

*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, 30 April, 1964.*

## New South Wales



ANNO TERTIO DECIMO

# ELIZABETHÆ II REGINÆ

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Act No.           , 1964.

An Act to make provision whereby the Commissioners for Railways, Government Transport and Motor Transport may become contributors under the Superannuation Act, 1916, as amended; for this and other purposes to amend the said Act, as amended, and the Transport (Division of Functions) Act, 1932-1960; and for purposes connected therewith.

**B**E 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 "Transport Commissioners (Superannuation) Act, 1964".

60477           429—

(2) Short title, citation and construction.

*Transport Commissioners (Superannuation).*

(2) The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts and by this Act, may be cited as the Transport (Division of Functions) Act, 1932-1964.

5 (3) This Act shall be read and construed with the Transport (Division of Functions) Act, 1932, and the Superannuation Act, 1916, and any Act amending such Acts.

2. The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1932.

10 (a) by omitting from subsection four of section nine the words "and to have so retired at an age at which the payment, pension, or gratuity would have become payable in pursuance of the Act under which the fund or account to which his contributions have been made, is administered"; Sec. 9. (Saving of rights.)

15 (b) by inserting next after the same section the following new sections :— New secs. 9A-9C.

20 9A. (1) This section shall apply to and in respect of the persons who at the commencement of the Transport Commissioners (Superannuation) Act, 1964, held office as the Commissioner for Railways, Commissioner for Government Transport and Commissioner for Motor Transport. Present Commissioners may elect to become employees within the Superannuation Act, 1916, as amended.

25 (2) A Commissioner to whom this section applies may, within three months after such commencement, elect to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

30 (3) Upon any such Commissioner making an election as aforesaid—

(a) he shall cease to contribute to the Government Railways Superannuation Account and shall be refunded, but without payment of interest thereon, all deductions made from his salary for payment into that Account and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account;

(b)

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*Transport Commissioners (Superannuation).*

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- 5 (b) he shall, notwithstanding anything contained  
in section three of the Superannuation Act,  
1916, be deemed to be an employee and to  
have had service within the meaning of the  
Superannuation Act, 1916, from the date  
of his first appointment as Commissioner in  
the cases of the Commissioner for Railways  
and the Commissioner for Government  
10 Transport, and from the date of his appoint-  
ment as Superintendent of Motor Transport  
in the case of the Commissioner for Motor  
Transport;
- 15 (c) he shall, within such time as may be specified  
by the Board, make such of the elections  
and applications as he would have been  
entitled or required to make under the  
Superannuation Act, 1916, had he been  
such an employee as from the date he is  
20 deemed to be an employee under paragraph  
(b) of this subsection as the State Super-  
annuation Board requires him to make;
- 25 (d) he shall, within such time after the com-  
mencement of the Transport Commissioners  
(Superannuation) Act, 1964, as the State  
Superannuation Board may require, make  
such contributions to the State Superannua-  
tion Fund as would have been for the time  
being applicable to him had such elections  
and applications been in force at the appro-  
30 priate times during the period from the date  
he is so deemed to be such an employee to  
the date of commencement of this Act,  
together with interest thereon as provided in  
subsection two of section nineteen of the  
35 Superannuation Act, 1916;
- 40 (e) he shall be entitled to the rights and be  
subject to the obligations of a contributor  
and, upon becoming a pensioner, of a  
pensioner, and the widow and children of  
any such Commissioner, or of any such  
Commissioner

*Transport Commissioners (Superannuation).*

5 Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;

(f) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.

15 (4) The employer's liability in respect of the number of units of pension for which a Commissioner has from time to time become a contributor under this section shall be deemed to have applied as from the time such Commissioner has become such a contributor and the employer's liability in respect of such Commissioner for contributions and payments payable by an employer under the Superannuation Act, 1916, after the commencement of the Transport Commissioners (Superannuation) Act, 1964, shall be payable from the Consolidated Revenue Fund and such Fund shall be recouped the amount so paid therefrom by the Department administered by such Commissioner.

30 9B. (1) This section shall apply to and in respect of any person who is first appointed a Commissioner for Railways, Commissioner for Government Transport or Commissioner for Motor Transport after the commencement of the Transport Commissioners (Superannuation) Act, 1964.

Future Commissioners may elect to become employees within the Superannuation Act, 1916, as amended.

35 (2) A Commissioner to whom this section applies may, if he is not at the date of his first appointment as Commissioner a contributor to the State Superannuation Fund, elect, within three months after his appointment as such, to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

(3)

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*Transport Commissioners (Superannuation).*

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(3) Upon any such Commissioner making an election as aforesaid—

- 5 (a) he shall cease to contribute to the Government Railways Superannuation Account or the Railways Retirement Fund and shall be refunded, but without payment of interest thereon, all deductions made from his salary or annual wages for payment into that Account or Fund and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account or Fund;
- 10 (b) he shall, notwithstanding anything contained in section three of the Superannuation Act, 1916, be deemed to be an employee and to have had service within the meaning of the Superannuation Act, 1916, from the date of his appointment as Commissioner;
- 15 (c) he shall be entitled to the rights and be subject to the obligations of a contributor and, upon becoming a pensioner, of a pensioner, and the widow and children of any such Commissioner, or of any such Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;
- 20 (d) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.
- 25 (4) The contributions and payments payable by an employer in respect of a Commissioner who becomes a contributor under the Superannuation Act, 1916, by virtue of this section shall be made from the Consolidated Revenue Fund which shall
- 30
- 35

*Transport Commissioners (Superannuation).*

shall be recouped the amount of such contributions and payments by the Department administered by such Commissioner.

5 9c. (1) An election made by a Commissioner under section 9A or 9B of this Act shall be made by notice in writing addressed to the State Superannuation Board and notice of any such election shall be given as soon as practicable to the Board administering any fund or account under any Act to which the Commissioner was contributing for a pension, retirement allowance or benefit immediately prior to his becoming a contributor under the Superannuation Act, 1916. Elections under secs. 9A and 9B.

10 (2) In sections 9A and 9B of this Act and subsection one of this section, "the Superannuation Act, 1916" means the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor pursuant to section ninety-two of that Act, as so amended.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1964

[8d.]



This report has been prepared in the light of the information available to the Commission at the time of its preparation. It is not intended to be a final report on the subject.

COMMISSIONER OF THE GENERAL LAND OFFICE  
LONDON

1. The Commission was set up in 1964 to investigate the land resources of the United Kingdom and to advise the Government on the best use of these resources.

## 2. THE LAND RESOURCES OF THE UNITED KINGDOM

The land resources of the United Kingdom are divided into three main categories: agricultural land, urban land, and woodland. Agricultural land is the most extensive, covering about 60% of the total land area. Urban land is the second most extensive, covering about 20% of the total land area. Woodland is the least extensive, covering about 10% of the total land area. The Commission has found that the land resources of the United Kingdom are being used in a way which is not always in the best interests of the country as a whole. It has therefore made a number of recommendations to the Government on how the land resources should be better managed.

The Commission has also found that there is a need for a more comprehensive system of land use planning. It has therefore recommended that the Government should set up a new body to co-ordinate land use planning in the United Kingdom.

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No. , 1964.

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## A BILL

To make provision whereby the Commissioners for Railways, Government Transport and Motor Transport may become contributors under the Superannuation Act, 1916, as amended; for this and other purposes to amend the said Act, as amended, and the Transport (Division of Functions) Act, 1932-1960; and for purposes connected therewith.

[MR. McMAHON;—29 April, 1964.]

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**B**E 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 "Transport Commissioners (Superannuation) Act, 1964".

60477 429—

(2) Short title, citation and construction.

*Transport Commissioners (Superannuation).*

(2) The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts and by this Act, may be cited as the Transport (Division of Functions) Act, 1932-1964.

5 (3) This Act shall be read and construed with the Transport (Division of Functions) Act, 1932, and the Superannuation Act, 1916, and any Act amending such Acts.

2. The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
31, 1932.

10 (a) by omitting from subsection four of section nine the words "and to have so retired at an age at which the payment, pension, or gratuity would have become payable in pursuance of the Act under which the fund or account to which his contributions have been made, is administered";

Sec. 9.  
(Saving  
of rights.)

15 (b) by inserting next after the same section the following new sections :—

New secs.  
9A-9C.

20 9A. (1) This section shall apply to and in respect of the persons who at the commencement of the Transport Commissioners (Superannuation) Act, 1964, held office as the Commissioner for Railways, Commissioner for Government Transport and Commissioner for Motor Transport.

Present  
Commis-  
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elect to  
become  
employees  
within the  
Superan-  
nuation Act,  
1916, as  
amended.

25 (2) A Commissioner to whom this section applies may, within three months after such commencement, elect to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

30 (3) Upon any such Commissioner making an election as aforesaid—

(a) he shall cease to contribute to the Government Railways Superannuation Account and shall be refunded, but without payment of interest thereon, all deductions made from his salary for payment into that Account and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account;

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(b)

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*Transport Commissioners (Superannuation).*

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- 5 (b) he shall, notwithstanding anything contained  
in section three of the Superannuation Act,  
1916, be deemed to be an employee and to  
have had service within the meaning of the  
Superannuation Act, 1916, from the date  
of his first appointment as Commissioner in  
the cases of the Commissioner for Railways  
and the Commissioner for Government  
10 Transport, and from the date of his appoint-  
ment as Superintendent of Motor Transport  
in the case of the Commissioner for Motor  
Transport;
- 15 (c) he shall, within such time as may be specified  
by the Board, make such of the elections  
and applications as he would have been  
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Superannuation Act, 1916, had he been  
such an employee as from the date he is  
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- 25 (d) he shall, within such time after the com-  
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- 40 (e) he shall be entitled to the rights and be  
subject to the obligations of a contributor  
and, upon becoming a pensioner, of a  
pensioner, and the widow and children of  
any such Commissioner, or of any such  
Commissioner

*Transport Commissioners (Superannuation).*

5 Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;

(f) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.

(4) The employer's liability in respect of the number of units of pension for which a Commissioner has from time to time become a contributor under this section shall be deemed to have applied as from the time such Commissioner has become such a contributor and the employer's liability in respect of such Commissioner for contributions and payments payable by an employer under the Superannuation Act, 1916, after the commencement of the Transport Commissioners (Superannuation) Act, 1964, shall be payable from the Consolidated Revenue Fund and such Fund shall be recouped the amount so paid therefrom by the Department administered by such Commissioner.

30 9B. (1) This section shall apply to and in respect of any person who is first appointed a Commissioner for Railways, Commissioner for Government Transport or Commissioner for Motor Transport after the commencement of the Transport Commissioners (Superannuation) Act, 1964.

Future Commissioners may elect to become employees within the Superannuation Act, 1916, as amended.

35 (2) A Commissioner to whom this section applies may, if he is not at the date of his first appointment as Commissioner a contributor to the State Superannuation Fund, elect, within three months after his appointment as such, to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

(3)

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*Transport Commissioners (Superannuation).*

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(3) Upon any such Commissioner making an election as aforesaid—

- 5 (a) he shall cease to contribute to the Government Railways Superannuation Account or the Railways Retirement Fund and shall be refunded, but without payment of interest thereon, all deductions made from his salary or annual wages for payment into that Account or Fund and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account or Fund;
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- 15 (b) he shall, notwithstanding anything contained in section three of the Superannuation Act, 1916, be deemed to be an employee and to have had service within the meaning of the Superannuation Act, 1916, from the date of his appointment as Commissioner;
- 20 (c) he shall be entitled to the rights and be subject to the obligations of a contributor and, upon becoming a pensioner, of a pensioner, and the widow and children of any such Commissioner, or of any such Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;
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- 30 (d) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.

35 (4) The contributions and payments payable by an employer in respect of a Commissioner who becomes a contributor under the Superannuation Act, 1916, by virtue of this section shall be made from the Consolidated Revenue Fund which shall

*Transport Commissioners (Superannuation).*

shall be recouped the amount of such contributions and payments by the Department administered by such Commissioner.

5 9c. (1) An election made by a Commissioner Elections under secs. 9A and 9B. under section 9A or 9B of this Act shall be made by notice in writing addressed to the State Superannuation Board and notice of any such election shall be given as soon as practicable to the Board administering any fund or account under any Act to which the Commissioner was contributing for a pension, retirement allowance or benefit immediately prior to his becoming a contributor under the Superannuation Act, 1916.

10  
15 (2) In sections 9A and 9B of this Act and subsection one of this section, "the Superannuation Act, 1916" means the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor pursuant to section ninety-two of that Act, as so amended.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1964

[8d.]



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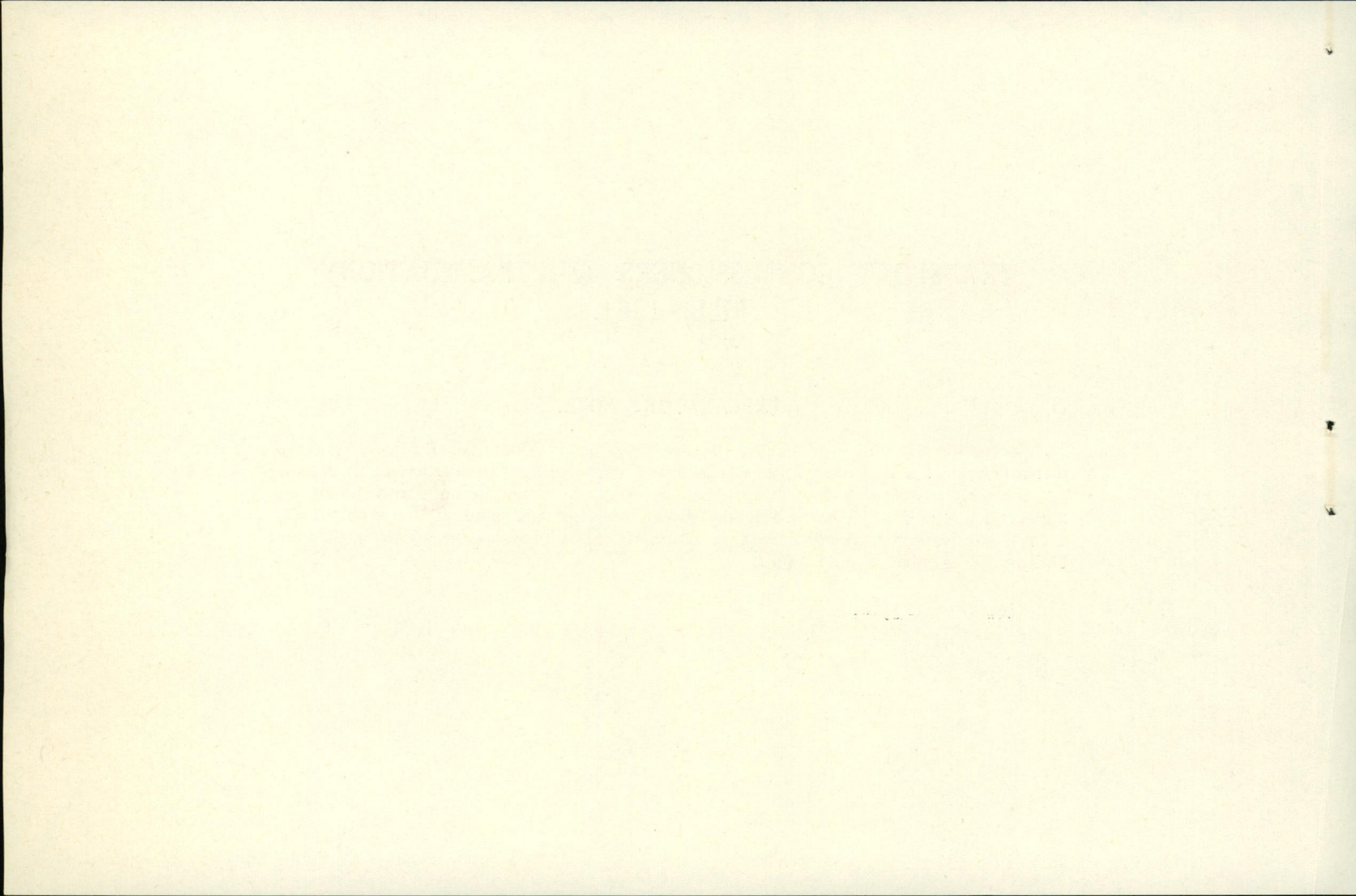


**TRANSPORT COMMISSIONERS (SUPERANNUATION)  
BILL, 1964.**

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**EXPLANATORY NOTE.**

THE object of this Bill is to enable the present Commissioners for Railways, Government Transport and Motor Transport and any such future Commissioners to elect to become employees and contributors to the State Superannuation Fund under the Superannuation Act, 1916, as amended by subsequent Acts, and in the event of any such Commissioner making such an election to make provision as to his rights and obligations as such a contributor.



No. , 1964.

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## A BILL

To make provision whereby the Commissioners for Railways, Government Transport and Motor Transport may become contributors under the Superannuation Act, 1916, as amended; for this and other purposes to amend the said Act, as amended, and the Transport (Division of Functions) Act, 1932-1960; and for purposes connected therewith.

[MR. McMAHON;—29 April, 1964.]

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**B**E 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:—

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60477 429—

(2) Short title, citation and construction.

*Transport Commissioners (Superannuation).*

(2) The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts and by this Act, may be cited as the Transport (Division of Functions) Act, 1932-1964.

5 (3) This Act shall be read and construed with the Transport (Division of Functions) Act, 1932, and the Superannuation Act, 1916, and any Act amending such Acts.

2. The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
31, 1932.

10 (a) by omitting from subsection four of section nine the words “and to have so retired at an age at which the payment, pension, or gratuity would have become payable in pursuance of the Act under which the fund or account to which his contribu-  
15 tions have been made, is administered”;

Sec. 9.  
(Saving  
of rights.)

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

New secs.  
9A-9C.

20 9A. (1) This section shall apply to and in respect of the persons who at the commencement of the Transport Commissioners (Superannuation) Act, 1964, held office as the Commissioner for Railways, Commissioner for Government Transport and Commissioner for Motor Transport.

Present  
Commis-  
sioners may  
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Superan-  
nuation Act,  
1916, as  
amended.

25 (2) A Commissioner to whom this section applies may, within three months after such commencement, elect to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

30 (3) Upon any such Commissioner making an election as aforesaid—

35 (a) he shall cease to contribute to the Government Railways Superannuation Account and shall be refunded, but without payment of interest thereon, all deductions made from his salary for payment into that Account and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account;

(b)

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*Transport Commissioners (Superannuation).*

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- 5 (b) he shall, notwithstanding anything contained  
in section three of the Superannuation Act,  
1916, be deemed to be an employee and to  
have had service within the meaning of the  
Superannuation Act, 1916, from the date  
of his first appointment as Commissioner in  
the cases of the Commissioner for Railways  
and the Commissioner for Government  
Transport, and from the date of his appoint-  
ment as Superintendent of Motor Transport  
in the case of the Commissioner for Motor  
Transport ;
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- 15 (c) he shall, within such time as may be specified  
by the Board, make such of the elections  
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such an employee as from the date he is  
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20 (b) of this subsection as the State Super-  
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*Transport Commissioners (Superannuation).*

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Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;

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(f) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.

15

(4) The employer's liability in respect of the number of units of pension for which a Commissioner has from time to time become a contributor under this section shall be deemed to have applied as from the time such Commissioner has become such a contributor and the employer's liability in respect of such Commissioner for contributions and payments payable by an employer under the Superannuation Act, 1916, after the commencement of the Transport Commissioners (Superannuation) Act, 1964, shall be payable from the Consolidated Revenue Fund and such Fund shall be recouped the amount so paid therefrom by the Department administered by such Commissioner.

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9B. (1) This section shall apply to and in respect of any person who is first appointed a Commissioner for Railways, Commissioner for Government Transport or Commissioner for Motor Transport after the commencement of the Transport Commissioners (Superannuation) Act, 1964.

Future Commissioners may elect to become employees within the Superannuation Act, 1916, as amended.

35

(2) A Commissioner to whom this section applies may, if he is not at the date of his first appointment as Commissioner a contributor to the State Superannuation Fund, elect, within three months after his appointment as such, to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

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*Transport Commissioners (Superannuation).*

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(3) Upon any such Commissioner making an election as aforesaid—

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- (a) he shall cease to contribute to the Government Railways Superannuation Account or the Railways Retirement Fund and shall be refunded, but without payment of interest thereon, all deductions made from his salary or annual wages for payment into that Account or Fund and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account or Fund;
  - (b) he shall, notwithstanding anything contained in section three of the Superannuation Act, 1916, be deemed to be an employee and to have had service within the meaning of the Superannuation Act, 1916, from the date of his appointment as Commissioner;
  - (c) he shall be entitled to the rights and be subject to the obligations of a contributor and, upon becoming a pensioner, of a pensioner, and the widow and children of any such Commissioner, or of any such Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;
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(4) The contributions and payments payable by an employer in respect of a Commissioner who becomes a contributor under the Superannuation Act, 1916, by virtue of this section shall be made from the Consolidated Revenue Fund which shall

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*Transport Commissioners (Superannuation).*

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shall be recouped the amount of such contributions and payments by the Department administered by such Commissioner.

5           9c. (1) An election made by a Commissioner Elections  
under section 9A or 9B of this Act shall be made under secs.  
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Governor pursuant to section ninety-two of that  
Act, as so amended.

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1902-25



# New South Wales



ANNO TERTIO DECIMO

**ELIZABETHÆ II REGINÆ**

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## Act No. 30, 1964.

An Act to make provision whereby the Commissioners for Railways, Government Transport and Motor Transport may become contributors under the Superannuation Act, 1916, as amended; for this and other purposes to amend the said Act, as amended, and the Transport (Division of Functions) Act, 1932-1960; and for purposes connected therewith. [Assented to, 21st May, 1964.]

**B**E 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 "Transport Commissioners (Superannuation) Act, 1964".
- (2) Short title, citation and construction.

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*Transport Commissioners (Superannuation).*

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(2) The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts and by this Act, may be cited as the Transport (Division of Functions) Act, 1932-1964.

(3) This Act shall be read and construed with the Transport (Division of Functions) Act, 1932, and the Superannuation Act, 1916, and any Act amending such Acts.

Amendment  
of Act No.  
31, 1932.

**2.** The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts, is amended—

Sec. 9.  
(Saving  
of rights.)

(a) by omitting from subsection four of section nine the words “and to have so retired at an age at which the payment, pension, or gratuity would have become payable in pursuance of the Act under which the fund or account to which his contributions have been made, is administered”;

New secs.  
9A-9C.

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

Present  
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9A. (1) This section shall apply to and in respect of the persons who at the commencement of the Transport Commissioners (Superannuation) Act, 1964, held office as the Commissioner for Railways, Commissioner for Government Transport and Commissioner for Motor Transport.

(2) A Commissioner to whom this section applies may, within three months after such commencement, elect to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

(3) Upon any such Commissioner making an election as aforesaid—

(a) he shall cease to contribute to the Government Railways Superannuation Account and shall be refunded, but without payment of interest thereon, all deductions made from his salary for payment into that Account and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account;

(b)

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*Transport Commissioners (Superannuation).*

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- (b) he shall, notwithstanding anything contained in section three of the Superannuation Act, 1916, be deemed to be an employee and to have had service within the meaning of the Superannuation Act, 1916, from the date of his first appointment as Commissioner in the cases of the Commissioner for Railways and the Commissioner for Government Transport, and from the date of his appointment as Superintendent of Motor Transport in the case of the Commissioner for Motor Transport;
- (c) he shall, within such time as may be specified by the Board, make such of the elections and applications as he would have been entitled or required to make under the Superannuation Act, 1916, had he been such an employee as from the date he is deemed to be an employee under paragraph (b) of this subsection as the State Superannuation Board requires him to make;
- (d) he shall, within such time after the commencement of the Transport Commissioners (Superannuation) Act, 1964, as the State Superannuation Board may require, make such contributions to the State Superannuation Fund as would have been for the time being applicable to him had such elections and applications been in force at the appropriate times during the period from the date he is so deemed to be such an employee to the date of commencement of this Act, together with interest thereon as provided in subsection two of section nineteen of the Superannuation Act, 1916;
- (e) he shall be entitled to the rights and be subject to the obligations of a contributor and, upon becoming a pensioner, of a pensioner, and the widow and children of any such Commissioner, or of any such Commissioner

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*Transport Commissioners (Superannuation).*

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Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;

- (f) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.

(4) The employer's liability in respect of the number of units of pension for which a Commissioner has from time to time become a contributor under this section shall be deemed to have applied as from the time such Commissioner has become such a contributor and the employer's liability in respect of such Commissioner for contributions and payments payable by an employer under the Superannuation Act, 1916, after the commencement of the Transport Commissioners (Superannuation) Act, 1964, shall be payable from the Consolidated Revenue Fund and such Fund shall be recouped the amount so paid therefrom by the Department administered by such Commissioner.

9B. (1) This section shall apply to and in respect of any person who is first appointed a Commissioner for Railways, Commissioner for Government Transport or Commissioner for Motor Transport after the commencement of the Transport Commissioners (Superannuation) Act, 1964.

(2) A Commissioner to whom this section applies may, if he is not at the date of his first appointment as Commissioner a contributor to the State Superannuation Fund, elect, within three months after his appointment as such, to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

(3)

**Future Commissioners may elect to become employees within the Superannuation Act, 1916, as amended.**

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*Transport Commissioners (Superannuation).*

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(3) Upon any such Commissioner making an election as aforesaid—

- (a) he shall cease to contribute to the Government Railways Superannuation Account or the Railways Retirement Fund and shall be refunded, but without payment of interest thereon, all deductions made from his salary or annual wages for payment into that Account or Fund and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account or Fund;
- (b) he shall, notwithstanding anything contained in section three of the Superannuation Act, 1916, be deemed to be an employee and to have had service within the meaning of the Superannuation Act, 1916, from the date of his appointment as Commissioner;
- (c) he shall be entitled to the rights and be subject to the obligations of a contributor and, upon becoming a pensioner, of a pensioner, and the widow and children of any such Commissioner, or of any such Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;
- (d) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.

(4) The contributions and payments payable by an employer in respect of a Commissioner who becomes a contributor under the Superannuation Act, 1916, by virtue of this section shall be made from the Consolidated Revenue Fund which shall

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*Transport Commissioners (Superannuation).*

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shall be recouped the amount of such contributions and payments by the Department administered by such Commissioner.

Elections  
under secs.  
9A and 9B.

9c. (1) An election made by a Commissioner under section 9A or 9B of this Act shall be made by notice in writing addressed to the State Superannuation Board and notice of any such election shall be given as soon as practicable to the Board administering any fund or account under any Act to which the Commissioner was contributing for a pension, retirement allowance or benefit immediately prior to his becoming a contributor under the Superannuation Act, 1916.

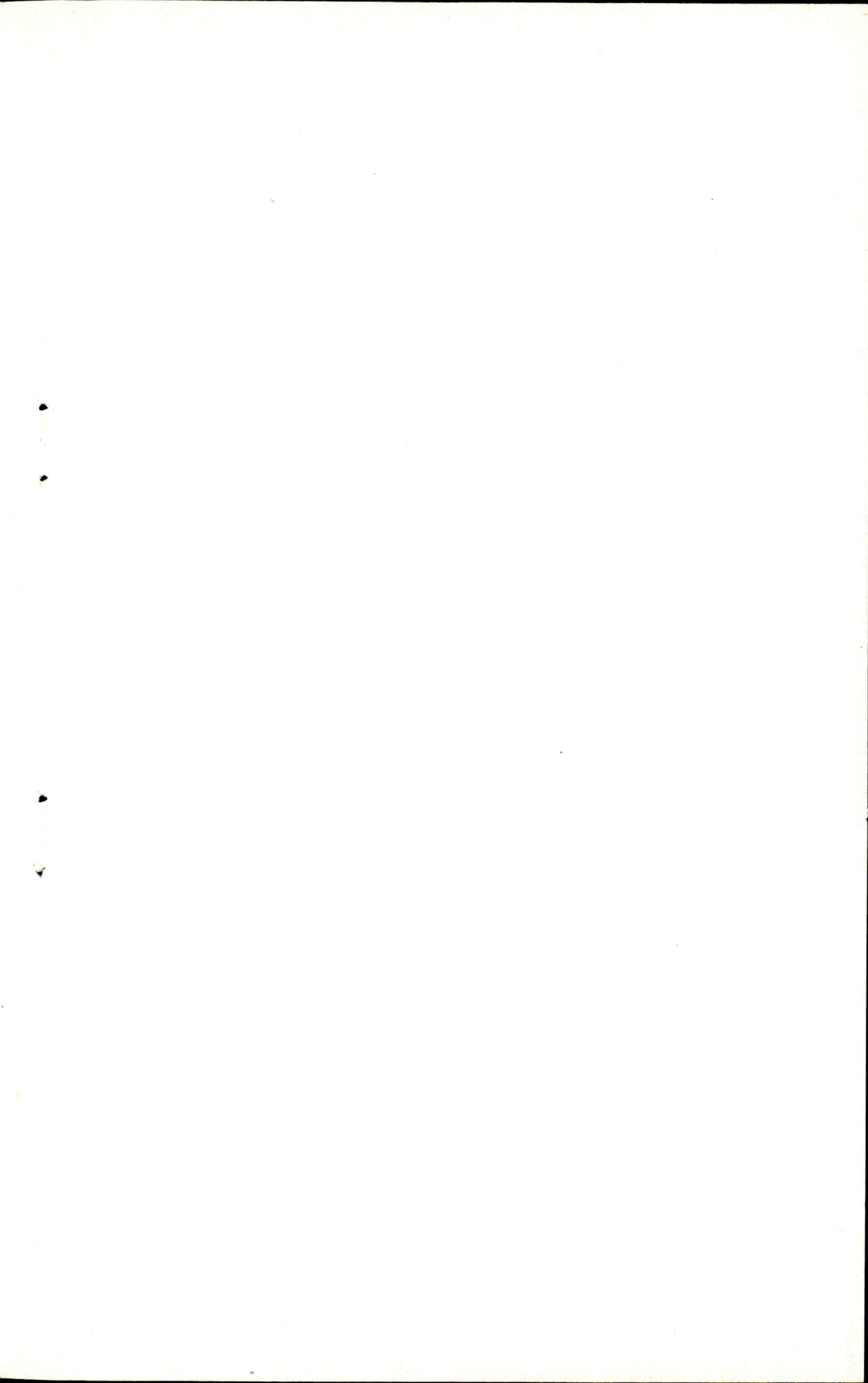
(2) In sections 9A and 9B of this Act and subsection one of this section, "the Superannuation Act, 1916" means the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor pursuant to section ninety-two of that Act, as so amended.

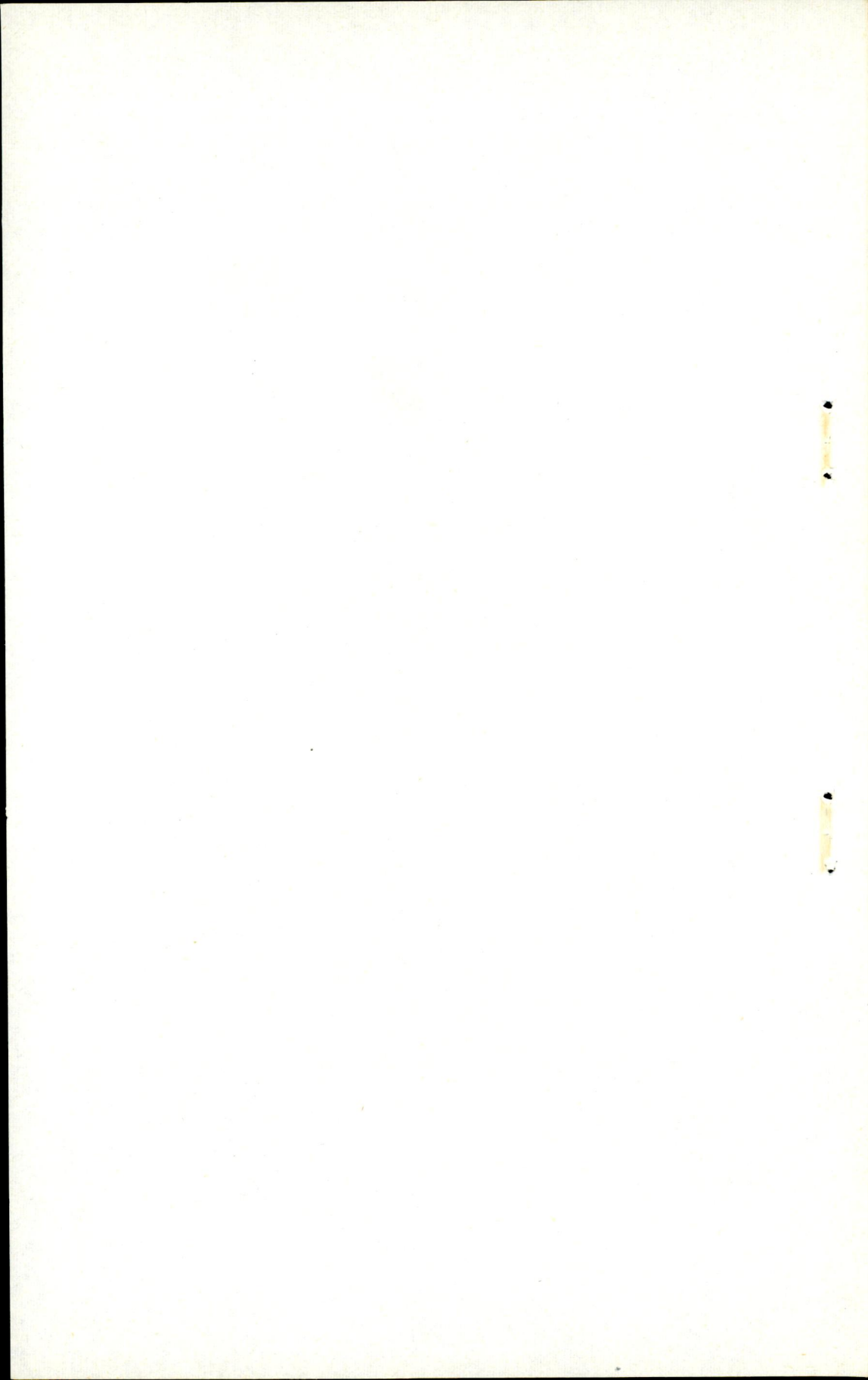
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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1964







*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, 19 May, 1964.*

## New South Wales



ANNO TERTIO DECIMO

ELIZABETHÆ II REGINÆ

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Act No. 30, 1964.

An Act to make provision whereby the Commissioners for Railways, Government Transport and Motor Transport may become contributors under the Superannuation Act, 1916, as amended; for this and other purposes to amend the said Act, as amended, and the Transport (Division of Functions) Act, 1932-1960; and for purposes connected therewith. [Assented to, 21st May, 1964.]

**B**E 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 "Transport Commissioners (Superannuation) Act, 1964".
- (2) Short title, citation and construction.

*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.*

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*Transport Commissioners (Superannuation).*

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(2) The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts and by this Act, may be cited as the Transport (Division of Functions) Act, 1932-1964.

(3) This Act shall be read and construed with the Transport (Division of Functions) Act, 1932, and the Superannuation Act, 1916, and any Act amending such Acts.

Amendment  
of Act No.  
31, 1932.

**2.** The Transport (Division of Functions) Act, 1932, as amended by subsequent Acts, is amended—

Sec. 9.  
(Saving  
of rights.)

(a) by omitting from subsection four of section nine the words “and to have so retired at an age at which the payment, pension, or gratuity would have become payable in pursuance of the Act under which the fund or account to which his contributions have been made, is administered”;

New secs.  
9A-9C.

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

Present  
Commis-  
sioners may  
elect to  
become  
employees  
within the  
Superan-  
nuation Act,  
1916, as  
amended.

9A. (1) This section shall apply to and in respect of the persons who at the commencement of the Transport Commissioners (Superannuation) Act, 1964, held office as the Commissioner for Railways, Commissioner for Government Transport and Commissioner for Motor Transport.

(2) A Commissioner to whom this section applies may, within three months after such commencement, elect to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

(3) Upon any such Commissioner making an election as aforesaid—

(a) he shall cease to contribute to the Government Railways Superannuation Account and shall be refunded, but without payment of interest thereon, all deductions made from his salary for payment into that Account and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account;

(b)

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*Transport Commissioners (Superannuation).*

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- (b) he shall, notwithstanding anything contained in section three of the Superannuation Act, 1916, be deemed to be an employee and to have had service within the meaning of the Superannuation Act, 1916, from the date of his first appointment as Commissioner in the cases of the Commissioner for Railways and the Commissioner for Government Transport, and from the date of his appointment as Superintendent of Motor Transport in the case of the Commissioner for Motor Transport;
- (c) he shall, within such time as may be specified by the Board, make such of the elections and applications as he would have been entitled or required to make under the Superannuation Act, 1916, had he been such an employee as from the date he is deemed to be an employee under paragraph (b) of this subsection as the State Superannuation Board requires him to make;
- (d) he shall, within such time after the commencement of the Transport Commissioners (Superannuation) Act, 1964, as the State Superannuation Board may require, make such contributions to the State Superannuation Fund as would have been for the time being applicable to him had such elections and applications been in force at the appropriate times during the period from the date he is so deemed to be such an employee to the date of commencement of this Act, together with interest thereon as provided in subsection two of section nineteen of the Superannuation Act, 1916;
- (e) he shall be entitled to the rights and be subject to the obligations of a contributor and, upon becoming a pensioner, of a pensioner, and the widow and children of any such Commissioner, or of any such Commissioner

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*Transport Commissioners (Superannuation).*

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Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;

- (f) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.

(4) The employer's liability in respect of the number of units of pension for which a Commissioner has from time to time become a contributor under this section shall be deemed to have applied as from the time such Commissioner has become such a contributor and the employer's liability in respect of such Commissioner for contributions and payments payable by an employer under the Superannuation Act, 1916, after the commencement of the Transport Commissioners (Superannuation) Act, 1964, shall be payable from the Consolidated Revenue Fund and such Fund shall be recouped the amount so paid therefrom by the Department administered by such Commissioner.

**Future Commissioners may elect to become employees within the Superannuation Act, 1916, as amended.**

9B. (1) This section shall apply to and in respect of any person who is first appointed a Commissioner for Railways, Commissioner for Government Transport or Commissioner for Motor Transport after the commencement of the Transport Commissioners (Superannuation) Act, 1964.

(2) A Commissioner to whom this section applies may, if he is not at the date of his first appointment as Commissioner a contributor to the State Superannuation Fund, elect, within three months after his appointment as such, to become an employee within the meaning of, and subject to, the Superannuation Act, 1916.

(3)

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*Transport Commissioners (Superannuation).*

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(3) Upon any such Commissioner making an election as aforesaid—

- (a) he shall cease to contribute to the Government Railways Superannuation Account or the Railways Retirement Fund and shall be refunded, but without payment of interest thereon, all deductions made from his salary or annual wages for payment into that Account or Fund and shall thereupon cease to be entitled to any benefits or rights in respect of the said Account or Fund;
- (b) he shall, notwithstanding anything contained in section three of the Superannuation Act, 1916, be deemed to be an employee and to have had service within the meaning of the Superannuation Act, 1916, from the date of his appointment as Commissioner;
- (c) he shall be entitled to the rights and be subject to the obligations of a contributor and, upon becoming a pensioner, of a pensioner, and the widow and children of any such Commissioner, or of any such Commissioner who becomes a pensioner, shall be entitled to the rights and be subject to the obligations of the widow and children of a contributor or pensioner, as the case may be;
- (d) he shall not be entitled to receive any retirement gratuity, superannuation allowance or benefit of like nature under any Act other than a superannuation allowance or payment in lieu thereof under the Superannuation Act, 1916.

(4) The contributions and payments payable by an employer in respect of a Commissioner who becomes a contributor under the Superannuation Act, 1916, by virtue of this section shall be made from the Consolidated Revenue Fund which shall

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*Transport Commissioners (Superannuation).*

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shall be recouped the amount of such contributions and payments by the Department administered by such Commissioner.

Elections  
under secs.  
9A and 9B.

9c. (1) An election made by a Commissioner under section 9A or 9B of this Act shall be made by notice in writing addressed to the State Superannuation Board and notice of any such election shall be given as soon as practicable to the Board administering any fund or account under any Act to which the Commissioner was contributing for a pension, retirement allowance or benefit immediately prior to his becoming a contributor under the Superannuation Act, 1916.

(2) In sections 9A and 9B of this Act and subsection one of this section, "the Superannuation Act, 1916" means the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor pursuant to section ninety-two of that Act, as so amended.

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

E. W. WOODWARD.

*Governor.*

*Government House,  
Sydney, 21st May, 1964.*



