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New South Wales

ANNO UNDECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 13, 1962.

An Act to make further provision relating to the pension rights of members of the Legislative Assembly; for this purpose to amend the Legislative Assembly Members Superannuation Act, 1946-1959; and for purposes connected therewith. [Assented to, 21st May, 1962.]

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 "Legislative Assembly Members Superannuation (Amendment) Act, 1962". Short title and citation.

(2)

84391 [8*d*.]

(2) The Legislative Assembly Members Superannuation Act, 1946, as amended by subsequent Acts and by this Act, may be cited as the Legislative Assembly Members Superannuation Act, 1946-1962.

Amendment of Act No. 32, 1946.

2. The Legislative Assembly Members Superannuation Act, 1946-1959, is amended—

Sec. 12. (Pensions.)

(a) (i) by inserting at the end of paragraph (b) of subsection two of section twelve the words "The rate of any pension payable under this paragraph shall be the rate of pension which would have been applicable to such person had he received a pension upon so resigning his seat in the Legislative Assembly.";

(ii) by omitting subparagraph (a) of paragraph (b1) of the same subsection;

(iii) by omitting from the same paragraph the words "Payments under subparagraph (a) of this paragraph shall be made by such instalments and at such times as the managing trustees or a majority of them determine.";

(iv) by omitting from the same paragraph the words ", if he has, during the period from the date upon which he resigns his seat in the Legislative Assembly to the date upon which he ceases to be a member of the Parliament of the Commonwealth or of any such State, or to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid had he not ceased to be a member of the Legislative Assembly, be refunded an amount equivalent to the contributions so paid by him to the fund,

fund, without interest. Any person to whom contributions have been refunded as aforesaid and the widow of any such person shall not be entitled to receive a pension under this Act" and by inserting in lieu thereof the words "be refunded where the amount of the contributions paid by him to the fund exceeds any amount received by him by way of pension under this Act the difference between such amounts, without interest. Any person referred to in subparagraph (ia) or (iia) of this paragraph and the widow of any such person shall not be entitled to receive a pension under this Act";

(v) by omitting from the same paragraph the words "who has made payments into the fund in accordance with subparagraph (a) of this paragraph" and by inserting in lieu thereof the words "to whom paragraph (b) of this subsection applies";

(vi) by omitting from subparagraph (i) of the same paragraph the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(b) (i) by omitting paragraph (a) of subsection six;

(ii) by omitting from the same subsection the words "Payments under paragraph (a) of this subsection shall be made by such instalments

and

and at such times as the managing trustees or a majority of them determine." and by inserting in lieu thereof the following paragraph : —

Upon the expiration of the period of such suspension the rate of pension which any such person shall be entitled to receive shall : —

(aa) in the case of a person in respect of whom a period of suspension is in force at the commencement of the Legislative Assembly Members Superannuation (Amendment) Act, 1962, and who has before such commencement in accordance with the provisions of this subsection as then enacted paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly as from the beginning of the period of such suspension till such commencement, be twenty-four pounds per week;

(bb) in any other case, be the rate which such person was in receipt of at the commencement of the period of such suspension or would have been so entitled to receive but for the foregoing provisions of this subsection.

(iii) by omitting from the same subsection the words ", if he has, during the period of such suspension, or from the date upon which he becomes a member of the Parliament of the Commonwealth or of any such State to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly, be refunded

refunded an amount equivalent to the contributions so paid by him to the fund, without interest. Any person to whom contributions have been refunded as aforesaid and the widow of any such person shall not be entitled to receive a pension under this Act." and by inserting in lieu thereof the words "be refunded where the amount of the contributions paid by him to the fund exceeds any amount received by him by way of pension under this Act the difference between such amounts, without interest. Any person referred to in subparagraph (ia) or (iia) of this paragraph and the widow of any such person shall not be entitled to receive a pension under this Act.";

(iv) by omitting from the same subsection the words "who has made payments into the fund in accordance with paragraph (a) of this subsection" and by inserting in lieu thereof the words "whose pension is suspended in accordance with this subsection";

(v) by omitting from paragraph (i) of the same subsection the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(c) by omitting subsection seven of the same section.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 9 May, 1962.

New South Wales

ANNO UNDECIMO

ELIZABETHÆ II REGINÆ

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Act No. 13, 1962.

An Act to make further provision relating to the pension rights of members of the Legislative Assembly; for this purpose to amend the Legislative Assembly Members Superannuation Act, 1946-1959; and for purposes connected therewith. [Assented to, 21st May, 1962.]

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 "Legislative Assembly Members Superannuation (Amendment) Act, 1962". Short title and citation.

(2)

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

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

(2) The Legislative Assembly Members Superannuation Act, 1946, as amended by subsequent Acts and by this Act, may be cited as the Legislative Assembly Members Superannuation Act, 1946-1962.

Amendment of Act No. 32, 1946.

2. The Legislative Assembly Members Superannuation Act, 1946-1959, is amended—

Sec. 12. (Pensions.)

(a) (i) by inserting at the end of paragraph (b) of subsection two of section twelve the words "The rate of any pension payable under this paragraph shall be the rate of pension which would have been applicable to such person had he received a pension upon so resigning his seat in the Legislative Assembly.";

(ii) by omitting subparagraph (a) of paragraph (b1) of the same subsection;

(iii) by omitting from the same paragraph the words "Payments under subparagraph (a) of this paragraph shall be made by such instalments and at such times as the managing trustees or a majority of them determine.";

(iv) by omitting from the same paragraph the words ", if he has, during the period from the date upon which he resigns his seat in the Legislative Assembly to the date upon which he ceases to be a member of the Parliament of the Commonwealth or of any such State, or to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid had he not ceased to be a member of the Legislative Assembly, be refunded an amount equivalent to the contributions so paid by him to the fund,

fund, without interest. Any person to whom contributions have been refunded as aforesaid and the widow of any such person shall not be entitled to receive a pension under this Act" and by inserting in lieu thereof the words "be refunded where the amount of the contributions paid by him to the fund exceeds any amount received by him by way of pension under this Act the difference between such amounts, without interest. Any person referred to in subparagraph (ia) or (iia) of this paragraph and the widow of any such person shall not be entitled to receive a pension under this Act";

(v) by omitting from the same paragraph the words "who has made payments into the fund in accordance with subparagraph (a) of this paragraph" and by inserting in lieu thereof the words "to whom paragraph (b) of this subsection applies";

(vi) by omitting from subparagraph (i) of the same paragraph the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(b) (i) by omitting paragraph (a) of subsection six;

(ii) by omitting from the same subsection the words "Payments under paragraph (a) of this subsection shall be made by such instalments

and

and at such times as the managing trustees or a majority of them determine." and by inserting in lieu thereof the following paragraph : —

Upon the expiration of the period of such suspension the rate of pension which any such person shall be entitled to receive shall : —

(aa) in the case of a person in respect of whom a period of suspension is in force at the commencement of the Legislative Assembly Members Superannuation (Amendment) Act, 1962, and who has before such commencement in accordance with the provisions of this subsection as then enacted paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly as from the beginning of the period of such suspension till such commencement, be twenty-four pounds per week;

(bb) in any other case, be the rate which such person was in receipt of at the commencement of the period of such suspension or would have been so entitled to receive but for the foregoing provisions of this subsection.

(iii) by omitting from the same subsection the words ", if he has, during the period of such suspension, or from the date upon which he becomes a member of the Parliament of the Commonwealth or of any such State to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly, be refunded

refunded an amount equivalent to the contributions so paid by him to the fund, without interest. Any person to whom contributions have been refunded as aforesaid and the widow of any such person shall not be entitled to receive a pension under this Act." and by inserting in lieu thereof the words "be refunded where the amount of the contributions paid by him to the fund exceeds any amount received by him by way of pension under this Act the difference between such amounts, without interest. Any person referred to in subparagraph (ia) or (iia) of this paragraph and the widow of any such person shall not be entitled to receive a pension under this Act.";

(iv) by omitting from the same subsection the words "who has made payments into the fund in accordance with paragraph (a) of this subsection" and by inserting in lieu thereof the words "whose pension is suspended in accordance with this subsection";

(v) by omitting from paragraph (i) of the same subsection the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(c) by omitting subsection seven of the same section.

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

E. W. WOODWARD,
Governor.

Government House,
Sydney, 21*st May,* 1962.

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.*

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 9 May, 1962.

New South Wales

ANNO UNDECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. , 1962.

An Act to make further provision relating to the pension rights of members of the Legislative Assembly; for this purpose to amend the Legislative Assembly Members Superannuation Act, 1946-1959; and for purposes connected therewith.

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 "Legislative Assembly Members Superannuation (Amendment) Act, 1962". **Short title and citation.**

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(2) The Legislative Assembly Members Superannuation Act, 1946, as amended by subsequent Acts and by this Act, may be cited as the Legislative Assembly Members Superannuation Act, 1946-1962.

2. The Legislative Assembly Members Superannuation Act, 1946-1959, is amended— Amendment of Act No. 32, 1946.

(a) (i) by inserting at the end of paragraph (b) of subsection two of section twelve the words "The rate of any pension payable under this paragraph shall be the rate of pension which would have been applicable to such person had he received a pension upon so resigning his seat in the Legislative Assembly."; Sec. 12. (Pensions.)

(ii) by omitting subparagraph (a) of paragraph (b1) of the same subsection;

(iii) by omitting from the same paragraph the words "Payments under subparagraph (a) of this paragraph shall be made by such instalments and at such times as the managing trustees or a majority of them determine.";

(iv) by omitting from the same paragraph the words ", if he has, during the period from the date upon which he resigns his seat in the Legislative Assembly to the date upon which he ceases to be a member of the Parliament of the Commonwealth or of any such State, or to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid had he not ceased to be a member of the Legislative Assembly, be refunded an amount equivalent to the contributions so paid by him to the fund,

fund, without interest. Any person to whom contributions have been refunded as aforesaid and the widow of any such person shall not be entitled to receive a pension under this Act" and by inserting in lieu thereof the words "be refunded where the amount of the contributions paid by him to the fund exceeds any amount received by him by way of pension under this Act the difference between such amounts, without interest. Any person referred to in subparagraph (ia) or (iia) of this paragraph and the widow of any such person shall not be entitled to receive a pension under this Act";

(v) by omitting from the same paragraph the words "who has made payments into the fund in accordance with subparagraph (a) of this paragraph" and by inserting in lieu thereof the words "to whom paragraph (b) of this subsection applies";

(vi) by omitting from subparagraph (i) of the same paragraph the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(b) (i) by omitting paragraph (a) of subsection six;

(ii) by omitting from the same subsection the words "Payments under paragraph (a) of this subsection shall be made by such instalments and

and at such times as the managing trustees or a majority of them determine." and by inserting in lieu thereof the following paragraph : —

Upon the expiration of the period of such suspension the rate of pension which any such person shall be entitled to receive shall : —

(aa) in the case of a person in respect of whom a period of suspension is in force at the commencement of the Legislative Assembly Members Superannuation (Amendment) Act, 1962, and who has before such commencement in accordance with the provisions of this subsection as then enacted paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly as from the beginning of the period of such suspension till such commencement, be twenty-four pounds per week;

(bb) in any other case, be the rate which such person was in receipt of at the commencement of the period of such suspension or would have been so entitled to receive but for the foregoing provisions of this subsection.

(iii) by omitting from the same subsection the words ", if he has, during the period of such suspension, or from the date upon which he becomes a member of the Parliament of the Commonwealth or of any such State to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly, be refunded

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(iv) by omitting from the same subsection the words "who has made payments into the fund in accordance with paragraph (a) of this subsection" and by inserting in lieu thereof the words "whose pension is suspended in accordance with this subsection";

(v) by omitting from paragraph (i) of the same subsection the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(c) by omitting subsection seven of the same section.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962
[8*d*.]

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.*

Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, *May,* 1962.

New South Wales

ANNO UNDECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. , 1962.

An Act to make further provision relating to the pension rights of members of the Legislative Assembly; for this purpose to amend the Legislative Assembly Members Superannuation Act, 1946-1959; and for purposes connected therewith.

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 and citation.

1. (1) This Act may be cited as the "Legislative Assembly Members Superannuation (Amendment) Act, 1962".

(2)

(2) The Legislative Assembly Members Superannuation Act, 1946, as amended by subsequent Acts and by this Act, may be cited as the Legislative Assembly Members Superannuation Act, 1946-1962.

2. The Legislative Assembly Members Superannuation Act, 1946-1959, is amended— Amendment of Act No. 32, 1946.

(a) (i) by inserting at the end of paragraph (b) of subsection two of section twelve the words "The rate of any pension payable under this paragraph shall be the rate of pension which would have been applicable to such person had he received a pension upon so resigning his seat in the Legislative Assembly."; Sec. 12. (Pensions.)

(ii) by omitting subparagraph (a) of paragraph (b1) of the same subsection;

(iii) by omitting from the same paragraph the words "Payments under subparagraph (a) of this paragraph shall be made by such instalments and at such times as the managing trustees or a majority of them determine.";

(iv) by omitting from the same paragraph the words ", if he has, during the period from the date upon which he resigns his seat in the Legislative Assembly to the date upon which he ceases to be a member of the Parliament of the Commonwealth or of any such State, or to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid had he not ceased to be a member of the Legislative Assembly, be refunded an amount equivalent to the contributions so paid by him to the fund,

fund, without interest. Any person to whom contributions have been refunded as aforesaid and the widow of any such person shall not be entitled to receive a pension under this Act" and by inserting in lieu thereof the words "be refunded where the amount of the contributions paid by him to the fund exceeds any amount received by him by way of pension under this Act the difference between such amounts, without interest. Any person referred to in subparagraph (ia) or (iia) of this paragraph and the widow of any such person shall not be entitled to receive a pension under this Act";

(v) by omitting from the same paragraph the words "who has made payments into the fund in accordance with subparagraph (a) of this paragraph" and by inserting in lieu thereof the words "to whom paragraph (b) of this subsection applies";

(vi) by omitting from subparagraph (i) of the same paragraph the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(b) (i) by omitting paragraph (a) of subsection six;

(ii) by omitting from the same subsection the words "Payments under paragraph (a) of this subsection shall be made by such instalments and

and at such times as the managing trustees or a majority of them determine." and by inserting in lieu thereof the following paragraph : —

Upon the expiration of the period of such suspension the rate of pension which any such person shall be entitled to receive shall : —

(aa) in the case of a person in respect of whom a period of suspension is in force at the commencement of the Legislative Assembly Members Superannuation (Amendment) Act, 1962, and who has before such commencement in accordance with the provisions of this subsection as then enacted paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly as from the beginning of the period of such suspension till such commencement, be twenty-four pounds per week;

(bb) in any other case, be the rate which such person was in receipt of at the commencement of the period of such suspension or would have been so entitled to receive but for the foregoing provisions of this subsection.

(iii) by omitting from the same subsection the words ", if he has, during the period of such suspension, or from the date upon which he becomes a member of the Parliament of the Commonwealth or of any such State to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly, be refunded

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(iv) by omitting from the same subsection the words "who has made payments into the fund in accordance with paragraph (a) of this subsection" and by inserting in lieu thereof the words "whose pension is suspended in accordance with this subsection";

(v) by omitting from paragraph (i) of the same subsection the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(c) by omitting subsection seven of the same section.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962

No. , 1962.

A BILL

To make further provision relating to the pension rights of members of the Legislative Assembly; for this purpose to amend the Legislative Assembly Members Superannuation Act, 1946-1959; and for purposes connected therewith.

[MR. HAWKINS;—8 *May*, 1962.]

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 "Legislative Assembly Members Superannuation (Amendment) Act, 1962". Short title and citation.

(2)

(2) The Legislative Assembly Members Superannuation Act, 1946, as amended by subsequent Acts and by this Act, may be cited as the Legislative Assembly Members Superannuation Act, 1946-1962.

2. The Legislative Assembly Members Superannuation Act, 1946-1959, is amended— Amendment of Act No. 32, 1946.

(a) (i) by inserting at the end of paragraph (b) of subsection two of section twelve the words "The rate of any pension payable under this paragraph shall be the rate of pension which would have been applicable to such person had he received a pension upon so resigning his seat in the Legislative Assembly."; Sec. 12. (Pensions.)

(ii) by omitting subparagraph (a) of paragraph (b1) of the same subsection;

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(vi) by omitting from subparagraph (i) of the same paragraph the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

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and at such times as the managing trustees or a majority of them determine." and by inserting in lieu thereof the following paragraph : —

Upon the expiration of the period of such suspension the rate of pension which any such person shall be entitled to receive shall : —

(aa) in the case of a person in respect of whom a period of suspension is in force at the commencement of the Legislative Assembly Members Superannuation (Amendment) Act, 1962, and who has before such commencement in accordance with the provisions of this subsection as then enacted paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly as from the beginning of the period of such suspension till such commencement, be twenty-four pounds per week;

(bb) in any other case, be the rate which such person was in receipt of at the commencement of the period of such suspension or would have been so entitled to receive but for the foregoing provisions of this subsection.

(iii) by omitting from the same subsection the words ", if he has, during the period of such suspension, or from the date upon which he becomes a member of the Parliament of the Commonwealth or of any such State to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly, be refunded

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(iv) by omitting from the same subsection the words "who has made payments into the fund in accordance with paragraph (a) of this subsection" and by inserting in lieu thereof the words "whose pension is suspended in accordance with this subsection";

(v) by omitting from paragraph (i) of the same subsection the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(c) by omitting subsection seven of the same section.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962
[8*d*.]

LEGISLATIVE ASSEMBLY MEMBERS SUPERANNUATION (AMENDMENT) BILL, 1962.

EXPLANATORY NOTE.

THE objects of this Bill are—

(1) to discontinue the requirement of the Legislative Assembly Members Superannuation Act relating to contributions to the Legislative Assembly Members Provident Fund by persons whose entitlement to a pension has been suspended by reason of such person accepting an office of profit under the Crown or becoming a member of the Parliament of the Commonwealth or of any State;

(2) to fix the rate of pension upon the expiration of the period of suspension—

(a) in the case of persons whose pensions are at present suspended at £24 per week; and

(b) in the case of persons whose pension will be suspended in the future at the rate applicable at the time of suspension;

(3) to provide that any refund of contributions made to or in respect of a person whose pension has been suspended shall be limited to the difference between the amount of pension payments made to such person and the amount of his contributions to such Fund.

80653 54—

PROOF

No. , 1962.

A BILL

To make further provision relating to the pension rights of members of the Legislative Assembly; for this purpose to amend the Legislative Assembly Members Superannuation Act, 1946-1959; and for purposes connected therewith.

[MR. HAWKINS;—8 *May*, 1962.]

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 "Legislative Assembly Members Superannuation (Amendment) Act, 1962". **Short title and citation.**

(2)

(2) The Legislative Assembly Members Superannuation Act, 1946, as amended by subsequent Acts and by this Act, may be cited as the Legislative Assembly Members Superannuation Act, 1946-1962.

2. The Legislative Assembly Members Superannuation Act, 1946-1959, is amended— **Amendment of Act No. 32, 1946.**

(a) (i) by inserting at the end of paragraph (b) of subsection two of section twelve the words "The rate of any pension payable under this paragraph shall be the rate of pension which would have been applicable to such person had he received a pension upon so resigning his seat in the Legislative Assembly."; **Sec. 12. (Pensions.)**

(ii) by omitting subparagraph (a) of paragraph (b1) of the same subsection;

(iii) by omitting from the same paragraph the words "Payments under subparagraph (a) of this paragraph shall be made by such instalments and at such times as the managing trustees or a majority of them determine.";

(iv) by omitting from the same paragraph the words ", if he has, during the period from the date upon which he resigns his seat in the Legislative Assembly to the date upon which he ceases to be a member of the Parliament of the Commonwealth or of any such State, or to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid had he not ceased to be a member of the Legislative Assembly, be refunded an amount equivalent to the contributions so paid by him to the fund,

fund, without interest. Any person to whom contributions have been refunded as aforesaid and the widow of any such person shall not be entitled to receive a pension under this Act" and by inserting in lieu thereof the words "be refunded where the amount of the contributions paid by him to the fund exceeds any amount received by him by way of pension under this Act the difference between such amounts, without interest. Any person referred to in subparagraph (ia) or (iia) of this paragraph and the widow of any such person shall not be entitled to receive a pension under this Act";

(v) by omitting from the same paragraph the words "who has made payments into the fund in accordance with subparagraph (a) of this paragraph" and by inserting in lieu thereof the words "to whom paragraph (b) of this subsection applies";

(vi) by omitting from subparagraph (i) of the same paragraph the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(b) (i) by omitting paragraph (a) of subsection six;

(ii) by omitting from the same subsection the words "Payments under paragraph (a) of this subsection shall be made by such instalments

and

and at such times as the managing trustees or a majority of them determine." and by inserting in lieu thereof the following paragraph : —

Upon the expiration of the period of such suspension the rate of pension which any such person shall be entitled to receive shall : —

(aa) in the case of a person in respect of whom a period of suspension is in force at the commencement of the Legislative Assembly Members Superannuation (Amendment) Act, 1962, and who has before such commencement in accordance with the provisions of this subsection as then enacted paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly as from the beginning of the period of such suspension till such commencement, be twenty-four pounds per week;

(bb) in any other case, be the rate which such person was in receipt of at the commencement of the period of such suspension or would have been so entitled to receive but for the foregoing provisions of this subsection.

(iii) by omitting from the same subsection the words ", if he has, during the period of such suspension, or from the date upon which he becomes a member of the Parliament of the Commonwealth or of any such State to the date of the expiration of the period referred to in the foregoing subparagraph (iia) of this paragraph, as the case may require, paid into the fund an amount equivalent to that which he would have paid into the fund had he been a member of the Legislative Assembly, be refunded

refunded an amount equivalent to the contributions so paid by him to the fund, without interest. Any person to whom contributions have been refunded as aforesaid and the widow of any such person shall not be entitled to receive a pension under this Act." and by inserting in lieu thereof the words "be refunded where the amount of the contributions paid by him to the fund exceeds any amount received by him by way of pension under this Act the difference between such amounts, without interest. Any person referred to in subparagraph (ia) or (iia) of this paragraph and the widow of any such person shall not be entitled to receive a pension under this Act.";

(iv) by omitting from the same subsection the words "who has made payments into the fund in accordance with paragraph (a) of this subsection" and by inserting in lieu thereof the words "whose pension is suspended in accordance with this subsection";

(v) by omitting from paragraph (i) of the same subsection the words "of all contributions paid by such person to the fund, without interest" and by inserting in lieu thereof the words ", where the amount of the contributions paid by such person to the fund exceeds any amount received by such person by way of pension under this Act, of the difference between such amounts, without interest, and such widow shall not be entitled to receive a pension under this Act";

(c) by omitting subsection seven of the same section.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962