitting from Table A of Schedule IV the words, figures and symbols "£26† p.a. for each child to age 16." wherever occurring and by inserting in lieu thereof the words, figures and symbol "and pension† for each child to age 18.";

Sch. IV.

35 (ii) by omitting from the same Table the footnote "†Of this amount of £26, £13 is payable by

Superannuation (Amendment).

by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

5 “†The pension for each child is (i) £26
p.a. where it is payable under section 30 or
31; or (ii) £52 p.a. where it is payable under
section 33. Where the amount of pension
10 is £26, £13 is payable by the employer under
section 17A, and the contribution includes
half-cost of the balance. Where the amount
of pension is £52, £39 is payable by the
employer, and the contribution includes
half-cost of the balance.”;

15 (d) (i) by omitting from Table A of Schedule V Sch. V,
the words, figures and symbols “£26† p.a.
for each child to age 16.” and by inserting
in lieu thereof the words, figures and symbol
“and pension† for each child to age 18.”;

20 (ii) by omitting from the same Table the foot-
note “†Of this amount of £26, £13 is payable
by the employer under section 17A, and the
contribution includes half-cost of the
25 balance” and by inserting in lieu thereof
the following footnote:—

30 “†The pension for each child is (i) £26
p.a. where it is payable under section 30 or
31; or (ii) £52 p.a. where it is payable under
section 33. Where the amount of pension
is £26, £13 is payable by the employer under
section 17A, and the contribution includes
half-cost of the balance. Where the amount
of pension is £52, £39 is payable by the
employer, and the contribution includes
35 half-cost of the balance.”

(e)

Superannuation (Amendment).

- (e) by omitting from subsection one of section thirty-three the words "twenty-six pounds" and by inserting in lieu thereof the words "fifty-two pounds";

Sec. 33.
(Pension to orphans on death of employee or pensioner.)
- 5 (f) by inserting at the end of subsection one of section 17A the words "where the pension is payable pursuant to paragraph (b) of section thirty or paragraph (b) of section thirty-one of this Act or three-quarters of the amount of

Sec. 17A.
(Payments by employers in respect of infants' pensions.)
- 10 such pension where the pension is payable pursuant to section thirty-three of this Act."

(2) The amendments made by paragraph (a) of subsection one of this section—

- 15 (a) shall commence upon the first day of the month next after the date on which Her Majesty's assent to this Act is signified;
- 20 (b) apply to and in respect of children who at that day were over the age of sixteen but under the age of eighteen as well as to and in respect of children who reach the age of sixteen on or after that day.

Nothing in the amendments made by paragraph (a) of subsection one of this section or in this subsection authorises the payment of pension in respect of any 25 period before the commencement of those amendments.

(3) The amendment made by paragraph (e) of subsection one of this section applies to and in respect of pensions that are payable at the commencement of this section as well as to and in respect of pensions that 30 become payable after that commencement; but, in the case of pensions that are payable at that commencement, the increased rate applies only as from the first day of the month next after that commencement.

Superannuation (Amendment).

11. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

5 (a) (i) by inserting in subsection one of section thirty-eight after the words "there shall be paid to such contributor" the words ", upon application by him in or to the effect of the prescribed form,";

Sec. 38. (Refund of contributions.)

10 (ii) by inserting next after the same subsection the following new subsection:—

15 (1A) Where a contributor resigns or is dismissed or discharged from the service of an employer, the employer shall take all practicable steps to obtain from the contributor the application referred to in subsection one of this section.

The employer shall, after obtaining the application, forward it forthwith to the Board.

20 (b) by inserting next after section sixty-six the following new section:—

New sec. 66A.

66A. The Board may—

25 (a) by notice in writing direct an employer to cease making deductions pursuant to subsection one of section sixty-two of this Act from the salary of an employee whose name is specified in the notice and thereupon the employer shall cease making those deductions;

Power to close accounts.

30 (b) refuse to accept from an employee any direct payment to the Fund pursuant to subsection two of the same section.

35 In any such case there shall be paid to the employee concerned the whole amount lying at his credit in the Fund under this Part (both principal and interest).

(c)

Superannuation (Amendment).

(c) by omitting section sixty-nine;

Sec. 69.
(Purchase
of homes.)

(d) by inserting at the end of section 89A the words:—

Sec. 89A.
(Evidence
as to age,
marriage
or death.)

5 Where any moneys are not immediately
 payable from the fund to the person (being a
 contributor) from whom such evidence is
 required his employer shall, on the requisition
10 of the Board and with the approval of the
 Minister, deduct the amount of the expenses so
 incurred from the contributor's salary and shall
 forward that amount to the Board.

When the...
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PROOF

SUPERANNUATION (AMENDMENT) BILL, 1955.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) as from 1st January, 1955, to increase by one-sixth, or by an amount of £26 per annum, whichever is the greater, the amount of all pensions (other than children's pensions) that were payable at that date, or became or become payable after that date, under the Superannuation Act, 1916, as amended by subsequent Acts;
- (b) to provide that the cost of such increase is to be borne by the employers concerned;
- (c) to extend the number of units for which employees under that Act may contribute from a maximum of 26 units to a maximum of 36 units;
- (d) to alter the salary scale determining the eligibility of employees to take up and contribute for additional units of pension;
- (e) to repeal paragraph (c) of the proviso to subsection two of section eleven of that Act, which deals with the position under that Act of employees who having ceased to be employed by an employer subsequently enter the employment of the same or another employer;
- (f) to amend section 47 of that Act, which provides that where a pensioner marries after retirement no pension is payable to his widow, by providing—
 - (i) that in such circumstances no pension shall be paid in respect of his widow's children who are not children of the marriage; and
 - (ii) that a pensioner who marries while in receipt of a "breakdown" pension is to be deemed to have married after retirement, but that if after the marriage he re-enters the employment of an employer and again becomes a contributor, pension shall be paid to the widow and her children;
- (g) to increase the rates of contribution to the Fund payable by persons who, after 1st July, 1955, enter the Fire Fighting Staff of the Board of Fire Commissioners of New South Wales;
- (h) to provide that the maximum number of reserve units that may be taken up shall be four. The present maximum number is two;
- (i) to repeal the provisions of that Act that enable an employee to elect to contribute for pension at the salary group next higher than the salary group to which he belongs;
- (j) to increase the pension payable in respect of the children of a deceased pensioner or contributor whose wife is dead or divorced from ten shillings to one pound per week;
- (k) to authorise pensions to be paid in respect of children until they reach the age of eighteen years. The present limit is sixteen years;
- (l) to authorise the Board to close savings accounts established with the Board;
- (m) to repeal section sixty-nine of the Act;
- (n) to make certain other provisions that are of an administrative nature or that are consequential on or ancillary to the above objects.

No. , 1955.

A BILL

To increase the amount payable by way of pension to employees under the Superannuation Act, 1916, as amended by subsequent Acts; to extend the scale of pension units in respect of which contributions may be made; to make certain provisions in relation to the State Superannuation Fund; for these and other purposes to amend the said Act as so amended, the Superannuation (Amendment) Act, 1930, and certain other Acts; and for purposes connected therewith.

[MR. SHEAHAN;—16 February, 1955.]

Superannuation (Amendment).

BE it enacted by the Queen'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 (Amendment) Act, 1955." Short title, citation, construction and commencement.

(2) The Superannuation Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Superannuation Act, 1916-1955.

(3) This Act shall be read and construed with the Superannuation Act, 1916-1955, in this Act referred to as the Principal Act.

(4) (a) This section and sections nine, ten and eleven of this Act shall, except where otherwise expressly provided in section ten of this Act, commence upon the day upon which Her Majesty's assent to this Act is signified.

(b) Sections two, three, four, five and six of this Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-five.

(c) Sections seven and eight of this Act shall commence upon the first day of July, one thousand nine hundred and fifty-five.

2. Where any pension, other than a pension payable in respect of a child, was at the commencement of this section payable to, or after such commencement became or becomes payable to, any person under the Superannuation Act, 1916, as amended by subsequent enactments, other than this section, such pension shall, as from such commencement Increase of rates of certain pensions.

Superannuation (Amendment).

commencement or, as the case may be, as from the date upon which such person so became or becomes entitled to such pension, be increased by one-sixth or by twenty-six pounds per annum, whichever is the greater, and any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

3. (1) Where on or after the commencement of this section any pension was or is payable under the Principal Act to a pensioner or to the widow of a deceased pensioner or contributor the employer in whose service such pensioner or deceased pensioner was employed at the date of his retirement or retrenchment or in whose service such contributor was employed at the date of his death, shall pay to the fund at monthly or such other intervals as may be determined by the Board and on the requisition of the Board an amount equal to the difference between the amount of the pension so payable and the amount of pension which would have been so payable had section two of this Act not been enacted.

Additional
payment
by
employers
in respect
of increase
in pension
unit value.

(2) This section shall not apply in respect of any pension payable under the Principal Act which is wholly payable out of the Consolidated Revenue Fund or the funds of the employer nor in respect of any pension wholly payable out of the fund and in respect of which the fund is wholly repaid or wholly recouped by the Consolidated Revenue Fund or the employer.

(3) Any amount payable under this section shall be in addition to any contribution or other payment which the employer may be required to make under the Principal Act, the Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, or the Superannuation (Amendment) Act, 1951, as amended by subsequent Acts.

Superannuation (Amendment).

4. The Superannuation Act, 1916, as amended by subsequent Acts, is amended by inserting at the end of section 17B the following new subsection:—

Amendment of Act No. 28, 1916.

Sec. 17B.

(Additional payment by employers in respect of increase in pension unit value.)

5 (4) The liability of employers to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

5. The Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, is amended by inserting at the end of section two the following new subsection:—

Amendment of Act No. 81, 1930.

Sec. 2.

(Payments to fund by certain employers.)

15 (8) The liability of the Government of New South Wales, the Maritime Services Board of New South Wales and the Water Conservation and Irrigation Commission to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

6. The Superannuation (Amendment) Act, 1951, as amended by subsequent Acts, is amended by inserting at the end of section four the following new subsection:—

Amendment of Act No. 53, 1951.

Sec. 4.

(Additional payment by employers in respect of increase in rate of pension, &c.)

(6) The liability of employers to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

25 7. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

(a) (i) by omitting the scale set out in subsection one of section twelve and by inserting in lieu

Sec. 12.

(Scale of units of pension.)

Superannuation (Amendment).

lieu thereof the following scale:—

Where the salary of the employee is equivalent to an annual rate		The employee shall contribute the amount necessary to provide units of pension as under—		
Exceeding—	But not exceeding—			
£	£	£ s. d.		
10	...	162	Two units, or	65 0 0
	162	260	Three units, or	97 10 0
	260	325	Four units, or	130 0 0
	325	390	Five units, or	162 10 0
	390	455	Six units, or	195 0 0
15	455	520	Seven units, or	227 10 0
	520	585	Eight units, or	260 0 0
	585	650	Nine units, or	292 10 0
	650	715	Ten units, or	325 0 0
	715	780	Eleven units, or	357 10 0
20	780	845	Twelve units, or	390 0 0
	845	910	Thirteen units, or	422 10 0
	910	975	Fourteen units, or	455 0 0
	975	1,040	Fifteen units, or	487 10 0
	1,040	1,105	Sixteen units, or	520 0 0
25	1,105	1,170	Seventeen units, or	552 10 0
	1,170	1,235	Eighteen units, or	585 0 0
	1,235	1,300	Nineteen units, or	617 10 0
	1,300	1,430	Twenty units, or	650 0 0
	1,430	1,560	Twenty-one units, or	682 10 0
30	1,560	1,690	Twenty-two units, or	715 0 0
	1,690	1,820	Twenty-three units, or	747 10 0
	1,820	1,950	Twenty-four units, or	780 0 0
	1,950	2,080	Twenty-five units, or	812 10 0
	2,080	2,210	Twenty-six units, or	845 0 0
35	2,210	2,340	Twenty-seven units, or	877 10 0
	2,340	2,470	Twenty-eight units, or	910 0 0
	2,470	2,600	Twenty-nine units, or	942 10 0
	2,600	2,730	Thirty units, or	975 0 0
	2,730	2,860	Thirty-one units, or	1,007 10 0
40	2,860	2,990	Thirty-two units, or	1,040 0 0
	2,990	3,120	Thirty-three units, or	1,072 10 0
	3,120	3,250	Thirty-four units, or	1,105 0 0
	3,250	3,380	Thirty-five units, or	1,137 10 0
	3,380	...	Thirty-six units, or	1,170 0 0

Superannuation (Amendment).

5 (ii) by inserting in subparagraph (i) of paragraph (b) of the proviso to the same subsection after the words "so increased," the words "or in the case of an employee under the age of forty years contributing in respect of twenty-six units of pension immediately before the commencement of section seven of the Superannuation (Amendment) Act, 1955, his salary is, on or after the commencement of that section, so increased,";

10 (iii) by inserting in the same subparagraph after the words "paid on that date" the following words:—

15 "Where at the date of commencement of section seven of the Superannuation (Amendment) Act, 1955, the actual salary of an employee is in excess of the annual rate of two thousand two hundred and ten pounds his salary shall, for the purposes of this paragraph, be deemed to have been increased on that date from that rate to that actual salary and that actual salary shall, for the purposes of subparagraph (iii) of this paragraph and of paragraph (h) of this proviso and of subsection (1B) of this section, be deemed to have been actually paid on that date."

20 25 (iv) by inserting at the end of the same paragraph the following new subparagraphs:—

30 (iv) Where the number of units of pension for which an employee was contributing immediately before the commencement of this subparagraph is less than the number of units of pension specified in the scale in this subsection opposite the salary group within which a salary equal to his salary

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Superannuation (Amendment).

5 salary immediately before that commencement fell at that commencement and the difference between those numbers is less than the number of his abandoned units as existing immediately before that commencement, then the number of those abandoned units shall, as from that commencement and for all purposes of this Act, be reduced to a number equal to that difference.

10
15 (v) Where the number of units of pension for which an employee was contributing immediately before the commencement of this subparagraph is equal to or greater than the number of units of pension specified in the scale in this subsection opposite the salary group within which a salary equal to his salary immediately before that commencement fell at that commencement, his abandoned units, if any, as existing immediately before that commencement shall, as from that commencement, be disregarded for all purposes of this Act.

20
25 (v) by inserting at the end of the same subsection the following new subsections:—

30 (1A) (a) In this subsection "employee" means an employee who was, immediately before the commencement of this subsection, contributing for a number of units of pension (hereinafter in this subsection referred to as the prescribed number of units) that is equal to or exceeds the number of units of pension specified in the scale in subsection one of this section opposite the salary group within which a
35 salary

Superannuation (Amendment).

salary equal to the salary of the employee immediately before that commencement fell at that commencement.

5 (b) Subject to sections eleven and
thirteen of this Act, paragraphs (a), (g)
and (j) of the proviso to subsection one of
this section and paragraph (c) of this
10 subsection, an employee shall continue to
contribute for the prescribed number of
units until the first day of the month or
four-weekly contribution period, as the case
may be, in which he is actually paid a salary
that falls within a salary group that requires
15 him to contribute for a number of units of
pension greater than the prescribed number
of units or would, if paragraph (b) of the
proviso to subsection one of this section
had not been enacted, have required him
so to contribute.

20 (c) Paragraph (b) of this sub-
section does not apply to an employee who
is actually paid, on or after the commence-
ment of this subsection but during the
25 month or four-weekly contribution period,
as the case may be, that commences on the
commencement of this subsection, a salary
that falls within a salary group that requires
him to contribute for a greater number of
30 units of pension than the prescribed number
of units or would, if paragraph (b) of the
proviso to subsection one of this section
had not been enacted, have required him so
to contribute.

35 (1B) (a) In this subsection "employee"
means an employee who was, immediately
before the commencement of this subsection,
contributing for a number of units of
pension

Superannuation (Amendment).

5 pension (hereinafter in this subsection
referred to as the prescribed number of
units) that is less than the number of units
of pension (hereinafter in this subsection
referred to as the specified number of
10 units) specified in the scale in subsection
one of this section opposite the salary group
within which a salary equal to the salary
of the employee immediately before that
commencement fell at that commencement.

15 (b) Subject to sections eleven and
thirteen of this Act, paragraphs (a), (g)
and (j) of the proviso to subsection one of
this section and paragraph (c) of this
subsection, an employee shall continue to
contribute for the prescribed number of
units until the first day of the month or four-
weekly contribution period, as the case may
be, in which he is actually paid a salary that
20 falls within a salary group that requires
him to contribute for a number of units of
pension greater than the specified number of
units or would, if paragraph (b) of the
proviso to subsection one of this section
25 had not been enacted, have required him
so to contribute.

30 (c) Paragraph (b) of this subsec-
tion does not apply to an employee who is
actually paid, on or after the commence-
ment of this subsection but during the
month or four-weekly contribution period,
as the case may be, that commences on the
commencement of this subsection, a salary—

35 (i) that, by reason of its being in excess
of an annual rate of two thousand

two

Superannuation (Amendment).

5 two hundred and ten pounds, requires him to contribute for the specified number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute; or

10 (ii) that falls within a salary group that requires him to contribute for a greater number of units than the specified number of units or would, if paragraph (b) of that proviso had not been enacted, have required him so to contribute.

15 (1c) Where, immediately before the commencement of this subsection, the time within which an employee had a right to make an election under paragraph (b) of the proviso to subsection one of this section had not expired, the right of that employee to make an election shall, notwithstanding the amendment made by subparagraph (i) of paragraph (a) of section seven of the Superannuation (Amendment) Act, 1955,
20 be deemed to continue until the expiration of that time, and if, before the expiration of that time, the employee makes an election under paragraph (b) of that proviso, the provisions of subparagraphs (iv) and (v) of paragraph (b) of that proviso and subsections (1A) and (1B) of this section apply
25 as if he had made the election before the commencement of this subsection.

(1d)

Superannuation (Amendment).

(1D) (a) Notwithstanding anything contained in subsection (1B) of this section, where, immediately before the commencement of this subsection—

- 5 (i) an employee's salary did not exceed an annual rate of two thousand two hundred and ten pounds; and
- 10 (ii) the employee was contributing for a number of units of pension less than the number of units of pension specified in the scale in subsection one of this section as enacted immediately before that commencement
- 15 opposite the salary group within which the salary of the employee fell immediately before that commencement,

20 the employee may elect to increase the amount of his contribution so as to entitle him to units of pension not exceeding the number specified in the scale in subsection one of this section opposite the salary group in which a salary equal to his salary immediately before that commencement fell at

25 that commencement.

(b) Where an employee makes an election under this subsection the number of his abandoned units, if any, shall be reduced by a number equal to the number of additional units for which he becomes a contributor by virtue of the election.

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The provisions of this paragraph are in addition to, and not in substitution for, the provisions of subparagraphs (iv) and (v) of paragraph (b) of the proviso to subsection one of this section.

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Superannuation (Amendment).

In this paragraph "abandoned units" has the same meaning as in paragraph (b) of that proviso.

5 (c) Any election under this subsection shall become effective only when the election has been approved by the Board, but any increase in contributions resulting from the election shall be payable as from the first day of the month or of the four-weekly contribution period, as the case may be, in which the election is received in the office of the Board. The Board may require any employee who makes such election to furnish evidence as to the state of his health and may refuse its approval if evidence is not so furnished or if, from the evidence furnished, the Board is satisfied that the employee is not in good health.

20 (d) Any such election shall be in writing and shall be forwarded so as to be received in the office of the Board within a period of three months from the commencement of this subsection or within such further period as the Board may, in special circumstances, allow.

25 Any such election shall be void unless made in the manner and within the period or further period referred to in this paragraph.

30 (1E) Except in the circumstances and for the time specified in paragraph (b) of subsection (1A) of this section or in the circumstances specified in section 13A of this Act, no employee shall contribute for a greater number of units of pension than is specified in the scale in subsection one of this section opposite the salary group in which his salary falls.

(b)

Superannuation (Amendment).

(b) by inserting at the end of the scale in subsection one of section twenty-seven the following words and figures:—

	Twenty-seven units ..	877 10 0
5	Twenty-eight units ..	910 0 0
	Twenty-nine units ..	942 10 0
	Thirty units ..	975 0 0
	Thirty-one units ..	1,007 10 0
	Thirty-two units ..	1,040 0 0
10	Thirty-three units ..	1,072 10 0
	Thirty-four units ..	1,105 0 0
	Thirty-five units ..	1,137 10 0
	Thirty-six units ..	1,170 0 0

8. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

(a) (i) by omitting paragraph (e) of the proviso to subsection one of section twelve;

(ii) by omitting from paragraphs (i) and (j) of the same proviso the words “The right of election conferred by this paragraph shall be in addition to the right of election conferred by paragraph (e) of this proviso.”;

(iii) by omitting subsections two, three, four and five of the same section;

25 (b) (i) by omitting from subsection three of section 15A the word “two” and by inserting in lieu thereof the word “four”;

(ii)

Superannuation (Amendment).

(ii) by omitting from paragraph (a) of subsection six of the same section the word "both" and by inserting in lieu thereof the word "more";

5 (iii) by inserting at the end of subsection seven of the same section the following new proviso:—

Provided that a contributor who—

10 (a) has, before the first day of July, one thousand nine hundred and fifty-five, made an election under subsection five of this section; but

(b) has not made an election under subsection six of this section,

15 may, within three months from that date, elect to contribute for reserve units, but so that the number of reserve units for which he becomes a contributor by virtue of the operation of this proviso, together with the
20 reserve unit, if any, for which he was contributing immediately before that date, shall not exceed four.

(2) Any election made under paragraph (e) of the proviso to subsection one of section twelve of the Super-
25 annuation Act, 1916, as amended by subsequent Acts, before that paragraph was repealed by subsection one of this section, shall, as on and from the commencement of this section, cease to have any force or effect.

Nothing in this subsection affects the operation of
30 subsection (1A) of section twelve of the Superannuation Act, 1916-1955.

9. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

35 (a) by omitting paragraph (c) of the proviso to subsection two of section eleven;

Sec. 11. (When to commence.)

(b)

Superannuation (Amendment).

(b) (i) by inserting next after subsection (1B) of section fifteen the following new subsection:—

Sec. 15.
(Tables of contributions in Schedule I.)

5 (1c) Until other tables of contributions are prescribed as hereinafter provided the table of contributions for men according to the ages set out in Schedule VI shall be in force and shall apply to both employees, being members of the fire fighting staff of
10 the Board of Fire Commissioners of New South Wales who become contributors on or after the first day of July, one thousand nine hundred and fifty-five, and that Board in respect of those employees, in lieu of the
15 tables set out in Schedules IV and V.

Contributions in accordance with the table set out in Schedule VI shall be made in respect of all units of pension the contributions for which commence on or after
20 that date and are paid by or in respect of those employees.

The provisions of section three of the Superannuation (Amendment) Act, 1951, apply to and in respect of those contributions deducted from the salaries of those employees under section twenty of this Act or payable by those employees under section
25 nineteen of this Act.

(ii) by omitting from paragraph (a) of subsection two of the same section the words "or Schedule V" and by inserting in lieu thereof the words ", Schedule V or
30 Schedule VI";

(c)

Superannuation (Amendment).

- 5 (c) by omitting from subsection four of section thirty-seven the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";
- 10 (d) by omitting from subsection two of section thirty-eight the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";
- 15 (e) by omitting section forty-seven and by inserting in lieu thereof the following section:—
- 20 47. (1) Where a pensioner marries after retirement from service, pension shall not, upon the death of the pensioner, be payable to the widow or in respect of her children who are not children of that marriage.
- 25 The foregoing provisions of this section do not apply to or in respect of the widow or her children where the pensioner, after marrying her, was re-employed by an employer and again became a contributor.
- 30 (2) For the purposes of subsection one of this section a pensioner who marries while in receipt of "breakdown" pension shall, notwithstanding anything contained in this Act, be deemed to have married after retirement from service.
- (f) by inserting next after Schedule V the following new Schedule:—

Sec.37.
(Contributor
retrenched
has choice
of
benefits.)

Sec. 38.
(Refund of
contribu-
tions.)

Subst.
sec. 47.

No pension
for widow, &c.,
if pensioner
marries.

New Schedule
VI.

SCHEDULE

Superannuation (Amendment).

SCHEDULE VI.

MEN—FIRE FIGHTING STAFF, BOARD OF FIRE COMMISSIONERS
OF NEW SOUTH WALES.*Contributions by Employees—Payable Four-weekly.
Retirement at Sixty.*

5

Age next birth-day.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.	Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.	Age next birth-day.	Age next birth-day.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.	Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.	Age next birth-day.	
	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.		
15	16	0 7 6	0 7 2	16	40	1 4 6	1 3 8	40
	17	0 7 10	0 7 6	17	41	1 5 10	1 5 0	41
	18	0 8 4	0 7 10	18	42	1 7 2	1 6 4	42
	19	0 8 10	0 8 4	19	43	1 8 10	1 8 0	43
	20	0 9 4	0 8 10	20	44	1 10 6	1 9 8	44
	21	0 9 10	0 9 4	21	45	1 12 6	1 11 8	45
	22	0 10 4	0 9 10	22	46	1 14 10	1 14 0	46
	23	0 10 10	0 10 4	23	47	1 17 4	1 16 6	47
	24	0 11 4	0 10 10	24	48	2 0 6	1 19 6	48
	25	0 11 10	0 11 4	25	49	2 4 2	2 3 2	49
	26	0 12 6	0 12 0	26	50	2 8 6	2 7 6	50
	27	0 13 2	0 12 8	27	51	2 13 10	2 12 10	51
	28	0 13 10	0 13 4	28	52	3 0 6	2 19 4	52
	29	0 14 6	0 14 0	29	53	3 9 0	3 7 10	53
	30	0 15 4	0 14 8	30	54	4 0 4	3 19 0	54
	31	0 16 0	0 15 4	31	55	4 16 2	4 14 8	55
	32	0 16 10	0 16 0	32	56	£320 ÷ n*	£316 ÷ n*	56
	33	0 17 8	0 16 10	33	57	£314 ÷ n*	£310 ÷ n*	57
	34	0 18 6	0 17 8	34	58	£308 ÷ n*	£304 ÷ n*	58
	35	0 19 4	0 18 6	35	59	£302 ÷ n*	£298 ÷ n*	59
	36	1 0 2	0 19 4	36	60	£298 ÷ n*	£294 ÷ n*	60
	37	1 1 2	1 0 4	37				
	38	1 2 2	1 1 4	38				
	39	1 3 4	1 2 6	39				

*n Denotes the number of complete four-weekly contributions payable before attainment of age 60.

† The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.

Superannuation (Amendment).

10. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

- 5 (a) by omitting from sections thirty, thirty-one, thirty-three, forty-one, forty-three and forty-four the word "sixteen" and by inserting in lieu thereof the word "eighteen";
- 10 (b) (i) by omitting from Table A of Schedule I the words, figures and symbols "£26† for each child to age 16." wherever occurring and by inserting in lieu thereof the words, figures and symbol "and pension† for each child to age 18.";
- 15 (ii) by omitting from the same Table the footnote "†Of this amount of £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance" and by inserting in lieu thereof the following footnote:—
- 20 "†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.";
- 25 (c) (i) by omitting from Table A of Schedule IV the words, figures and symbols "£26† p.a. for each child to age 16." wherever occurring and by inserting in lieu thereof the words, figures and symbol "and pension† for each child to age 18.";
- 30 (ii) by omitting from the same Table the footnote "†Of this amount of £26, £13 is payable by
- 35

Secs. 30, 31, 33, 41, 43, 44. (Pension to orphans on death of employee or pensioner.)

Sch. I.

Sch. IV.

Superannuation (Amendment).

by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

5 “†The pension for each child is (i) £26
p.a. where it is payable under section 30 or
31; or (ii) £52 p.a. where it is payable under
10 section 33. Where the amount of pension
is £26, £13 is payable by the employer under
section 17A, and the contribution includes
half-cost of the balance. Where the amount
of pension is £52, £39 is payable by the
employer, and the contribution includes
half-cost of the balance.”;

15 (d) (i) by omitting from Table A of Schedule V **Sch. V.**
the words, figures and symbols “£26† p.a.
for each child to age 16.” and by inserting
in lieu thereof the words, figures and symbol
“and pension† for each child to age 18.”;

20 (ii) by omitting from the same Table the foot-
note “†Of this amount of £26, £13 is payable
by the employer under section 17A, and the
contribution includes half-cost of the
25 balance” and by inserting in lieu thereof
the following footnote:—

30 “†The pension for each child is (i) £26
p.a. where it is payable under section 30 or
31; or (ii) £52 p.a. where it is payable under
section 33. Where the amount of pension
is £26, £13 is payable by the employer under
section 17A, and the contribution includes
half-cost of the balance. Where the amount
of pension is £52, £39 is payable by the
employer, and the contribution includes
35 half-cost of the balance.”

(e)

Superannuation (Amendment).

- (e) by omitting from subsection one of section thirty-three the words "twenty-six pounds" and by inserting in lieu thereof the words "fifty-two pounds"; Sec. 33.
(Pension to orphans on death of employee or pensioner.)
- 5 (f) by inserting at the end of subsection one of section 17A the words "where the pension is payable pursuant to paragraph (b) of section thirty or paragraph (b) of section thirty-one of this Act or three-quarters of the amount of such pension where the pension is payable pursuant to section thirty-three of this Act." Sec. 17A.
(Payments by employers in respect of infants' pensions.)
- 10
- (2) The amendments made by paragraph (a) of subsection one of this section—
- 15 (a) shall commence upon the first day of the month next after the date on which Her Majesty's assent to this Act is signified;
- (b) apply to and in respect of children who at that day were over the age of sixteen but under the age of eighteen as well as to and in respect of children who reach the age of sixteen on or after that day.
- 20

Nothing in the amendments made by paragraph (a) of subsection one of this section or in this subsection authorises the payment of pension in respect of any 25 period before the commencement of those amendments.

(3) The amendment made by paragraph (e) of subsection one of this section applies to and in respect of pensions that are payable at the commencement of this section as well as to and in respect of pensions that 30 become payable after that commencement; but, in the case of pensions that are payable at that commencement, the increased rate applies only as from the first day of the month next after that commencement.

Superannuation (Amendment).

11. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

5 (a) (i) by inserting in subsection one of section thirty-eight after the words "there shall be paid to such contributor" the words ", upon application by him in or to the effect of the prescribed form,";

Sec. 38. (Refund of contributions.)

(ii) by inserting next after the same subsection the following new subsection:—

10 (1A) Where a contributor resigns or is dismissed or discharged from the service of an employer, the employer shall take all practicable steps to obtain from the contributor the application referred to in
15 subsection one of this section.

The employer shall, after obtaining the application, forward it forthwith to the Board.

20 (b) by inserting next after section sixty-six the following new section:—

New sec. 66A.

66A. The Board may—

Power to close accounts.

25 (a) by notice in writing direct an employer to cease making deductions pursuant to subsection one of section sixty-two of this Act from the salary of an employee whose name is specified in the notice and thereupon the employer shall cease making those deductions;

30 (b) refuse to accept from an employee any direct payment to the Fund pursuant to subsection two of the same section.

35 In any such case there shall be paid to the employee concerned the whole amount lying at his credit in the Fund under this Part (both principal and interest).

(e)

Superannuation (Amendment).

(e) by omitting section sixty-nine;

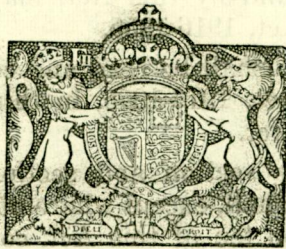
Sec. 69.
(Purchase
of homes.)

(d) by inserting at the end of section 89A the words:—

Sec. 89A.
(Evidence
as to age,
marriage
or death.)

5 Where any moneys are not immediately
payable from the fund to the person (being a
contributor) from whom such evidence is
required his employer shall, on the requisition
of the Board and with the approval of the
10 Minister, deduct the amount of the expenses so
incurred from the contributor's salary and shall
forward that amount to the Board.

New South Wales



ANNO QUARTO

ELIZABETHÆ II REGINÆ

Act No. 6, 1955.

An Act to increase the amount payable by way of pension to employees under the Superannuation Act, 1916, as amended by subsequent Acts; to extend the scale of pension units in respect of which contributions may be made; to make certain provisions in relation to the State Superannuation Fund; for these and other purposes to amend the said Act as so amended, the Superannuation (Amendment) Act, 1930, and certain other Acts; and for purposes connected therewith. [Assented to, 8th March, 1955.]

Superannuation (Amendment).

BE it enacted by the Queen'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 :—

Short title,
citation,
construction
and
commence-
ment.

1. (1) This Act may be cited as the "Superannuation (Amendment) Act, 1955."

(2) The Superannuation Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Superannuation Act, 1916-1955.

(3) This Act shall be read and construed with the Superannuation Act, 1916-1955, in this Act referred to as the Principal Act.

(4) (a) This section and sections nine, ten and eleven of this Act shall, except where otherwise expressly provided in section ten of this Act, commence upon the day upon which Her Majesty's assent to this Act is signified.

(b) Sections two, three, four, five and six of this Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-five.

(c) Sections seven and eight of this Act shall commence upon the first day of July, one thousand nine hundred and fifty-five.

(5) (a) This subsection applies to any employee who—

(i) being of the age of fifty-nine years upon the day upon which Her Majesty's assent to this Act is signified, would attain the age of sixty years before the commencement of the month or four-weekly contribution period, as the case may be, occurring next before the first day of July, one thousand nine hundred and fifty-five; and

(ii) notifies the Board, in writing, forwarded so as to be received in the office of the Board before he attains the age of sixty years, that he elects to have the provisions of this subsection apply to him.

(b)

Superannuation (Amendment).

(b) Notwithstanding anything in paragraph (e) of subsection four of this section, in respect of any employee to whom this subsection applies, section seven and paragraph (a) of subsection one and subsection two of section eight of this Act shall commence upon the first day of the month or four-weekly contribution period, as the case may be, that commences next after the day upon which Her Majesty's assent to this Act is signified.

2. Where any pension, other than a pension payable in respect of a child, was at the commencement of this section payable to, or after such commencement became or becomes payable to, any person under the Superannuation Act, 1916, as amended by subsequent enactments, other than this section, such pension shall, as from such commencement or, as the case may be, as from the date upon which such person so became or becomes entitled to such pension, be increased by one-sixth or by twenty-six pounds per annum, whichever is the greater, and any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

3. (1) Where on or after the commencement of this section any pension was or is payable under the Principal Act to a pensioner or to the widow of a deceased pensioner or contributor the employer in whose service such pensioner or deceased pensioner was employed at the date of his retirement or retrenchment or in whose service such contributor was employed at the date of his death, shall pay to the fund at monthly or such other intervals as may be determined by the Board and on the requisition of the Board an amount equal to the difference between the amount of the pension so payable and the amount of pension which would have been so payable had section two of this Act not been enacted.

(2) This section shall not apply in respect of any pension payable under the Principal Act which is wholly payable out of the Consolidated Revenue Fund or the funds of the employer nor in respect of any pension wholly

Superannuation (Amendment).

wholly payable out of the fund and in respect of which the fund is wholly repaid or wholly recouped by the Consolidated Revenue Fund or the employer.

(3) Any amount payable under this section shall be in addition to any contribution or other payment which the employer may be required to make under the Principal Act, the Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, or the Superannuation (Amendment) Act, 1951, as amended by subsequent Acts.

Amendment
of Act No. 28,
1916.

Sec. 17B.

(Additional
payment by
employers
in respect
of increase
in pension
unit value.)

4. The Superannuation Act, 1916, as amended by subsequent Acts, is amended by inserting at the end of section 17B the following new subsection:—

(4) The liability of employers to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

Amendment
of Act No. 31,
1930.

Sec. 2.

(Payments
to fund
by certain
employers.)

5. The Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, is amended by inserting at the end of section two the following new subsection:—

(8) The liability of the Government of New South Wales, the Maritime Services Board of New South Wales and the Water Conservation and Irrigation Commission to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

Amendment
of Act No. 53,
1951.

Sec. 4.

(Additional
payment by
employers
in respect
of increase
in rate of
pension, &c.)

6. The Superannuation (Amendment) Act, 1951, as amended by subsequent Acts, is amended by inserting at the end of section four the following new subsection:—

(6) The liability of employers to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

Further
amendment
of Act No. 28,
1916.

Sec. 12.

(Scale of
units of
pension.)

7. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

(a) (i) by omitting the scale set out in subsection one of section twelve and by inserting in lieu

Superannuation (Amendment).

salary immediately before that commencement fell at that commencement and the difference between those numbers is less than the number of his abandoned units as existing immediately before that commencement, then the number of those abandoned units shall, as from that commencement and for all purposes of this Act, be reduced to a number equal to that difference.

(v) Where the number of units of pension for which an employee was contributing immediately before the commencement of this subparagraph is equal to or greater than the number of units of pension specified in the scale in this subsection opposite the salary group within which a salary equal to his salary immediately before that commencement fell at that commencement, his abandoned units, if any, as existing immediately before that commencement shall, as from that commencement, be disregarded for all purposes of this Act.

(v) by inserting at the end of the same subsection the following new subsections:—

(1A) (a) In this subsection “employee” means an employee who was, immediately before the commencement of this subsection, contributing for a number of units of pension (hereinafter in this subsection referred to as the prescribed number of units) that is equal to or exceeds the number of units of pension specified in the scale in subsection one of this section opposite the salary group within which a salary

Superannuation (Amendment).

(ii) by inserting in subparagraph (i) of paragraph (b) of the proviso to the same subsection after the words "so increased," the words "or in the case of an employee under the age of forty years contributing in respect of twenty-six units of pension immediately before the commencement of section seven of the Superannuation (Amendment) Act, 1955, his salary is, on or after the commencement of that section, so increased,";

(iii) by inserting in the same subparagraph after the words "paid on that date" the following words:—

"Where at the date of commencement of section seven of the Superannuation (Amendment) Act, 1955, the actual salary of an employee is in excess of the annual rate of two thousand two hundred and ten pounds his salary shall, for the purposes of this paragraph, be deemed to have been increased on that date from that rate to that actual salary and that actual salary shall, for the purposes of subparagraph (iii) of this paragraph and of paragraph (h) of this proviso and of subsection (1B) of this section, be deemed to have been actually paid on that date."

(iv) by inserting at the end of the same paragraph the following new subparagraphs:—

(iv) Where the number of units of pension for which an employee was contributing immediately before the commencement of this subparagraph is less than the number of units of pension specified in the scale in this subsection opposite the salary group within which a salary equal to his salary

Superannuation (Amendment).

lieu thereof the following scale:—

Where the salary of the employee is equivalent to an annual rate		The employee shall contribute the amount necessary to provide units of pension as under—			
Exceeding—	But not exceeding—				
£	£	£ s. d.			
...	162	Two units, or	...	...	65 0 0
162	260	Three units, or	...	...	97 10 0
260	325	Four units, or	...	...	130 0 0
325	390	Five units, or	...	...	162 10 0
390	455	Six units, or	...	...	195 0 0
455	520	Seven units, or	...	...	227 10 0
520	585	Eight units, or	...	...	260 0 0
585	650	Nine units, or	...	...	292 10 0
650	715	Ten units, or	...	...	325 0 0
715	780	Eleven units, or	...	...	357 10 0
780	845	Twelve units, or	...	...	390 0 0
845	910	Thirteen units, or	...	...	422 10 0
910	975	Fourteen units, or	...	...	455 0 0
975	1,040	Fifteen units, or	...	...	487 10 0
1,040	1,105	Sixteen units, or	...	...	520 0 0
1,105	1,170	Seventeen units, or	...	...	552 10 0
1,170	1,235	Eighteen units, or	...	...	585 0 0
1,235	1,300	Nineteen units, or	...	...	617 10 0
1,300	1,430	Twenty units, or	...	...	650 0 0
1,430	1,560	Twenty-one units, or	...	...	682 10 0
1,560	1,690	Twenty-two units, or	...	...	715 0 0
1,690	1,820	Twenty-three units, or	...	...	747 10 0
1,820	1,950	Twenty-four units, or	...	...	780 0 0
1,950	2,080	Twenty-five units, or	...	...	812 10 0
2,080	2,210	Twenty-six units, or	...	...	845 0 0
2,210	2,340	Twenty-seven units, or	...	...	877 10 0
2,340	2,470	Twenty-eight units, or	...	...	910 0 0
2,470	2,600	Twenty-nine units, or	...	...	942 10 0
2,600	2,730	Thirty units, or	...	...	975 0 0
2,730	2,860	Thirty-one units, or	...	...	1,007 10 0
2,860	2,990	Thirty-two units, or	...	...	1,040 0 0
2,990	3,120	Thirty-three units, or	...	...	1,072 10 0
3,120	3,250	Thirty-four units, or	...	...	1,105 0 0
3,250	3,380	Thirty-five units, or	...	...	1,137 10 0
3,380	...	Thirty-six units, or	...	...	1,170 0 0

Superannuation (Amendment).

salary equal to the salary of the employee immediately before that commencement fell at that commencement.

(b) Subject to sections eleven and thirteen of this Act, paragraphs (a), (g) and (j) of the proviso to subsection one of this section and paragraph (c) of this subsection, an employee shall continue to contribute for the prescribed number of units until the first day of the month or four-weekly contribution period, as the case may be, in which he is actually paid a salary that falls within a salary group that requires him to contribute for a number of units of pension greater than the prescribed number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute.

(c) Paragraph (b) of this subsection does not apply to an employee who is actually paid, on or after the commencement of this subsection but during the month or four-weekly contribution period, as the case may be, that commences on the commencement of this subsection, a salary that falls within a salary group that requires him to contribute for a greater number of units of pension than the prescribed number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute.

(1b) (a) In this subsection "employee" means an employee who was, immediately before the commencement of this subsection, contributing for a number of units of pension

Superannuation (Amendment).

pension (hereinafter in this subsection referred to as the prescribed number of units) that is less than the number of units of pension (hereinafter in this subsection referred to as the specified number of units) specified in the scale in subsection one of this section opposite the salary group within which a salary equal to the salary of the employee immediately before that commencement fell at that commencement.

(b) Subject to sections eleven and thirteen of this Act, paragraphs (a), (g) and (j) of the proviso to subsection one of this section and paragraph (c) of this subsection, an employee shall continue to contribute for the prescribed number of units until the first day of the month or four-weekly contribution period, as the case may be, in which he is actually paid a salary that falls within a salary group that requires him to contribute for a number of units of pension greater than the specified number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute.

(c) Paragraph (b) of this subsection does not apply to an employee who is actually paid, on or after the commencement of this subsection but during the month or four-weekly contribution period, as the case may be, that commences on the commencement of this subsection, a salary—

(i) that, by reason of its being in excess of an annual rate of two thousand

two

Superannuation (Amendment).

two hundred and ten pounds, requires him to contribute for the specified number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute; or

- (ii) that falls within a salary group that requires him to contribute for a greater number of units than the specified number of units or would, if paragraph (b) of that proviso had not been enacted, have required him so to contribute.

(1c) Where, immediately before the commencement of this subsection, the time within which an employee had a right to make an election under paragraph (b) of the proviso to subsection one of this section had not expired, the right of that employee to make an election shall, notwithstanding the amendment made by subparagraph (i) of paragraph (a) of section seven of the Superannuation (Amendment) Act, 1955, be deemed to continue until the expiration of that time, and if, before the expiration of that time, the employee makes an election under paragraph (b) of that proviso, the provisions of subparagraphs (iv) and (v) of paragraph (b) of that proviso and subsections (1A) and (1B) of this section apply as if he had made the election before the commencement of this subsection.

(1d)

Superannuation (Amendment).

(1D) (a) Notwithstanding anything contained in subsection (1B) of this section, where, immediately before the commencement of this subsection—

- (i) an employee's salary did not exceed an annual rate of two thousand two hundred and ten pounds; and
- (ii) the employee was contributing for a number of units of pension less than the number of units of pension specified in the scale in subsection one of this section as enacted immediately before that commencement opposite the salary group within which the salary of the employee fell immediately before that commencement,

the employee may elect to increase the amount of his contribution so as to entitle him to units of pension not exceeding the number specified in the scale in subsection one of this section opposite the salary group in which a salary equal to his salary immediately before that commencement fell at that commencement.

(b) Where an employee makes an election under this subsection the number of his abandoned units, if any, shall be reduced by a number equal to the number of additional units for which he becomes a contributor by virtue of the election.

The provisions of this paragraph are in addition to, and not in substitution for, the provisions of subparagraphs (iv) and (v) of paragraph (b) of the proviso to subsection one of this section.

In

Superannuation (Amendment).

In this paragraph "abandoned units" has the same meaning as in paragraph (b) of that proviso.

(c) Any election under this subsection shall become effective only when the election has been approved by the Board, but any increase in contributions resulting from the election shall be payable as from the first day of the month or of the four-weekly contribution period, as the case may be, in which the election is received in the office of the Board. The Board may require any employee who makes such election to furnish evidence as to the state of his health and may refuse its approval if evidence is not so furnished or if, from the evidence furnished, the Board is satisfied that the employee is not in good health.

(d) Any such election shall be in writing and shall be forwarded so as to be received in the office of the Board within a period of three months from the commencement of this subsection or within such further period as the Board may, in special circumstances, allow.

Any such election shall be void unless made in the manner and within the period or further period referred to in this paragraph.

(1E) Except in the circumstances and for the time specified in paragraph (b) of subsection (1A) of this section or in the circumstances specified in section 13A of this Act, no employee shall contribute for a greater number of units of pension than is specified in the scale in subsection one of this section opposite the salary group in which his salary falls.

(b)

Superannuation (Amendment).

- (b) by inserting at the end of the scale in subsection one of section twenty-seven the following words and figures:—

Sec. 27.
(Amount of pension on retirement.)

Twenty-seven units ..	877 10 0
Twenty-eight units ..	910 0 0
Twenty-nine units ..	942 10 0
Thirty units ..	975 0 0
Thirty-one units ..	1,007 10 0
Thirty-two units ..	1,040 0 0
Thirty-three units ..	1,072 10 0
Thirty-four units ..	1,105 0 0
Thirty-five units ..	1,137 10 0
Thirty-six units ..	1,170 0 0

8. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

- (a) (i) by omitting paragraph (e) of the proviso to subsection one of section twelve;

Sec. 12.
(Scale of units of pension.)

- (ii) by omitting from paragraphs (i) and (j) of the same proviso the words “The right of election conferred by this paragraph shall be in addition to the right of election conferred by paragraph (e) of this proviso.”;

- (iii) by omitting subsections two, three, four and five of the same section;

- (b) (i) by omitting from subsection three of section 15A the word “two” and by inserting in lieu thereof the word “four”;

Sec. 15A.
(Reserve units.)

(ii)

Superannuation (Amendment).

(ii) by omitting from paragraph (a) of subsection six of the same section the word "both" and by inserting in lieu thereof the word "more";

(iii) by inserting at the end of subsection seven of the same section the following new proviso:—

Provided that a contributor who—

(a) has, before the first day of July, one thousand nine hundred and fifty-five, made an election under subsection five of this section; but

(b) has not made an election under subsection six of this section,

may, within three months from that date, elect to contribute for reserve units, but so that the number of reserve units for which he becomes a contributor by virtue of the operation of this proviso, together with the reserve unit, if any, for which he was contributing immediately before that date, shall not exceed four.

(2) Any election made under paragraph (e) of the proviso to subsection one of section twelve of the Superannuation Act, 1916, as amended by subsequent Acts, before that paragraph was repealed by subsection one of this section, shall, as on and from the commencement of this section, cease to have any force or effect.

Nothing in this subsection affects the operation of subsection (1A) of section twelve of the Superannuation Act, 1916-1955.

9. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

(i) by omitting paragraph (c) of the proviso to subsection two of section eleven;

(b)

Further amendment of Act No. 28, 1916.

Sec. 11.
(When to commence.)

Superannuation (Amendment).

- (b) (i) by inserting next after subsection (1B) of section fifteen the following new subsection:—

Sec. 15.
(Tables of contributions in Schedule I.)

(1c) Until other tables of contributions are prescribed as hereinafter provided the table of contributions for men according to the ages set out in Schedule VI shall be in force and shall apply to both employees, being members of the fire fighting staff of the Board of Fire Commissioners of New South Wales who become contributors on or after the first day of July, one thousand nine hundred and fifty-five, and that Board in respect of those employees, in lieu of the tables set out in Schedules IV and V.

Contributions in accordance with the table set out in Schedule VI shall be made in respect of all units of pension the contributions for which commence on or after that date and are paid by or in respect of those employees.

The provisions of section three of the Superannuation (Amendment) Act, 1951, apply to and in respect of those contributions deducted from the salaries of those employees under section twenty of this Act or payable by those employees under section nineteen of this Act.

- (ii) by omitting from paragraph (a) of subsection two of the same section the words "or Schedule V" and by inserting in lieu thereof the words " , Schedule V or Schedule VI";

(c)

Superannuation (Amendment).

Sec. 37.
(Contributor
retrenched
has choice
of
benefits.)

- (c) by omitting from subsection four of section thirty-seven the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";

Sec. 38.
(Refund of
contribu-
tions.)

- (d) by omitting from subsection two of section thirty-eight the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";

Subst.
sec. 47.

- (e) by omitting section forty-seven and by inserting in lieu thereof the following section:—

No pension
for widow, &c.,
if pensioner
marries.

47. (1) Where a pensioner marries after retirement from service, pension shall not, upon the death of the pensioner, be payable to the widow or in respect of her children who are not children of that marriage.

The foregoing provisions of this section do not apply to or in respect of the widow or her children where the pensioner, after marrying her, was re-employed by an employer and again became a contributor.

(2) For the purposes of subsection one of this section a pensioner who marries while in receipt of "breakdown" pension shall, notwithstanding anything contained in this Act, be deemed to have married after retirement from service.

New Schedule
VI.

- (f) by inserting next after Schedule V the following new Schedule:—

SCHEDULE

Superannuation (Amendment).

SCHEDULE VI.

**MEN—FIRE FIGHTING STAFF, BOARD OF FIRE COMMISSIONERS
OF NEW SOUTH WALES.**
*Contributions by Employees—Payable Four-weekly.
Retirement at Sixty.*

Age next birthday.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.	Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.	Age next birthday.	Age next birthday.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.	Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.	Age next birthday.
	£ s. d.	£ s. d.			£ s. d.	£ s. d.	
16	0 7 6	0 7 2	16	40	1 4 6	1 3 8	40
17	0 7 10	0 7 6	17	41	1 5 10	1 5 0	41
18	0 8 4	0 7 10	18	42	1 7 2	1 6 4	42
19	0 8 10	0 8 4	19	43	1 8 10	1 8 0	43
20	0 9 4	0 8 10	20	44	1 10 6	1 9 8	44
21	0 9 10	0 9 4	21	45	1 12 6	1 11 8	45
22	0 10 4	0 9 10	22	46	1 14 10	1 14 0	46
23	0 10 10	0 10 4	23	47	1 17 4	1 16 6	47
24	0 11 4	0 10 10	24	48	2 0 6	1 19 6	48
25	0 11 10	0 11 4	25	49	2 4 2	2 3 2	49
26	0 12 6	0 12 0	26	50	2 8 6	2 7 6	50
27	0 13 2	0 12 8	27	51	2 13 10	2 12 10	51
28	0 13 10	0 13 4	28	52	3 0 6	2 19 4	52
29	0 14 6	0 14 0	29	53	3 9 0	3 7 10	53
30	0 15 4	0 14 8	30	54	4 0 4	3 19 0	54
31	0 16 0	0 15 4	31	55	4 16 2	4 14 8	55
32	0 16 10	0 16 0	32	56	£320 ÷ n*	£316 ÷ n*	56
33	0 17 8	0 16 10	33	57	£314 ÷ n*	£310 ÷ n*	57
34	0 18 6	0 17 8	34	58	£308 ÷ n*	£304 ÷ n*	58
35	0 19 4	0 18 6	35	59	£302 ÷ n*	£298 ÷ n*	59
36	1 0 2	0 19 4	36	60	£298 ÷ n*	£294 ÷ n*	60
37	1 1 2	1 0 4	37				
38	1 2 2	1 1 4	38				
39	1 3 4	1 2 6	39				

*n Denotes the number of complete four-weekly contributions payable before attainment of age 60.

† The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.

Superannuation (Amendment).

Further amendment of Act No. 28, 1916.

10. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Secs. 30, 31, 33, 41, 43, 44.
(Pension to orphans on death of employee or pensioner.)

(a) by omitting from sections thirty, thirty-one, thirty-three, forty-one, forty-three and forty-four the word “sixteen” and by inserting in lieu thereof the word “eighteen”;

Sch. I.

(b) (i) by omitting from Table A of Schedule I the words, figures and symbols “£26† for each child to age 16.” wherever occurring and by inserting in lieu thereof the words, figures and symbol “and pension† for each child to age 18.”;

(ii) by omitting from the same Table the footnote “†Of this amount of £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

“†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.”;

Sch. IV.

(c) (i) by omitting from Table A of Schedule IV the words, figures and symbols “£26† p.a. for each child to age 16.” wherever occurring and by inserting in lieu thereof the words, figures and symbol “and pension† for each child to age 18.”;

(ii) by omitting from the same Table the footnote “†Of this amount of £26, £13 is payable
by

Superannuation (Amendment).

by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

“†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.”;

(d) (i) by omitting from Table A of Schedule V **Sch. V.** the words, figures and symbols “£26† p.a. for each child to age 16.” and by inserting in lieu thereof the words, figures and symbol “and pension† for each child to age 18.”;

(ii) by omitting from the same Table the footnote “†Of this amount of £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

“†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance,”

(e)

Superannuation (Amendment).

Sec. 33.
(Pension to orphans on death of employee or pensioner.)

- (e) by omitting from subsection one of section thirty-three the words "twenty-six pounds" and by inserting in lieu thereof the words "fifty-two pounds";

Sec. 17A.
(Payments by employers in respect of infants' pensions.)

- (f) by inserting at the end of subsection one of section 17A the words "where the pension is payable pursuant to paragraph (b) of section thirty or paragraph (b) of section thirty-one of this Act or three-quarters of the amount of such pension where the pension is payable pursuant to section thirty-three of this Act."

(2) The amendments made by paragraph (a) of subsection one of this section—

- (a) shall commence upon the first day of the month next after the date on which Her Majesty's assent to this Act is signified;
- (b) apply to and in respect of children who at that day were over the age of sixteen but under the age of eighteen as well as to and in respect of children who reach the age of sixteen on or after that day.

Nothing in the amendments made by paragraph (a) of subsection one of this section or in this subsection authorises the payment of pension in respect of any period before the commencement of those amendments.

(3) The amendment made by paragraph (e) of subsection one of this section applies to and in respect of pensions that are payable at the commencement of this section as well as to and in respect of pensions that become payable after that commencement; but, in the case of pensions that are payable at that commencement, the increased rate applies only as from the first day of the month next after that commencement.

Superannuation (Amendment).

11. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

(a) (i) by inserting in subsection one of section thirty-eight after the words "there shall be paid to such contributor" the words ", upon application by him in or to the effect of the prescribed form,";

Sec. 38.

(Refund of contributions.)

(ii) by inserting next after the same subsection the following new subsection:—

(1A) Where a contributor resigns or is dismissed or discharged from the service of an employer, the employer shall take all practicable steps to obtain from the contributor the application referred to in subsection one of this section.

The employer shall, after obtaining the application, forward it forthwith to the Board.

(b) by inserting next after section sixty-six the following new section:—

New sec. 66A.

66A. The Board may—

Power to close accounts.

(a) by notice in writing direct an employer to cease making deductions pursuant to subsection one of section sixty-two of this Act from the salary of an employee whose name is specified in the notice and thereupon the employer shall cease making those deductions;

(b) refuse to accept from an employee any direct payment to the Fund pursuant to subsection two of the same section.

In any such case there shall be paid to the employee concerned the whole amount lying at his credit in the Fund under this Part (both principal and interest).

(c)

Superannuation (Amendment).

Sec. 69.
(Purchase
of homes.)

(c) by omitting section sixty-nine;

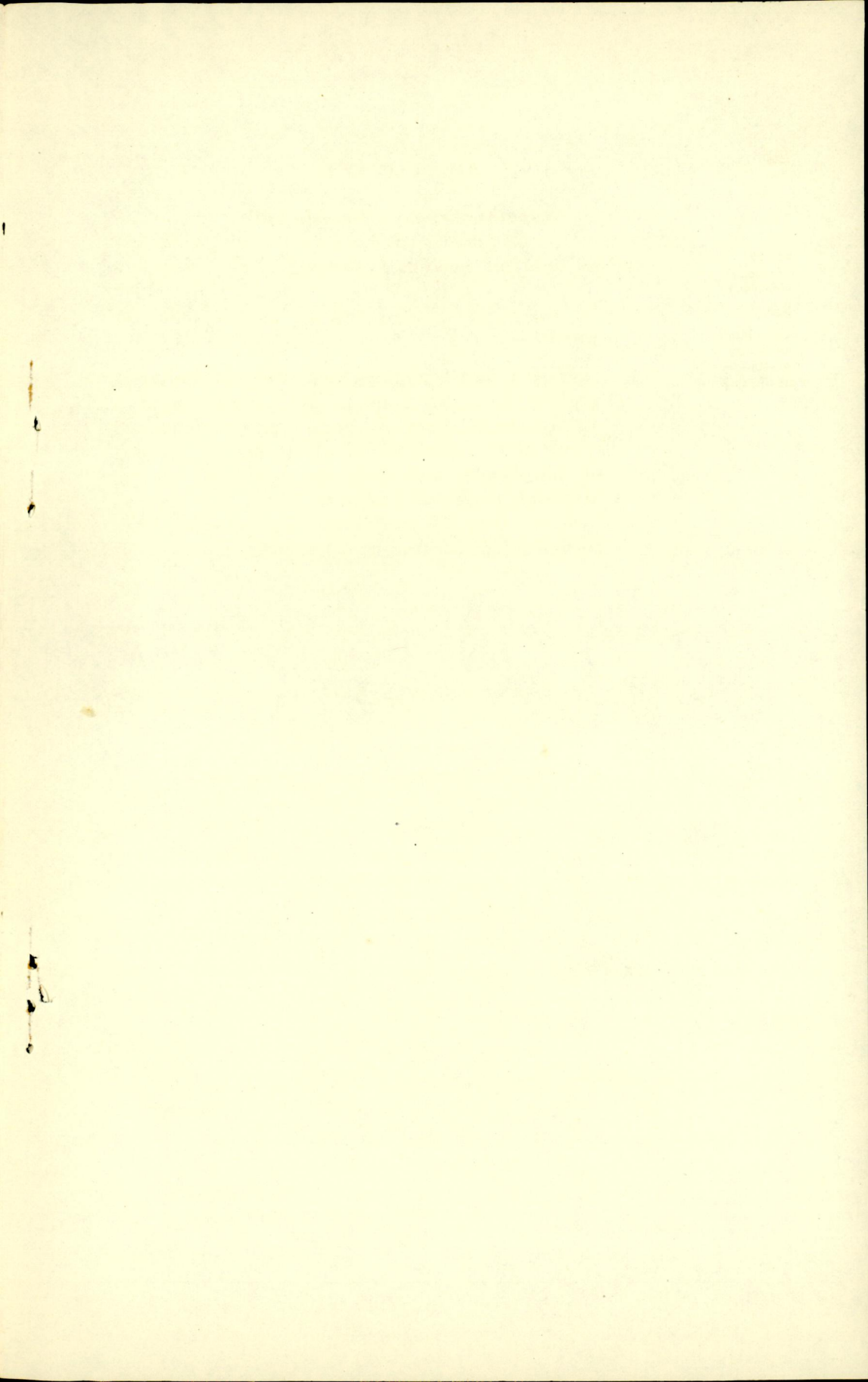
Sec. 89A.
(Evidence
as to age,
marriage
or death.)

(d) by inserting at the end of section 89A the words:—

Where any moneys are not immediately payable from the fund to the person (being a contributor) from whom such evidence is required his employer shall, on the requisition of the Board and with the approval of the Minister, deduct the amount of the expenses so incurred from the contributor's salary and shall forward that amount to the Board.

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1955.

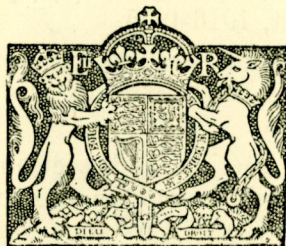


I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 2 March, 1955.*

New South Wales



ANNO QUARTO

ELIZABETHÆ II REGINÆ

Act No. 6, 1955.

An Act to increase the amount payable by way of pension to employees under the Superannuation Act, 1916, as amended by subsequent Acts; to extend the scale of pension units in respect of which contributions may be made; to make certain provisions in relation to the State Superannuation Fund; for these and other purposes to amend the said Act as so amended, the Superannuation (Amendment) Act, 1930, and certain other Acts; and for purposes connected therewith. [Assented to, 8th March, 1955.]

BE

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.

Superannuation (Amendment).

BE it enacted by the Queen'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:—

Short title,
citation,
construction
and
commence-
ment.

1. (1) This Act may be cited as the "Superannuation (Amendment) Act, 1955."

(2) The Superannuation Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Superannuation Act, 1916-1955.

(3) This Act shall be read and construed with the Superannuation Act, 1916-1955, in this Act referred to as the Principal Act.

(4) (a) This section and sections nine, ten and eleven of this Act shall, except where otherwise expressly provided in section ten of this Act, commence upon the day upon which Her Majesty's assent to this Act is signified.

(b) Sections two, three, four, five and six of this Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-five.

(c) Sections seven and eight of this Act shall commence upon the first day of July, one thousand nine hundred and fifty-five.

(5) (a) This subsection applies to any employee who—

(i) being of the age of fifty-nine years upon the day upon which Her Majesty's assent to this Act is signified, would attain the age of sixty years before the commencement of the month or four-weekly contribution period, as the case may be, occurring next before the first day of July, one thousand nine hundred and fifty-five; and

(ii) notifies the Board, in writing, forwarded so as to be received in the office of the Board before he attains the age of sixty years, that he elects to have the provisions of this subsection apply to him.

(b)

Superannuation (Amendment).

(b) Notwithstanding anything in paragraph (c) of subsection four of this section, in respect of any employee to whom this subsection applies, section seven and paragraph (a) of subsection one and subsection two of section eight of this Act shall commence upon the first day of the month or four-weekly contribution period, as the case may be, that commences next after the day upon which Her Majesty's assent to this Act is signified.

2. Where any pension, other than a pension payable in respect of a child, was at the commencement of this section payable to, or after such commencement became or becomes payable to, any person under the Superannuation Act, 1916, as amended by subsequent enactments, other than this section, such pension shall, as from such commencement or, as the case may be, as from the date upon which such person so became or becomes entitled to such pension, be increased by one-sixth or by twenty-six pounds per annum, whichever is the greater, and any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

Increase
of rates
of certain
pensions.

3. (1) Where on or after the commencement of this section any pension was or is payable under the Principal Act to a pensioner or to the widow of a deceased pensioner or contributor the employer in whose service such pensioner or deceased pensioner was employed at the date of his retirement or retrenchment or in whose service such contributor was employed at the date of his death, shall pay to the fund at monthly or such other intervals as may be determined by the Board and on the requisition of the Board an amount equal to the difference between the amount of the pension so payable and the amount of pension which would have been so payable had section two of this Act not been enacted.

Additional
payment
by
employers
in respect
of increase
in pension
unit value.

(2) This section shall not apply in respect of any pension payable under the Principal Act which is wholly payable out of the Consolidated Revenue Fund or the funds of the employer nor in respect of any pension wholly

Superannuation (Amendment).

wholly payable out of the fund and in respect of which the fund is wholly repaid or wholly recouped by the Consolidated Revenue Fund or the employer.

(3) Any amount payable under this section shall be in addition to any contribution or other payment which the employer may be required to make under the Principal Act, the Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, or the Superannuation (Amendment) Act, 1951, as amended by subsequent Acts.

4. The Superannuation Act, 1916, as amended by subsequent Acts, is amended by inserting at the end of section 17B the following new subsection:—

(4) The liability of employers to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

5. The Superannuation (Amendment) Act, 1930, as amended by subsequent Acts, is amended by inserting at the end of section two the following new subsection:—

(8) The liability of the Government of New South Wales, the Maritime Services Board of New South Wales and the Water Conservation and Irrigation Commission to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

6. The Superannuation (Amendment) Act, 1951, as amended by subsequent Acts, is amended by inserting at the end of section four the following new subsection:—

(6) The liability of employers to make payments to the fund pursuant to this section shall be calculated as if section two of the Superannuation (Amendment) Act, 1955, had not been enacted.

7. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

(a) (i) by omitting the scale set out in subsection one of section twelve and by inserting in lieu

Amendment
of Act No. 28,
1916.

Sec. 17B.
(Additional
payment by
employers
in respect
of increase
in pension
unit value.)

Amendment
of Act No. 31,
1930.

Sec. 2.
(Payments
to fund
by certain
employers.)

Amendment
of Act No. 53,
1951.

Sec. 4.
(Additional
payment by
employers
in respect
of increase
in rate of
pension, &c.)

Further
amendment
of Act No. 28,
1916.

Sec. 12.
(Scale of
units of
pension.)

Superannuation (Amendment).

lieu thereof the following scale:—

Where the salary of the employee is equivalent to an annual rate		The employee shall contribute the amount necessary to provide units of pension as under—
Exceeding—	But not exceeding—	
£	£	£ s. d.
...	162	Two units, or 65 0 0
162	260	Three units, or 97 10 0
260	325	Four units, or 130 0 0
325	390	Five units, or 162 10 0
390	455	Six units, or 195 0 0
455	520	Seven units, or 227 10 0
520	585	Eight units, or 260 0 0
585	650	Nine units, or 292 10 0
650	715	Ten units, or 325 0 0
715	780	Eleven units, or 357 10 0
780	845	Twelve units, or 390 0 0
845	910	Thirteen units, or 422 10 0
910	975	Fourteen units, or 455 0 0
975	1,040	Fifteen units, or 487 10 0
1,040	1,105	Sixteen units, or 520 0 0
1,105	1,170	Seventeen units, or 552 10 0
1,170	1,235	Eighteen units, or 585 0 0
1,235	1,300	Nineteen units, or 617 10 0
1,300	1,430	Twenty units, or 650 0 0
1,430	1,560	Twenty-one units, or 682 10 0
1,560	1,690	Twenty-two units, or 715 0 0
1,690	1,820	Twenty-three units, or 747 10 0
1,820	1,950	Twenty-four units, or 780 0 0
1,950	2,080	Twenty-five units, or 812 10 0
2,080	2,210	Twenty-six units, or 845 0 0
2,210	2,340	Twenty-seven units, or 877 10 0
2,340	2,470	Twenty-eight units, or 910 0 0
2,470	2,600	Twenty-nine units, or 942 10 0
2,600	2,730	Thirty units, or 975 0 0
2,730	2,860	Thirty-one units, or 1,007 10 0
2,860	2,990	Thirty-two units, or 1,040 0 0
2,990	3,120	Thirty-three units, or 1,072 10 0
3,120	3,250	Thirty-four units, or 1,105 0 0
3,250	3,380	Thirty-five units, or 1,137 10 0
3,380	...	Thirty-six units, or 1,170 0 0

(ii)

Superannuation (Amendment).

- (ii) by inserting in subparagraph (i) of paragraph (b) of the proviso to the same subsection after the words "so increased," the words "or in the case of an employee under the age of forty years contributing in respect of twenty-six units of pension immediately before the commencement of section seven of the Superannuation (Amendment) Act, 1955, his salary is, on or after the commencement of that section, so increased,";
- (iii) by inserting in the same subparagraph after the words "paid on that date" the following words:—
- "Where at the date of commencement of section seven of the Superannuation (Amendment) Act, 1955, the actual salary of an employee is in excess of the annual rate of two thousand two hundred and ten pounds his salary shall, for the purposes of this paragraph, be deemed to have been increased on that date from that rate to that actual salary and that actual salary shall, for the purposes of subparagraph (iii) of this paragraph and of paragraph (h) of this proviso and of subsection (1B) of this section, be deemed to have been actually paid on that date."
- (iv) by inserting at the end of the same paragraph the following new subparagraphs:—
- (iv) Where the number of units of pension for which an employee was contributing immediately before the commencement of this subparagraph is less than the number of units of pension specified in the scale in this subsection opposite the salary group within which a salary equal to his salary

Superannuation (Amendment).

salary immediately before that commencement fell at that commencement and the difference between those numbers is less than the number of his abandoned units as existing immediately before that commencement, then the number of those abandoned units shall, as from that commencement and for all purposes of this Act, be reduced to a number equal to that difference.

(v) Where the number of units of pension for which an employee was contributing immediately before the commencement of this subparagraph is equal to or greater than the number of units of pension specified in the scale in this subsection opposite the salary group within which a salary equal to his salary immediately before that commencement fell at that commencement, his abandoned units, if any, as existing immediately before that commencement shall, as from that commencement, be disregarded for all purposes of this Act.

(v) by inserting at the end of the same subsection the following new subsections:—

(1A) (a) In this subsection "employee" means an employee who was, immediately before the commencement of this subsection, contributing for a number of units of pension (hereinafter in this subsection referred to as the prescribed number of units) that is equal to or exceeds the number of units of pension specified in the scale in subsection one of this section opposite the salary group within which a salary

Superannuation (Amendment).

salary equal to the salary of the employee immediately before that commencement fell at that commencement.

(b) Subject to sections eleven and thirteen of this Act, paragraphs (a), (g) and (j) of the proviso to subsection one of this section and paragraph (c) of this subsection, an employee shall continue to contribute for the prescribed number of units until the first day of the month or four-weekly contribution period, as the case may be, in which he is actually paid a salary that falls within a salary group that requires him to contribute for a number of units of pension greater than the prescribed number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute.

(c) Paragraph (b) of this subsection does not apply to an employee who is actually paid, on or after the commencement of this subsection but during the month or four-weekly contribution period, as the case may be, that commences on the commencement of this subsection, a salary that falls within a salary group that requires him to contribute for a greater number of units of pension than the prescribed number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute.

(1B) (a) In this subsection "employee" means an employee who was, immediately before the commencement of this subsection, contributing for a number of units of pension

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pension (hereinafter in this subsection referred to as the prescribed number of units) that is less than the number of units of pension (hereinafter in this subsection referred to as the specified number of units) specified in the scale in subsection one of this section opposite the salary group within which a salary equal to the salary of the employee immediately before that commencement fell at that commencement.

(b) Subject to sections eleven and thirteen of this Act, paragraphs (a), (g) and (j) of the proviso to subsection one of this section and paragraph (c) of this subsection, an employee shall continue to contribute for the prescribed number of units until the first day of the month or four-weekly contribution period, as the case may be, in which he is actually paid a salary that falls within a salary group that requires him to contribute for a number of units of pension greater than the specified number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute.

(c) Paragraph (b) of this subsection does not apply to an employee who is actually paid, on or after the commencement of this subsection but during the month or four-weekly contribution period, as the case may be, that commences on the commencement of this subsection, a salary—

(i) that, by reason of its being in excess of an annual rate of two thousand two

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two hundred and ten pounds, requires him to contribute for the specified number of units or would, if paragraph (b) of the proviso to subsection one of this section had not been enacted, have required him so to contribute; or

- (ii) that falls within a salary group that requires him to contribute for a greater number of units than the specified number of units or would, if paragraph (b) of that proviso had not been enacted, have required him so to contribute.

(1c) Where, immediately before the commencement of this subsection, the time within which an employee had a right to make an election under paragraph (b) of the proviso to subsection one of this section had not expired, the right of that employee to make an election shall, notwithstanding the amendment made by subparagraph (i) of paragraph (a) of section seven of the Superannuation (Amendment) Act, 1955, be deemed to continue until the expiration of that time, and if, before the expiration of that time, the employee makes an election under paragraph (b) of that proviso, the provisions of subparagraphs (iv) and (v) of paragraph (b) of that proviso and subsections (1A) and (1B) of this section apply as if he had made the election before the commencement of this subsection.

(1d)

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(1D) (a) Notwithstanding anything contained in subsection (1B) of this section, where, immediately before the commencement of this subsection—

- (i) an employee's salary did not exceed an annual rate of two thousand two hundred and ten pounds; and
- (ii) the employee was contributing for a number of units of pension less than the number of units of pension specified in the scale in subsection one of this section as enacted immediately before that commencement opposite the salary group within which the salary of the employee fell immediately before that commencement,

the employee may elect to increase the amount of his contribution so as to entitle him to units of pension not exceeding the number specified in the scale in subsection one of this section opposite the salary group in which a salary equal to his salary immediately before that commencement fell at that commencement.

(b) Where an employee makes an election under this subsection the number of his abandoned units, if any, shall be reduced by a number equal to the number of additional units for which he becomes a contributor by virtue of the election.

The provisions of this paragraph are in addition to, and not in substitution for, the provisions of subparagraphs (iv) and (v) of paragraph (b) of the proviso to subsection one of this section.

In

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In this paragraph "abandoned units" has the same meaning as in paragraph (b) of that proviso.

(e) Any election under this subsection shall become effective only when the election has been approved by the Board, but any increase in contributions resulting from the election shall be payable as from the first day of the month or of the four-weekly contribution period, as the case may be, in which the election is received in the office of the Board. The Board may require any employee who makes such election to furnish evidence as to the state of his health and may refuse its approval if evidence is not so furnished or if, from the evidence furnished, the Board is satisfied that the employee is not in good health.

(d) Any such election shall be in writing and shall be forwarded so as to be received in the office of the Board within a period of three months from the commencement of this subsection or within such further period as the Board may, in special circumstances, allow.

Any such election shall be void unless made in the manner and within the period or further period referred to in this paragraph.

(1E) Except in the circumstances and for the time specified in paragraph (b) of subsection (1A) of this section or in the circumstances specified in section 13A of this Act, no employee shall contribute for a greater number of units of pension than is specified in the scale in subsection one of this section opposite the salary group in which his salary falls.

(b)

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- (b) by inserting at the end of the scale in subsection one of section twenty-seven the following words and figures:—

Sec. 27.
(Amount of pension on retirement.)

Twenty-seven units	..	877 10 0
Twenty-eight units	..	910 0 0
Twenty-nine units	..	942 10 0
Thirty units	..	975 0 0
Thirty-one units	..	1,007 10 0
Thirty-two units	..	1,040 0 0
Thirty-three units	..	1,072 10 0
Thirty-four units	..	1,105 0 0
Thirty-five units	..	1,137 10 0
Thirty-six units	..	1,170 0 0

8. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

- (a) (i) by omitting paragraph (c) of the proviso to subsection one of section twelve;

Sec. 12.
(Scale of units of pension.)

- (ii) by omitting from paragraphs (i) and (j) of the same proviso the words "The right of election conferred by this paragraph shall be in addition to the right of election conferred by paragraph (e) of this proviso.";

- (iii) by omitting subsections two, three, four and five of the same section;

- (b) (i) by omitting from subsection three of section 15A the word "two" and by inserting in lieu thereof the word "four";

Sec. 15A.
(Reserve units.)

(ii)

Superannuation (Amendment).

(ii) by omitting from paragraph (a) of subsection six of the same section the word "both" and by inserting in lieu thereof the word "more";

(iii) by inserting at the end of subsection seven of the same section the following new proviso:—

Provided that a contributor who—

(a) has, before the first day of July, one thousand nine hundred and fifty-five, made an election under subsection five of this section; but

(b) has not made an election under subsection six of this section,

may, within three months from that date, elect to contribute for reserve units, but so that the number of reserve units for which he becomes a contributor by virtue of the operation of this proviso, together with the reserve unit, if any, for which he was contributing immediately before that date, shall not exceed four.

(2) Any election made under paragraph (e) of the proviso to subsection one of section twelve of the Superannuation Act, 1916, as amended by subsequent Acts, before that paragraph was repealed by subsection one of this section, shall, as on and from the commencement of this section, cease to have any force or effect.

Nothing in this subsection affects the operation of subsection (1A) of section twelve of the Superannuation Act, 1916-1955.

9. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

(a) by omitting paragraph (c) of the proviso to subsection two of section eleven;

(b)

Further
amendment of
Act No. 23,
1916.

Sec. 11.
(When to
commence.)

Superannuation (Amendment).

- (b) (i) by inserting next after subsection (1B) of section fifteen the following new subsection:—

Sec. 15.
(Tables of contributions in Schedule I.)

(1c) Until other tables of contributions are prescribed as hereinafter provided the table of contributions for men according to the ages set out in Schedule VI shall be in force and shall apply to both employees, being members of the fire fighting staff of the Board of Fire Commissioners of New South Wales who become contributors on or after the first day of July, one thousand nine hundred and fifty-five, and that Board in respect of those employees, in lieu of the tables set out in Schedules IV and V.

Contributions in accordance with the table set out in Schedule VI shall be made in respect of all units of pension the contributions for which commence on or after that date and are paid by or in respect of those employees.

The provisions of section three of the Superannuation (Amendment) Act, 1951, apply to and in respect of those contributions deducted from the salaries of those employees under section twenty of this Act or payable by those employees under section nineteen of this Act.

- (ii) by omitting from paragraph (a) of subsection two of the same section the words "or Schedule V" and by inserting in lieu thereof the words ", Schedule V or Schedule VI";

(c)

Superannuation (Amendment).

Sec. 37.
(Contributor
retrenched
has choice
of
benefits.)

- (c) by omitting from subsection four of section thirty-seven the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";

Sec. 38.
(Refund of
contribu-
tions.)

- (d) by omitting from subsection two of section thirty-eight the words "This subsection shall not apply to and in respect of any employee to whom the provisions of paragraph (c) of the proviso to subsection two of section eleven of this Act applies.";

Subst.
sec. 47.

- (c) by omitting section forty-seven and by inserting in lieu thereof the following section:—

No pension
for widow, &c.,
if pensioner
marries.

47. (1) Where a pensioner marries after retirement from service, pension shall not, upon the death of the pensioner, be payable to the widow or in respect of her children who are not children of that marriage.

The foregoing provisions of this section do not apply to or in respect of the widow or her children where the pensioner, after marrying her, was re-employed by an employer and again became a contributor.

(2) For the purposes of subsection one of this section a pensioner who marries while in receipt of "breakdown" pension shall, notwithstanding anything contained in this Act, be deemed to have married after retirement from service.

New Schedule
VI.

- (f) by inserting next after Schedule V the following new Schedule:—

SCHEDULE

Superannuation (Amendment).

SCHEDULE VI.

MEN—FIRE-FIGHTING STAFF, BOARD OF FIRE COMMISSIONERS
OF NEW SOUTH WALES.*Contributions by Employees—Payable Four-weekly.
Retirement at Sixty.*

Age next birth-day.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.	Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.	Age next birth-day.	Age next birth-day.	First £65 p.a. to man, £32 10s. p.a. to widow, and pension† for each child to age 18.	Subsequent increments, £65 p.a. to man, £32 10s. p.a. to widow.	Age next birth-day.
	£ s. d.	£ s. d.			£ s. d.	£ s. d.	
16	0 7 6	0 7 2	16	40	1 4 6	1 3 8	40
17	0 7 10	0 7 6	17	41	1 5 10	1 5 0	41
18	0 8 4	0 7 10	18	42	1 7 2	1 6 4	42
19	0 8 10	0 8 4	19	43	1 8 10	1 8 0	43
20	0 9 4	0 8 10	20	44	1 10 6	1 9 8	44
21	0 9 10	0 9 4	21	45	1 12 6	1 11 8	45
22	0 10 4	0 9 10	22	46	1 14 10	1 14 0	46
23	0 10 10	0 10 4	23	47	1 17 4	1 16 6	47
24	0 11 4	0 10 10	24	48	2 0 6	1 19 6	48
25	0 11 10	0 11 4	25	49	2 4 2	2 3 2	49
26	0 12 6	0 12 0	26	50	2 8 6	2 7 6	50
27	0 13 2	0 12 8	27	51	2 13 10	2 12 10	51
28	0 13 10	0 13 4	28	52	3 0 6	2 19 4	52
29	0 14 6	0 14 0	29	53	3 9 0	3 7 10	53
30	0 15 4	0 14 8	30	54	4 0 4	3 19 0	54
31	0 16 0	0 15 4	31	55	4 16 2	4 14 8	55
32	0 16 10	0 16 0	32	56	£320 ÷ n*	£316 ÷ n*	56
33	0 17 8	0 16 10	33	57	£314 ÷ n*	£310 ÷ n*	57
34	0 18 6	0 17 8	34	58	£308 ÷ n*	£304 ÷ n*	58
35	0 19 4	0 18 6	35	59	£302 ÷ n*	£298 ÷ n*	59
36	1 0 2	0 19 4	36	60	£298 ÷ n*	£294 ÷ n*	60
37	1 1 2	1 0 4	37				
38	1 2 2	1 1 4	38				
39	1 3 4	1 2 6	39				

*n Denotes the number of complete four-weekly contributions payable before attainment of age 60.

† The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.

Superannuation (Amendment).

Further
amendment
of Act No.
28, 1916.

10. (1) The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Secs. 30, 31,
33, 41, 43, 44.
(Pension to
orphans on
death of
employee or
pensioner.)

(a) by omitting from sections thirty, thirty-one, thirty-three, forty-one, forty-three and forty-four the word “sixteen” and by inserting in lieu thereof the word “eighteen”;

Sch. I.

(b) (i) by omitting from Table A of Schedule I the words, figures and symbols “£26† for each child to age 16.” wherever occurring and by inserting in lieu thereof the words, figures and symbol “and pension† for each child to age 18.”;

(ii) by omitting from the same Table the footnote “†Of this amount of £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

“†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.”;

Sch. IV.

(c) (i) by omitting from Table A of Schedule IV the words, figures and symbols “£26† p.a. for each child to age 16.” wherever occurring and by inserting in lieu thereof the words, figures and symbol “and pension† for each child to age 18.”;

(ii) by omitting from the same Table the footnote “†Of this amount of £26, £13 is payable
by

Superannuation (Amendment).

by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

“†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.”;

(d) (i) by omitting from Table A of Schedule V **Sch. V.** the words, figures and symbols “£26† p.a. for each child to age 16.” and by inserting in lieu thereof the words, figures and symbol “and pension† for each child to age 18.”;

(ii) by omitting from the same Table the footnote “†Of this amount of £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance” and by inserting in lieu thereof the following footnote:—

“†The pension for each child is (i) £26 p.a. where it is payable under section 30 or 31; or (ii) £52 p.a. where it is payable under section 33. Where the amount of pension is £26, £13 is payable by the employer under section 17A, and the contribution includes half-cost of the balance. Where the amount of pension is £52, £39 is payable by the employer, and the contribution includes half-cost of the balance.”

(e)

Superannuation (Amendment).

Sec. 33.
(Pension to
orphans on
death of
employee or
pensioner.)

(e) by omitting from subsection one of section thirty-three the words "twenty-six pounds" and by inserting in lieu thereof the words "fifty-two pounds";

Sec. 17A.
(Payments by
employers in
respect of
infants'
pensions.)

(f) by inserting at the end of subsection one of section 17A the words "where the pension is payable pursuant to paragraph (b) of section thirty or paragraph (b) of section thirty-one of this Act or three-quarters of the amount of such pension where the pension is payable pursuant to section thirty-three of this Act."

(2) The amendments made by paragraph (a) of subsection one of this section—

(a) shall commence upon the first day of the month next after the date on which Her Majesty's assent to this Act is signified;

(b) apply to and in respect of children who at that day were over the age of sixteen but under the age of eighteen as well as to and in respect of children who reach the age of sixteen on or after that day.

Nothing in the amendments made by paragraph (a) of subsection one of this section or in this subsection authorises the payment of pension in respect of any period before the commencement of those amendments.

(3) The amendment made by paragraph (e) of subsection one of this section applies to and in respect of pensions that are payable at the commencement of this section as well as to and in respect of pensions that become payable after that commencement; but, in the case of pensions that are payable at that commencement, the increased rate applies only as from the first day of the month next after that commencement.

Superannuation (Amendment).

11. The Superannuation Act, 1916, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 28, 1916.

(a) (i) by inserting in subsection one of section thirty-eight after the words "there shall be paid to such contributor" the words ", upon application by him in or to the effect of the prescribed form,";

Sec. 38. (Refund of contributions.)

(ii) by inserting next after the same subsection the following new subsection:—

(1A) Where a contributor resigns or is dismissed or discharged from the service of an employer, the employer shall take all practicable steps to obtain from the contributor the application referred to in subsection one of this section.

The employer shall, after obtaining the application, forward it forthwith to the Board.

(b) by inserting next after section sixty-six the following new section:—

New sec. 66A.

66A. The Board may—

Power to close accounts.

(a) by notice in writing direct an employer to cease making deductions pursuant to subsection one of section sixty-two of this Act from the salary of an employee whose name is specified in the notice and thereupon the employer shall cease making those deductions;

(b) refuse to accept from an employee any direct payment to the Fund pursuant to subsection two of the same section.

In any such case there shall be paid to the employee concerned the whole amount lying at his credit in the Fund under this Part (both principal and interest).

(c)

Superannuation (Amendment).

Sec. 69.
(Purchase
of homes.)
Sec. 89A.
(Evidence
as to age,
marriage
or death.)

(c) by omitting section sixty-nine;

(d) by inserting at the end of section 89A the words:—

Where any moneys are not immediately payable from the fund to the person (being a contributor) from whom such evidence is required his employer shall, on the requisition of the Board and with the approval of the Minister, deduct the amount of the expenses so incurred from the contributor's salary and shall forward that amount to the Board.

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

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 8th March, 1955.*

1914

Received of _____
the sum of _____
for _____

£ _____
No. _____
Date _____
