

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, 1 December, 1965.*

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1965.

An Act to provide for an increase in value of pension units and an extension of the scale of units under the Superannuation Act, 1916-1964; for these and other purposes to amend the said Act; 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 "Superannuation (Amendment) Act, 1965".

(2) Short title, citation, construction and commencement.

Superannuation (Amendment).

(2) The Superannuation Act, 1916, as amended by subsequent Acts, by the Governor pursuant to section ninety-two of that Act, as so amended, and by this Act, may be cited as the Superannuation Act, 1916-1965.

5 (3) This Act shall be read and construed with the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor as aforesaid.

The said Act as so amended is in this Act referred to as the Principal Act.

10 (4) This Act shall, except where otherwise expressly provided, commence upon the first day of February, one thousand nine hundred and sixty-six.

2. Where any pension payable under the Principal Act, other than a pension in respect of children, was at the commencement of this section payable to or after such commencement 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 from the date after such commencement upon which such person so becomes entitled to such pension, as the case may be, be increased by one-eighth.

Any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

25 Any additional amount applicable to any such pension by virtue of section two of the Superannuation (Amendment) Act, 1960, shall not be taken into consideration for the purpose of determining the pension payable at the commencement of this section or the date after such commencement at which such pension becomes so payable.

3. The Principal Act is amended—

(a) by omitting from paragraph (a) of subsection one of section 5A the words "of the Commonwealth" and by inserting in lieu thereof the words "or Territory, including a Territory under trusteeship, of the Commonwealth";

(b)

Superannuation (Amendment)

(b) by inserting next after section 9A the following new section : — New sec. 9B.

9B. (1) Where, in relation to any financial year, the amount ascertained in accordance with the formula— Employers to meet cost of certain increased pensions.

1.0275 I
is certified by the Board to be less than the amount ascertained in accordance with the formula—

10 1.0275 (A + B)
the employers shall, in addition to the difference (if any) payable under section 9A of this Act, pay to the fund in the manner hereinafter provided an amount equal to the difference between those amounts, or an amount equal to the total amount of increase in pensions paid or payable in that financial year in accordance with the provisions of section two of the Superannuation (Amendment) Act, 1965, whichever is the lesser amount.

20 (2) Of such difference (if any) payable pursuant to subsection one of this section each employer shall pay to the fund on the requisition of the Board the sum which bears to such difference the same proportion as the total amount of the increase in pensions paid or payable by reason of the enactment of section two of the Superannuation (Amendment) Act, 1965, during the financial year in question to pensioners or to the widows of deceased pensioners or contributors who were employed in the service of such employer at the date of their retirement, retrenchment or death, as the case may be, bears to the aggregate amount of the increase in pensions so paid or payable during that year.

35 (3) The provisions of subsection three of section 9A of this Act shall apply to this section.

4.

Superannuation (Amendment).

4. The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- (a) by inserting in subsection one of section eleven after the words "from contributing under this Act." the words "Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this subsection as enacted before or after the commencement of section four of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in subsection one of section twelve of this Act shall be deemed to be abandoned units within the meaning of paragraph (b) of the proviso to the said subsection one of section twelve.";
- (b) (i) by omitting paragraph (d) of the same subsection;
- (ii) by omitting from the same subsection the words "In the case of a person referred to in paragraph (d) of this proviso the application shall be made within three months from the date on which such person enters the service of the Macquarie University, but no such exemption shall be granted by the Board except upon the recommendation of the Council of that University";
- (c) (i) by omitting from subsection two of the same section the words "or dies" wherever occurring; and
- (ii) by omitting from the same subsection the words "or retires" wherever occurring.

Sec. 11.
(Contribu-
tions—
when to
commence.)

5. The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- (a) by omitting from the scale set out in subsection one of section twelve all the words, figures and symbols after

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

Superannuation (Amendment).

after "162 10 0" and by inserting in lieu thereof the words, figures and symbols :—

	390	480	Six units, or	..	..	195	0	0
	480	570	Seven units, or	..	..	227	10	0
5	570	660	Eight units, or	..	..	260	0	0
	660	750	Nine units, or	..	..	292	10	0
	750	830	Ten units, or	..	..	325	0	0
	830	910	Eleven units, or	..	..	357	10	0
10	910	990	Twelve units, or	..	..	390	0	0
	990	1,070	Thirteen units, or	..	..	422	10	0
	1,070	1,150	Fourteen units, or	..	..	455	0	0
	1,150	1,230	Fifteen units, or	..	..	487	10	0
	1,230	1,310	Sixteen units, or	..	..	520	0	0
	1,310	1,390	Seventeen units, or	..	..	552	10	0
15	1,390	1,470	Eighteen units, or	..	..	585	0	0
	1,470	1,550	Nineteen units, or	..	..	617	10	0
	1,550	1,630	Twenty units, or	..	..	650	0	0
	1,630	1,710	Twenty-one units, or	..	..	682	10	0
	1,710	1,790	Twenty-two units, or	..	..	715	0	0
20	1,790	1,870	Twenty-three units, or	..	..	747	10	0
	1,870	1,990	Twenty-four units, or	..	..	780	0	0
	1,990	2,110	Twenty-five units, or	..	..	812	10	0
	2,110	2,230	Twenty-six units, or	..	..	845	0	0
	2,230	2,350	Twenty-seven units, or	..	..	877	10	0
25	2,350	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
30	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	3,510	Thirty-six units, or	..	..	1,170	0	0
	3,510	3,640	Thirty-seven units, or	..	..	1,202	10	0
35	3,640	3,770	Thirty-eight units, or	..	..	1,235	0	0
	3,770	3,900	Thirty-nine units, or	..	..	1,267	10	0
	3,900	4,030	Forty units, or	..	..	1,300	0	0
	4,030	4,160	Forty-one units, or	..	..	1,332	10	0
	4,160	4,290	Forty-two units, or	..	..	1,365	0	0
40	4,290	4,420	Forty-three units, or	..	..	1,397	10	0
	4,420	4,550	Forty-four units, or	..	..	1,430	0	0
	4,550	4,680	Forty-five units, or	..	..	1,462	10	0
	4,680	4,810	Forty-six units, or	..	..	1,495	0	0
	4,810	4,940	Forty-seven units, or	..	..	1,527	10	0
45	4,940	5,070	Forty-eight units, or	..	..	1,560	0	0
	5,070	5,265	Forty-nine units, or	..	..	1,592	10	0
	5,265	5,460	Fifty units, or	..	..	1,625	0	0
	5,460	5,655	Fifty-one units, or	..	..	1,657	10	0
	5,655	5,850	Fifty-two units, or	..	..	1,690	0	0
50	5,850	6,045	Fifty-three units, or	..	..	1,722	10	0
	6,045	6,240	Fifty-four units, or	..	..	1,755	0	0
	6,240	6,435	Fifty-five units, or	..	..	1,787	10	0
	6,435	6,630	Fifty-six units, or	..	..	1,820	0	0
	6,630	6,825	Fifty-seven units, or	..	..	1,852	10	0
55	6,825	..	Fifty-eight units, or	..	..	1,885	0	0

(b)

Superannuation (Amendment).

- (b) by omitting from the same subsection the words
 "The amounts" and by inserting in lieu thereof the
 words "Subject to any Act amending this Act the
 amounts";
- 5 (c) by inserting in subparagraph (i) of paragraph (b)
 of the proviso to the same subsection after the
 words "so increased," where thirdly occurring the
 words "or in the case of an employee under the age
 10 of thirty years contributing for forty-eight units of
 pension immediately before the commencement of
 section five of the Superannuation (Amendment)
 Act, 1965, his salary is, on or after such commence-
 ment, so increased,";
- 15 (d) by inserting in the same subparagraph after the
 words "paid on that date." where thirdly occurring
 the words "Where at the date of the commence-
 ment of section five of the Superannuation (Amend-
 ment) Act, 1965, the actual salary of an employee
 20 is in excess of the annual rate of five thousand and
 seventy pounds his salary shall, for the purposes of
 this subparagraph, be deemed to have been
 increased on that date from that rate to that actual
 salary and that actual salary shall, for the purposes
 25 of subparagraph (iii) of this paragraph and of para-
 graph (h) of this proviso, be deemed to have been
 actually paid on that date.";
- 30 (e) by inserting in subparagraph (ii) of paragraph (b)
 of the proviso to the same subsection after the
 figures "1963," the words "or of paragraph (g) of
 this proviso, or of subsection one of section eleven,
 as enacted before or after the commencement of
 section five of the Superannuation (Amendment)
 Act, 1965,";

(f)

Superannuation (Amendment).

- 5 (f) by omitting from subparagraph (iv) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 10 (g) by omitting from subparagraph (v) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 15 (h) by inserting in paragraph (g) of the proviso to the same subsection after the words "contribute to the fund." the following paragraph :—
- 20 Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this paragraph as enacted before or after the commencement of section five of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in this subsection shall be deemed to be abandoned units within the meaning of paragraph (b) of this
- 25 proviso.
- 30 (i) by omitting from paragraph (a) of subsection (1A) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 35 (j) by omitting from paragraph (c) of the same subsection the words "this subsection" where secondly and thirdly occurring and by inserting in lieu thereof the words "section five of the Superannuation (Amendment) Act, 1965,";

(k)

Superannuation (Amendment).

- 5 (k) by omitting from paragraph (a) of subsection (1B) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 10 (l) by omitting from paragraph (c) of the same subsection the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 15 (m) by omitting from subsection (1c) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 20 (n) by omitting from the same subsection the words "paragraph (a) of subsection one of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "paragraph (a) of section five of the Superannuation (Amendment) Act, 1965".

25 6. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

- 30 (a) (i) by inserting in subsection two of section 12A after the words "salary falls at such commencement." the words "Where an employee has before the commencement of section five of the Superannuation (Amendment) Act, 1965, reached the prescribed age and his salary at such commencement was in excess of the annual rate of five thousand and seventy pounds
- Sec. 12A. (Right to contribute after age 60, or in certain cases, after age 55.)

Superannuation (Amendment).

5 pounds per annum, his salary shall, if he is an employee at such commencement, be deemed, for the purposes of this subsection, to have been increased immediately after such commencement from a lower salary group as set out in the scale in subsection one of section twelve of this Act to the salary group set out in that scale in which his salary falls at such commencement.”;

10 (ii) by omitting from subparagraph (i) of the same subsection the words “the Superannuation (Amendment) Act, 1957” and by inserting in lieu thereof the words “section five of the Superannuation (Amendment) Act, 1965”;

15 (iii) by inserting after subparagraph (ii) of the same subsection the following paragraph : —

20 Where immediately before the commencement of section five of the Superannuation (Amendment) Act, 1965, the time within which an employee had a right to make an election under this subsection had not expired, the right of that employee to make an election shall, notwithstanding the amendment made
25 by paragraph (a) of section five of that Act, be deemed to continue until the expiration of that time.

(iv) by inserting at the end of subsection (2A) of the same section the following new
30 paragraph : —

This subsection shall not apply in any case where an election to contribute for an additional unit or units of pension has been made in accordance with section 12B of this Act.

35 (v) by inserting at the end of subsection four of the same section the words “, section 12B excepted”;

(b)

Superannuation (Amendment).

(b) by inserting next after section 12A the following new section :—

New sec.
12B.

12B. (1) In this section "the prescribed age" means—

Contribu-
tions in
certain
cases.

5 (a) in the case of an employee who, being a woman contributor, elected to contribute at the rate prescribed for retirement at age fifty-five years, the age of fifty years;

10 (b) in the case of any other employee, the age of fifty-five years.

15 (2) Where after the commencement of section six of the Superannuation (Amendment) Act, 1965, an employee has, whether before or after that commencement, reached the prescribed age and after reaching that age becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, he may, notwithstanding any other provisions of this Act, elect to contribute the total amount of the contributions payable in respect of the additional unit or units—

20 (a) in the case of an employee whose contributions are payable monthly, by sixty equal monthly instalments commencing on the first day of the month in which he becomes eligible to contribute or to elect to contribute for the additional unit or units; and

25 (b) in the case of an employee whose contributions are payable four-weekly, by sixty-five equal four-weekly instalments commencing on the first day of the four-weekly contribution period in which he becomes eligible to contribute or to elect to contribute for the additional unit or units.

(3)

Superannuation (Amendment).

(3) An election under this section shall be in writing and shall be forwarded so as to be received in the office of the Board—

5 (a) in the case of an employee who becomes eligible to contribute or to elect to contribute for an additional unit or units in pursuance of the amendments to this Act made by the Superannuation (Amendment) Act, 1965, within a period of three months from
10 the date of commencement of those amendments; or

15 (b) in the case of an employee, not being an employee to whom paragraph (a) of this subsection applies, who becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, a period of three months after the
20 date upon which salary at the increased rate is actually paid,

or within such further period as the Board may, in special circumstances, allow.

25 (4) An employee who does not elect in accordance with this section within the period prescribed by subsection three of this section or within such further period as the Board may, in special circumstances, allow, shall pay contributions in accordance with the provisions of this Act (this
30 section excepted) and any Act amending the same or an amount equivalent to such contributions in accordance with the provisions of subsection (2A) of section 12A of this Act, as the case may require.

35 (5) Where an employee who has made an election in accordance with this section ceases to be employed by the employer prior to completion of payment of contributions by the instalments
specified

Superannuation (Amendment).

specified in paragraph (a) or (b), as the case may be, of subsection two of this section the following provisions shall apply :—

- 5 (a) where the employee retires after reaching the age of sixty years or, being a woman who has contributed at rates prescribed for retirement at the age of fifty-five years, after reaching that age, the total amount of contributions unpaid shall be paid on or before
10 the date upon which such employee ceases to be so employed ;
- 15 (b) where the employee is retired in accordance with the provisions of section twenty-two of this Act or elects to retire on a pension calculated in accordance with the provisions of section 28A of this Act, the total amount of contributions up to and including the last day of the month or the four-weekly contribution period, as the case may be, in
20 which such employee ceases to be employed shall be paid on or before the date upon which such employee ceases to be so employed ;
- 25 (c) where the employee dies and is survived by a widow to whom pension is payable in accordance with section thirty of this Act, such widow shall within three months after the death of the employee pay the total amount of contributions unpaid at the date
30 of his death.

- 35 (6) Where the total amount of contributions required to be paid by paragraph (a), (b) or (c) of subsection five of this section is not paid within the time prescribed the employee or the widow of the employee, as the case may be, shall be refunded the amount of the contributions paid in respect of the additional unit or units for which such employee elected to contribute in accordance with this section.

Where

Superannuation (Amendment).

Where any refund is payable under this subsection any rights in the fund in respect of such additional unit or units shall cease and determine.

5 (7) No rights in the fund shall accrue in respect of any additional unit or units of pension contributed for under subsection two of this section by an employee referred to in subsection three or four of section sixteen of this Act unless contributions for a period of one year have been paid in
10 accordance with the provisions of this section in respect of such additional unit or units.

7. (1) The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

(a) (i) by omitting from subsection one of section twenty-six the words "thirty-two pounds ten
15 shillings per annum" and by inserting in lieu thereof the words "twelve shillings and sixpence per week";

Sec. 26. (Pension unit.)

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

20 In respect of employees who became contributors on or after the first day of July, one thousand nine hundred and sixty-three and before the first day of February, one thousand nine hundred and sixty-six, or who become
25 contributors on or after the said first day of February, the sum of one pound per week shall, subject to the Superannuation (Amendment) Act, 1965, and to any subsequent Act amending this Act, be the unit of pension.

30 Where pension is in this Act or any Act amending this Act referable to an annual rate such pension shall be based upon a rate referable to a period of three hundred and sixty-four days.

(S)

(b)

Superannuation (Amendment).

(b) by inserting at the end of the scale set out in Sec. 27.

subsection one of section twenty-seven the following words and figures :— (Amount of pension on retirement.)

	Forty-nine units	..	1,592	10	0
5	Fifty units	..	1,625	0	0
	Fifty-one units	..	1,657	10	0
	Fifty-two units	..	1,690	0	0
	Fifty-three units	..	1,722	10	0
	Fifty-four units	..	1,755	0	0
10	Fifty-five units	..	1,787	10	0
	Fifty-six units	..	1,820	0	0
	Fifty-seven units	..	1,852	10	0
	Fifty-eight units	..	1,885	0	0

Further amendment of Act No. 28, 1916. (1) The Principal Act is further amended—
 (c) (i) by omitting from subsection one of section 28A Sec. 28A.
 15 the words “of retirement, one three hundred (Pension on retirement before 60.)
 and sixty-fifth part” and by inserting in lieu thereof the words “preceding that upon which pension commences to be payable in accordance with subsection three of this section, one
 20 three hundred and sixty-fourth part”;

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

25 (4) Contributions payable by and in respect of a contributor whose pension is determined in accordance with this section shall cease to be paid on the first day of the month or four-weekly contribution period, as the case may be, in which the pension commences to be payable in accordance with
 30 subsection three of this section.

(d) by omitting section forty-five and by inserting in Subst. sec. 45.
 lieu thereof the following section :—

45. Pensions shall be payable by equal fortnightly instalments. Pensions payable fortnightly.

(b)

(2)

Superannuation (Amendment).

(2) Paragraph (d) of subsection one of this section shall commence upon the twenty-fourth day of February, one thousand nine hundred and sixty-six.

8. (1) This section shall be deemed to have commenced
5 upon the first day of January, one thousand nine hundred
and sixty-three.

Amendment
of Act No.
3, 1963.

Sec. 3.

(2) The Superannuation (Amendment) Act, 1963, is
amended by omitting from subsection three of section three
the word "person" where secondly occurring and by inserting
10 in lieu thereof the word "pension".

(Increase
of rates
of certain
pensions—
more than
12 units.)

9. The Macquarie University Act, 1964, is amended—

Amendment
of Act No.
29, 1964.

(a) by omitting from subparagraph (ii) of paragraph
15 (a) of subsection one of section thirty-four the
words "the same subsection" and by inserting in
lieu thereof the words "subsection three of the same
section";

Sec. 34.
(Amendment
of Act No.
28, 1916.)

(b) by omitting paragraph (b) of the same subsection.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965
[1s. 6d. (15c)]

Supplemental Amendment)

(2) Paragraph (b) of subsection one of this section shall read: "The word 'person' shall mean any individual, partnership, firm, corporation, or association, whether or not organized under the laws of the United States, and any other person."

8. (1) The section shall be amended to read: "The word 'person' shall mean any individual, partnership, firm, corporation, or association, whether or not organized under the laws of the United States, and any other person."

(2) The Supplemental Amendment Act 1905 is amended by striking from subsection three of section three the word "person" and inserting in its place the word "person."

9. The Supplemental Amendment Act 1905 is amended by striking from subsection (b) of paragraph one of section three the word "person" and inserting in its place the word "person."

(3) The Supplemental Amendment Act 1905 is amended by striking from subsection (b) of paragraph one of section three the word "person" and inserting in its place the word "person."

(4) The Supplemental Amendment Act 1905 is amended by striking from subsection (b) of the same subsection

No. , 1965.

A BILL

To provide for an increase in value of pension units and an extension of the scale of units under the Superannuation Act, 1916-1964; for these and other purposes to amend the said Act; and for purposes connected therewith.

[MR. MADDISON;—30 November, 1965.]

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, 1965".

(2) Short title, citation, construction and commencement.

Superannuation (Amendment).

(2) The Superannuation Act, 1916, as amended by subsequent Acts, by the Governor pursuant to section ninety-two of that Act, as so amended, and by this Act, may be cited as the Superannuation Act, 1916-1965.

5 (3) This Act shall be read and construed with the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor as aforesaid.

The said Act as so amended is in this Act referred to as the Principal Act.

10 (4) This Act shall, except where otherwise expressly provided, commence upon the first day of February, one thousand nine hundred and sixty-six.

2. Where any pension payable under the Principal Act, other than a pension in respect of children, was at the commencement of this section payable to or after such commencement 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 from the date after such commencement upon which such person so becomes entitled to such pension, as the case may be, be increased by one-eighth.

Increase
of rates
of certain
pensions.

Any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

25 Any additional amount applicable to any such pension by virtue of section two of the Superannuation (Amendment) Act, 1960, shall not be taken into consideration for the purpose of determining the pension payable at the commencement of this section or the date after such commencement at which such pension becomes so payable.

3. The Principal Act is amended—

Amendment
of Act No.
28, 1916.

(a) by omitting from paragraph (a) of subsection one of section 5A the words "of the Commonwealth" and by inserting in lieu thereof the words "or Territory, including a Territory under trusteeship, of the Commonwealth";

Sec. 5A.
(Certain
share
investments
authorised.)

(b)

Superannuation (Amendment).

(b) by inserting next after section 9A the following new section : — New sec.
9B.

9B. (1) Where, in relation to any financial year, the amount ascertained in accordance with the formula— Employers
to meet
cost of
certain
increased
pensions.

1.0275 I

is certified by the Board to be less than the amount ascertained in accordance with the formula—

.0275 (A + B)

10 the employers shall, in addition to the difference
(if any) payable under section 9A of this Act, pay
to the fund in the manner hereinafter provided
an amount equal to the difference between those
15 amounts, or an amount equal to the total amount
of increase in pensions paid or payable in that
financial year in accordance with the provisions
of section two of the Superannuation (Amend-
ment) Act, 1965, whichever is the lesser amount.

20 (2) Of such difference (if any) payable
pursuant to subsection one of this section each
employer shall pay to the fund on the requisition of
the Board the sum which bears to such difference
the same proportion as the total amount of the
25 increase in pensions paid or payable by reason
of the enactment of section two of the Superannua-
tion (Amendment) Act, 1965, during the financial
year in question to pensioners or to the widows of
deceased pensioners or contributors who were
30 employed in the service of such employer at the
date of their retirement, retrenchment or death, as
the case may be, bears to the aggregate amount of
the increase in pensions so paid or payable during
that year.

35 (3) The provisions of subsection three of
section 9A of this Act shall apply to this section.

Superannuation (Amendment).

4. The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- (a) by inserting in subsection one of section eleven after the words "from contributing under this Act." the words "Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this subsection as enacted before or after the commencement of section four of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in subsection one of section twelve of this Act shall be deemed to be abandoned units within the meaning of paragraph (b) of the proviso to the said subsection one of section twelve.";
- (b) (i) by omitting paragraph (d) of the same subsection;
- (ii) by omitting from the same subsection the words "In the case of a person referred to in paragraph (d) of this proviso the application shall be made within three months from the date on which such person enters the service of the Macquarie University, but no such exemption shall be granted by the Board except upon the recommendation of the Council of that University";
- (c) (i) by omitting from subsection two of the same section the words "or dies" wherever occurring; and
- (ii) by omitting from the same subsection the words "or retires" wherever occurring.

Sec. 11.
(Contribu-
tions—
when to
commence.)

5. The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- (a) by omitting from the scale set out in subsection one of section twelve all the words, figures and symbols after

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

Superannuation (Amendment).

after "162 10 0" and by inserting in lieu thereof the words, figures and symbols :—

	390	480	Six units, or	..	..	195	0	0
	480	570	Seven units, or	..	..	227	10	0
5	570	660	Eight units, or	..	..	260	0	0
	660	750	Nine units, or	..	..	292	10	0
	750	830	Ten units, or	..	..	325	0	0
	830	910	Eleven units, or	..	..	357	10	0
	910	990	Twelve units, or	..	..	390	0	0
10	990	1,070	Thirteen units, or	..	..	422	10	0
	1,070	1,150	Fourteen units, or	..	..	455	0	0
	1,150	1,230	Fifteen units, or	..	..	487	10	0
	1,230	1,310	Sixteen units, or	..	..	520	0	0
	1,310	1,390	Seventeen units, or	..	..	552	10	0
15	1,390	1,470	Eighteen units, or	..	..	585	0	0
	1,470	1,550	Nineteen units, or	..	..	617	10	0
	1,550	1,630	Twenty units, or	..	..	650	0	0
	1,630	1,710	Twenty-one units, or	..	..	682	10	0
	1,710	1,790	Twenty-two units, or	..	..	715	0	0
20	1,790	1,870	Twenty-three units, or	..	..	747	10	0
	1,870	1,990	Twenty-four units, or	..	..	780	0	0
	1,990	2,110	Twenty-five units, or	..	..	812	10	0
	2,110	2,230	Twenty-six units, or	..	..	845	0	0
	2,230	2,350	Twenty-seven units, or	..	..	877	10	0
25	2,350	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
30	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	3,510	Thirty-six units, or	..	..	1,170	0	0
	3,510	3,640	Thirty-seven units, or	..	..	1,202	10	0
35	3,640	3,770	Thirty-eight units, or	..	..	1,235	0	0
	3,770	3,900	Thirty-nine units, or	..	..	1,267	10	0
	3,900	4,030	Forty units, or	..	..	1,300	0	0
	4,030	4,160	Forty-one units, or	..	..	1,332	10	0
	4,160	4,290	Forty-two units, or	..	..	1,365	0	0
40	4,290	4,420	Forty-three units, or	..	..	1,397	10	0
	4,420	4,550	Forty-four units, or	..	..	1,430	0	0
	4,550	4,680	Forty-five units, or	..	..	1,462	10	0
	4,680	4,810	Forty-six units, or	..	..	1,495	0	0
	4,810	4,940	Forty-seven units, or	..	..	1,527	10	0
45	4,940	5,070	Forty-eight units, or	..	..	1,560	0	0
	5,070	5,265	Forty-nine units, or	..	..	1,592	10	0
	5,265	5,460	Fifty units, or	..	..	1,625	0	0
	5,460	5,655	Fifty-one units, or	..	..	1,657	10	0
	5,655	5,850	Fifty-two units, or	..	..	1,690	0	0
50	5,850	6,045	Fifty-three units, or	..	..	1,722	10	0
	6,045	6,240	Fifty-four units, or	..	..	1,755	0	0
	6,240	6,435	Fifty-five units, or	..	..	1,787	10	0
	6,435	6,630	Fifty-six units, or	..	..	1,820	0	0
	6,630	6,825	Fifty-seven units, or	..	..	1,852	10	0
55	6,825	..	Fifty-eight units, or	..	..	1,885	0	0

(b)

Superannuation (Amendment).

- (b) by omitting from the same subsection the words "The amounts" and by inserting in lieu thereof the words "Subject to any Act amending this Act the amounts";
- 5 (c) by inserting in subparagraph (i) of paragraph (b) of the proviso to the same subsection after the words "so increased," where thirdly occurring the words "or in the case of an employee under the age of thirty years contributing for forty-eight units of pension immediately before the commencement of section five of the Superannuation (Amendment) Act, 1965, his salary is, on or after such commencement, so increased,";
- 10
- 15 (d) by inserting in the same subparagraph after the words "paid on that date." where thirdly occurring the words "Where at the date of the commencement of section five of the Superannuation (Amendment) Act, 1965, the actual salary of an employee is in excess of the annual rate of five thousand and seventy pounds his salary shall, for the purposes of this subparagraph, 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, be deemed to have been actually paid on that date.";
- 20
- 25
- 30 (e) by inserting in subparagraph (ii) of paragraph (b) of the proviso to the same subsection after the figures "1963," the words "or of paragraph (g) of this proviso, or of subsection one of section eleven, as enacted before or after the commencement of section five of the Superannuation (Amendment) Act, 1965,";

(f)

Superannuation (Amendment).

5 (f) by omitting from subparagraph (iv) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";

10 (g) by omitting from subparagraph (v) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";

15 (h) by inserting in paragraph (g) of the proviso to the same subsection after the words "contribute to the fund." the following paragraph :—

20 Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this paragraph as enacted before or after the commencement of section five of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in this subsection shall be deemed to be abandoned units within the meaning of paragraph (b) of this
25 proviso.

30 (i) by omitting from paragraph (a) of subsection (1A) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";

35 (j) by omitting from paragraph (c) of the same subsection the words "this subsection" where secondly and thirdly occurring and by inserting in lieu thereof the words "section five of the Superannuation (Amendment) Act, 1965,";

(k)

Superannuation (Amendment).

- 5 (k) by omitting from paragraph (a) of subsection (1B) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 10 (l) by omitting from paragraph (c) of the same subsection the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 15 (m) by omitting from subsection (1c) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 20 (n) by omitting from the same subsection the words "paragraph (a) of subsection one of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "paragraph (a) of section five of the Superannuation (Amendment) Act, 1965".

25 6. The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- 30 (a) (i) by inserting in subsection two of section 12A after the words "salary falls at such commencement." the words "Where an employee has before the commencement of section five of the Superannuation (Amendment) Act, 1965, reached the prescribed age and his salary at such commencement was in excess of the annual rate of five thousand and seventy pounds
- Sec. 12A. (Right to contribute after age 60, or in certain cases, after age 55.)

Superannuation (Amendment).

5 pounds per annum, his salary shall, if he is an employee at such commencement, be deemed, for the purposes of this subsection, to have been increased immediately after such commencement from a lower salary group as set out in the scale in subsection one of section twelve of this Act to the salary group set out in that scale in which his salary falls at such commencement.”;

10 (ii) by omitting from subparagraph (i) of the same subsection the words “the Superannuation (Amendment) Act, 1957” and by inserting in lieu thereof the words “section five of the Superannuation (Amendment) Act,
15 1965”;

(iii) by inserting after subparagraph (ii) of the same subsection the following paragraph : —

20 Where immediately before the commencement of section five of the Superannuation (Amendment) Act, 1965, the time within which an employee had a right to make an election under this subsection had not expired, the right of that employee to make an election shall, notwithstanding the amendment made
25 by paragraph (a) of section five of that Act, be deemed to continue until the expiration of that time.

(iv) by inserting at the end of subsection (2A) of the same section the following new
30 paragraph : —

This subsection shall not apply in any case where an election to contribute for an additional unit or units of pension has been made in accordance with section 12B of this Act.

35 (v) by inserting at the end of subsection four of the same section the words “, section 12B excepted”;

(b)

Superannuation (Amendment).

- (b) by inserting next after section 12A the following new section : —

New sec.
12B.

12B. (1) In this section "the prescribed age" means—

Contribu-
tions in
certain
cases.

5 (a) in the case of an employee who, being a woman contributor, elected to contribute at the rate prescribed for retirement at age fifty-five years, the age of fifty years;

10 (b) in the case of any other employee, the age of fifty-five years.

15 (2) Where after the commencement of section six of the Superannuation (Amendment) Act, 1965, an employee has, whether before or after that commencement, reached the prescribed age and after reaching that age becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, he may, notwithstanding any other provisions of this

20 Act, elect to contribute the total amount of the contributions payable in respect of the additional unit or units—

25 (a) in the case of an employee whose contributions are payable monthly, by sixty equal monthly instalments commencing on the first day of the month in which he becomes eligible to contribute or to elect to contribute for the additional unit or units; and

30 (b) in the case of an employee whose contributions are payable four-weekly, by sixty-five equal four-weekly instalments commencing on the first day of the four-weekly contribution period in which he becomes eligible to contribute or to elect to contribute for the

35 additional unit or units.

(3)

Superannuation (Amendment).

(3) An election under this section shall be in writing and shall be forwarded so as to be received in the office of the Board—

5 (a) in the case of an employee who becomes eligible to contribute or to elect to contribute for an additional unit or units in pursuance of the amendments to this Act made by the Superannuation (Amendment) Act, 10 1965, within a period of three months from the date of commencement of those amendments; or

15 (b) in the case of an employee, not being an employee to whom paragraph (a) of this subsection applies, who becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, a period of three months after the 20 date upon which salary at the increased rate is actually paid,

or within such further period as the Board may, in special circumstances, allow.

25 (4) An employee who does not elect in accordance with this section within the period prescribed by subsection three of this section or within such further period as the Board may, in special circumstances, allow, shall pay contributions in accordance with the provisions of this Act (this 30 section excepted) and any Act amending the same or an amount equivalent to such contributions in accordance with the provisions of subsection (2A) of section 12A of this Act, as the case may require.

35 (5) Where an employee who has made an election in accordance with this section ceases to be employed by the employer prior to completion of payment of contributions by the instalments specified

Superannuation (Amendment).

specified in paragraph (a) or (b), as the case may be, of subsection two of this section the following provisions shall apply :—

- 5 (a) where the employee retires after reaching the age of sixty years or, being a woman who has contributed at rates prescribed for retirement at the age of fifty-five years, after reaching that age, the total amount of contributions unpaid shall be paid on or before
- 10 the date upon which such employee ceases to be so employed;
- 15 (b) where the employee is retired in accordance with the provisions of section twenty-two of this Act or elects to retire on a pension calculated in accordance with the provisions of section 28A of this Act, the total amount of contributions up to and including the last day of the month or the four-weekly contribution period, as the case may be, in
- 20 which such employee ceases to be employed shall be paid on or before the date upon which such employee ceases to be so employed;
- 25 (c) where the employee dies and is survived by a widow to whom pension is payable in accordance with section thirty of this Act, such widow shall within three months after the death of the employee pay the total amount of contributions unpaid at the date
- 30 of his death.

35 (6) Where the total amount of contributions required to be paid by paragraph (a), (b) or (c) of subsection five of this section is not paid within the time prescribed the employee or the widow of the employee, as the case may be, shall be refunded the amount of the contributions paid in respect of the additional unit or units for which such employee elected to contribute in accordance with this section.

Where

Superannuation (Amendment).

Where any refund is payable under this subsection any rights in the fund in respect of such additional unit or units shall cease and determine.

- 5 (7) No rights in the fund shall accrue in respect of any additional unit or units of pension contributed for under subsection two of this section by an employee referred to in subsection three or four of section sixteen of this Act unless contributions for a period of one year have been paid in
10 accordance with the provisions of this section in respect of such additional unit or units.

7. (1) The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- (a) (i) by omitting from subsection one of section
15 twenty-six the words "thirty-two pounds ten shillings per annum" and by inserting in lieu thereof the words "twelve shillings and sixpence per week";

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

20 In respect of employees who became contributors on or after the first day of July, one thousand nine hundred and sixty-three and before the first day of February, one thousand nine hundred and sixty-six, or who become
25 contributors on or after the said first day of February, the sum of one pound per week shall, subject to the Superannuation (Amendment) Act, 1965, and to any subsequent Act amending this Act, be the unit of pension.

30 Where pension is in this Act or any Act amending this Act referable to an annual rate such pension shall be based upon a rate referable to a period of three hundred and sixty-four days.

(b)

Superannuation (Amendment).

- (b) by inserting at the end of the scale set out in Sec. 27.
 subsection one of section twenty-seven the following (Amount of
 words and figures :— pension on
 retirement.)

	Forty-nine units	..	1,592	10	0
5	Fifty units	..	1,625	0	0
	Fifty-one units	..	1,657	10	0
	Fifty-two units	..	1,690	0	0
	Fifty-three units	..	1,722	10	0
	Fifty-four units	..	1,755	0	0
10	Fifty-five units	..	1,787	10	0
	Fifty-six units	..	1,820	0	0
	Fifty-seven units	..	1,852	10	0
	Fifty-eight units	..	1,885	0	0

- (c) (i) by omitting from subsection one of section 28A Sec. 28A.
 15 the words "of retirement, one three hundred (Pension on
 and sixty-fifth part" and by inserting in lieu retirement
 thereof the words "preceding that upon which before 60.)
 pension commences to be payable in accord-
 20 ance with subsection three of this section, one
 three hundred and sixty-fourth part";

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

- (4) Contributions payable by and in
 25 respect of a contributor whose pension is
 determined in accordance with this section
 shall cease to be paid on the first day of the
 month or four-weekly contribution period, as
 the case may be, in which the pension com-
 mences to be payable in accordance with
 30 subsection three of this section.

- (d) by omitting section forty-five and by inserting in Subst. sec.
 lieu thereof the following section :— 45.

45. Pensions shall be payable by equal fort- Pensions
 nightly instalments. payable
 fortnightly.

Superannuation (Amendment).

(2) Paragraph (d) of subsection one of this section shall commence upon the twenty-fourth day of February, one thousand nine hundred and sixty-six.

8. (1) This section shall be deemed to have commenced
5 upon the first day of January, one thousand nine hundred
and sixty-three.

Amendment
of Act No.
3, 1963.

Sec. 3.

(2) The Superannuation (Amendment) Act, 1963, is
amended by omitting from subsection three of section three
the word "person" where secondly occurring and by inserting
10 in lieu thereof the word "pension".

(Increase
of rates
of certain
pensions—
more than
12 units.)

9. The Macquarie University Act, 1964, is amended—

Amendment
of Act No.
29, 1964.

- (a) by omitting from subparagraph (ii) of paragraph
(a) of subsection one of section thirty-four the
words "the same subsection" and by inserting in
15 lieu thereof the words "subsection three of the same
section";
- (b) by omitting paragraph (b) of the same subsection.

Sec. 34.

(Amendment
of Act No.
28, 1916.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965
[1s. 6d. (15c)]

Department of the Interior
Bureau of Land Management
Washington, D. C. 20250

2. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

1. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

3. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

4. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

5. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

6. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

7. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

8. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

9. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

10. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

11. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

12. The following is a list of the lands owned by the United States in the State of Alaska, as of January 1, 1968:

SUPERANNUATION (AMENDMENT) BILL, 1965.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to increase the value of pension units payable under the Superannuation Act, 1916-1964, from £1 per unit to £1 2s. 6d. per unit ;
- (b) to revise and extend the scale of units in respect of which a contributor may be eligible to contribute—the extension to be from the present maximum of 48 to 58—and to enable persons of certain specified ages to contribute for such extended units by instalments ;
- (c) to make provision whereby the employers shall meet the cost of the additional 2s. 6d. per unit in the event of the State Superannuation Fund in any relevant year being unable to continue to finance the additional 2s. 6d. per unit ;
- (d) to fix the value of the pension unit at one pound per week in lieu of fifty-two pounds per year subject to any adjustment made by this Bill or any future legislation;
- (e) to provide for the payment of pensions on a fortnightly basis in lieu of a twice-monthly basis;
- (f) to make amendments and provisions ancillary to and consequential upon the foregoing or of a machinery character.

SUPERANNUATION (AMENDMENT) BILL, 1965

THE GOVERNMENT OF INDIA

IN PARLIAMENT ENACTED ON THE 15TH DAY OF SEPTEMBER, 1965

That the Superannuation (Amendment) Bill, 1965, may be enacted.

Enacted in the 11th year of the Independence of India.

15th September 1965

No. , 1965.

A BILL

To provide for an increase in value of pension units and an extension of the scale of units under the Superannuation Act, 1916-1964; for these and other purposes to amend the said Act; and for purposes connected therewith.

[MR. MADDISON ;—30 November, 1965.]

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, 1965".

(2) Short title, citation, construction and commencement.

Superannuation (Amendment).

(2) The Superannuation Act, 1916, as amended by subsequent Acts, by the Governor pursuant to section ninety-two of that Act, as so amended, and by this Act, may be cited as the Superannuation Act, 1916-1965.

5 (3) This Act shall be read and construed with the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor as aforesaid.

The said Act as so amended is in this Act referred to as the Principal Act.

10 (4) This Act shall, except where otherwise expressly provided, commence upon the first day of February, one thousand nine hundred and sixty-six.

2. Where any pension payable under the Principal Act, other than a pension in respect of children, was at the commencement of this section payable to or after such commencement 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 from the date after such commencement upon which such person so becomes entitled to such pension, as the case may be, be increased by one-eighth.

Increase
of rates
of certain
pensions.

Any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

25 Any additional amount applicable to any such pension by virtue of section two of the Superannuation (Amendment) Act, 1960, shall not be taken into consideration for the purpose of determining the pension payable at the commencement of this section or the date after such commencement at which such pension becomes so payable.

3. The Principal Act is amended—

35 (a) by omitting from paragraph (a) of subsection one of section 5A the words "of the Commonwealth" and by inserting in lieu thereof the words "or Territory, including a Territory under trusteeship, of the Commonwealth";

Amendment
of Act No.
28, 1916.

Sec. 5A.
(Certain
share
investments
authorised.)

(b)

Superannuation (Amendment).

(b) by inserting next after section 9A the following new section : —

New sec.
9B.

9B. (1) Where, in relation to any financial year, the amount ascertained in accordance with the formula—

Employers
to meet
cost of
certain
increased
pensions.

1.0275 I

is certified by the Board to be less than the amount ascertained in accordance with the formula—

.0275 (A + B)

the employers shall, in addition to the difference (if any) payable under section 9A of this Act, pay to the fund in the manner hereinafter provided an amount equal to the difference between those amounts, or an amount equal to the total amount of increase in pensions paid or payable in that financial year in accordance with the provisions of section two of the Superannuation (Amendment) Act, 1965, whichever is the lesser amount.

(2) Of such difference (if any) payable pursuant to subsection one of this section each employer shall pay to the fund on the requisition of the Board the sum which bears to such difference the same proportion as the total amount of the increase in pensions paid or payable by reason of the enactment of section two of the Superannuation (Amendment) Act, 1965, during the financial year in question to pensioners or to the widows of deceased pensioners or contributors who were employed in the service of such employer at the date of their retirement, retrenchment or death, as the case may be, bears to the aggregate amount of the increase in pensions so paid or payable during that year.

(3) The provisions of subsection three of section 9A of this Act shall apply to this section.

4.

Superannuation (Amendment).

4. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

- (a) by inserting in subsection one of section eleven after the words "from contributing under this Act." the words "Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this subsection as enacted before or after the commencement of section four of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in subsection one of section twelve of this Act shall be deemed to be abandoned units within the meaning of paragraph (b) of the proviso to the said subsection one of section twelve.";
- (b) (i) by omitting paragraph (d) of the same subsection;
- (ii) by omitting from the same subsection the words "In the case of a person referred to in paragraph (d) of this proviso the application shall be made within three months from the date on which such person enters the service of the Macquarie University, but no such exemption shall be granted by the Board except upon the recommendation of the Council of that University";
- (c) (i) by omitting from subsection two of the same section the words "or dies" wherever occurring; and
- (ii) by omitting from the same subsection the words "or retires" wherever occurring.

Sec. 11. (Contributions—when to commence.)

5. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

- (a) by omitting from the scale set out in subsection one of section twelve all the words, figures and symbols after

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

Superannuation (Amendment).

after "162 10 0" and by inserting in lieu thereof the words, figures and symbols :—

	390	480	Six units, or	..	..	..	195	0	0
	480	570	Seven units, or	..	..	..	227	10	0
5	570	660	Eight units, or	..	..	..	260	0	0
	660	750	Nine units, or	..	..	..	292	10	0
	750	830	Ten units, or	..	..	..	325	0	0
	830	910	Eleven units, or	..	..	..	357	10	0
	910	990	Twelve units, or	..	..	..	390	0	0
10	990	1,070	Thirteen units, or	..	..	..	422	10	0
	1,070	1,150	Fourteen units, or	..	..	..	455	0	0
	1,150	1,230	Fifteen units, or	..	..	..	487	10	0
	1,230	1,310	Sixteen units, or	..	..	..	520	0	0
	1,310	1,390	Seventeen units, or	..	..	..	552	10	0
15	1,390	1,470	Eighteen units, or	..	..	..	585	0	0
	1,470	1,550	Nineteen units, or	..	..	..	617	10	0
	1,550	1,630	Twenty units, or	..	..	..	650	0	0
	1,630	1,710	Twenty-one units, or	..	..	..	682	10	0
	1,710	1,790	Twenty-two units, or	..	..	..	715	0	0
20	1,790	1,870	Twenty-three units, or	..	..	..	747	10	0
	1,870	1,990	Twenty-four units, or	..	..	..	780	0	0
	1,990	2,110	Twenty-five units, or	..	..	..	812	10	0
	2,110	2,230	Twenty-six units, or	..	..	..	845	0	0
	2,230	2,350	Twenty-seven units, or	..	..	..	877	10	0
25	2,350	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
30	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	3,510	Thirty-six units, or	..	..	..	1,170	0	0
	3,510	3,640	Thirty-seven units, or	..	..	..	1,202	10	0
35	3,640	3,770	Thirty-eight units, or	..	..	..	1,235	0	0
	3,770	3,900	Thirty-nine units, or	..	..	..	1,267	10	0
	3,900	4,030	Forty units, or	..	..	..	1,300	0	0
	4,030	4,160	Forty-one units, or	..	..	..	1,332	10	0
	4,160	4,290	Forty-two units, or	..	..	..	1,365	0	0
40	4,290	4,420	Forty-three units, or	..	..	..	1,397	10	0
	4,420	4,550	Forty-four units, or	..	..	..	1,430	0	0
	4,550	4,680	Forty-five units, or	..	..	..	1,462	10	0
	4,680	4,810	Forty-six units, or	..	..	..	1,495	0	0
	4,810	4,940	Forty-seven units, or	..	..	..	1,527	10	0
45	4,940	5,070	Forty-eight units, or	..	..	..	1,560	0	0
	5,070	5,265	Forty-nine units, or	..	..	..	1,592	10	0
	5,265	5,460	Fifty units, or	..	..	..	1,625	0	0
	5,460	5,655	Fifty-one units, or	..	..	..	1,657	10	0
	5,655	5,850	Fifty-two units, or	..	..	..	1,690	0	0
50	5,850	6,045	Fifty-three units, or	..	..	..	1,722	10	0
	6,045	6,240	Fifty-four units, or	..	..	..	1,755	0	0
	6,240	6,435	Fifty-five units, or	..	..	..	1,787	10	0
	6,435	6,630	Fifty-six units, or	..	..	..	1,820	0	0
	6,630	6,825	Fifty-seven units, or	..	..	..	1,852	10	0
55	6,825	..	Fifty-eight units, or	..	..	..	1,885	0	0

(b)

Superannuation (Amendment).

- (b) by omitting from the same subsection the words
"The amounts" and by inserting in lieu thereof the
words "Subject to any Act amending this Act the
amounts";

- 5 (c) by inserting in subparagraph (i) of paragraph (b)
of the proviso to the same subsection after the
words "so increased," where thirdly occurring the
words "or in the case of an employee under the age
10 of thirty years contributing for forty-eight units of
pension immediately before the commencement of
section five of the Superannuation (Amendment)
Act, 1965, his salary is, on or after such commence-
ment, so increased,";

- 15 (d) by inserting in the same subparagraph after the
words "paid on that date." where thirdly occurring
the words "Where at the date of the commence-
ment of section five of the Superannuation (Amend-
ment) Act, 1965, the actual salary of an employee
is in excess of the annual rate of five thousand and
20 seventy pounds his salary shall, for the purposes of
this subparagraph, 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 para-
25 graph (h) of this proviso, be deemed to have been
actually paid on that date.";

- 30 (e) by inserting in subparagraph (ii) of paragraph (b)
of the proviso to the same subsection after the
figures "1963," the words "or of paragraph (g) of
this proviso, or of subsection one of section eleven,
as enacted before or after the commencement of
section five of the Superannuation (Amendment)
Act, 1965,";

(f)

Superannuation (Amendment).

- 5 (f) by omitting from subparagraph (iv) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 10 (g) by omitting from subparagraph (v) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 15 (h) by inserting in paragraph (g) of the proviso to the same subsection after the words "contribute to the fund." the following paragraph :—
- 20 Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this paragraph as enacted before or after the commencement of section five of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in this subsection shall be deemed to be abandoned units within the meaning of paragraph (b) of this
- 25 proviso.
- 30 (i) by omitting from paragraph (a) of subsection (1A) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 35 (j) by omitting from paragraph (c) of the same subsection the words "this subsection" where secondly and thirdly occurring and by inserting in lieu thereof the words "section five of the Superannuation (Amendment) Act, 1965,";

(k)

Superannuation (Amendment).

- 5 (k) by omitting from paragraph (a) of subsection (1B) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 10 (l) by omitting from paragraph (c) of the same subsection the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 15 (m) by omitting from subsection (1c) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- 20 (n) by omitting from the same subsection the words "paragraph (a) of subsection one of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "paragraph (a) of section five of the Superannuation (Amendment) Act, 1965".

25 6. The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- 30 (a) (i) by inserting in subsection two of section 12A after the words "salary falls at such commencement." the words "Where an employee has before the commencement of section five of the Superannuation (Amendment) Act, 1965, reached the prescribed age and his salary at such commencement was in excess of the annual rate of five thousand and seventy pounds
- Sec. 12A.
(Right to contribute after age 60, or in certain cases, after age 55.)

Superannuation (Amendment).

5 pounds per annum, his salary shall, if he is an employee at such commencement, be deemed, for the purposes of this subsection, to have been increased immediately after such commencement from a lower salary group as set out in the scale in subsection one of section twelve of this Act to the salary group set out in that scale in which his salary falls at such commencement.”;

10 (ii) by omitting from subparagraph (i) of the same subsection the words “the Superannuation (Amendment) Act, 1957” and by inserting in lieu thereof the words “section five of the Superannuation (Amendment) Act,
15 1965”;

(iii) by inserting after subparagraph (ii) of the same subsection the following paragraph :—

20 Where immediately before the commencement of section five of the Superannuation (Amendment) Act, 1965, the time within which an employee had a right to make an election under this subsection had not expired, the right of that employee to make an election shall, notwithstanding the amendment made
25 by paragraph (a) of section five of that Act, be deemed to continue until the expiration of that time.

(iv) by inserting at the end of subsection (2A) of the same section the following new
30 paragraph :—

This subsection shall not apply in any case where an election to contribute for an additional unit or units of pension has been made in accordance with section 12B of this Act.

35 (v) by inserting at the end of subsection four of the same section the words “, section 12B excepted”;

(b)

Superannuation (Amendment).

(b) by inserting next after section 12A the following new section : —

New sec.
12B.

12B. (1) In this section “the prescribed age” means—

Contribu-
tions in
certain
cases.

5 (a) in the case of an employee who, being a woman contributor, elected to contribute at the rate prescribed for retirement at age fifty-five years, the age of fifty years;

10 (b) in the case of any other employee, the age of fifty-five years.

15 (2) Where after the commencement of section six of the Superannuation (Amendment) Act, 1965, an employee has, whether before or after that commencement, reached the prescribed age and after reaching that age becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, he may, notwithstanding any other provisions of this Act, elect to contribute the total amount of the contributions payable in respect of the additional unit or units—

20 (a) in the case of an employee whose contributions are payable monthly, by sixty equal monthly instalments commencing on the first day of the month in which he becomes eligible to contribute or to elect to contribute for the additional unit or units; and

25 (b) in the case of an employee whose contributions are payable four-weekly, by sixty-five equal four-weekly instalments commencing on the first day of the four-weekly contribution period in which he becomes eligible to contribute or to elect to contribute for the additional unit or units.

(3)

Superannuation (Amendment).

(3) An election under this section shall be in writing and shall be forwarded so as to be received in the office of the Board—

5 (a) in the case of an employee who becomes eligible to contribute or to elect to contribute for an additional unit or units in pursuance of the amendments to this Act made by the Superannuation (Amendment) Act, 1965, within a period of three months from the date of commencement of those amendments; or

10 (b) in the case of an employee, not being an employee to whom paragraph (a) of this subsection applies, who becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, a period of three months after the date upon which salary at the increased rate is actually paid,

15 or within such further period as the Board may, in special circumstances, allow.

20 (4) An employee who does not elect in accordance with this section within the period prescribed by subsection three of this section or within such further period as the Board may, in special circumstances, allow, shall pay contributions in accordance with the provisions of this Act (this section excepted) and any Act amending the same or an amount equivalent to such contributions in accordance with the provisions of subsection (2A) of section 12A of this Act, as the case may require.

25 (5) Where an employee who has made an election in accordance with this section ceases to be employed by the employer prior to completion of payment of contributions by the instalments specified

Superannuation (Amendment).

specified in paragraph (a) or (b), as the case may be, of subsection two of this section the following provisions shall apply :—

- 5 (a) where the employee retires after reaching the age of sixty years or, being a woman who has contributed at rates prescribed for retirement at the age of fifty-five years, after reaching that age, the total amount of contributions unpaid shall be paid on or before the date upon which such employee ceases to be so employed ;
- 10
- 15 (b) where the employee is retired in accordance with the provisions of section twenty-two of this Act or elects to retire on a pension calculated in accordance with the provisions of section 28A of this Act, the total amount of contributions up to and including the last day of the month or the four-weekly contribution period, as the case may be, in which such employee ceases to be employed shall be paid on or before the date upon which such employee ceases to be so employed ;
- 20
- 25 (c) where the employee dies and is survived by a widow to whom pension is payable in accordance with section thirty of this Act, such widow shall within three months after the death of the employee pay the total amount of contributions unpaid at the date of his death.
- 30

35 (6) Where the total amount of contributions required to be paid by paragraph (a), (b) or (c) of subsection five of this section is not paid within the time prescribed the employee or the widow of the employee, as the case may be, shall be refunded the amount of the contributions paid in respect of the additional unit or units for which such employee elected to contribute in accordance with this section.

Where

Where any refund is payable under this subsection any rights in the fund in respect of such additional unit or units shall cease and determine.

(7) No rights in the fund shall accrue in respect of any additional unit or units of pension contributed for under subsection two of this section by an employee referred to in subsection three or four of section sixteen of this Act unless contributions for a period of one year have been paid in accordance with the provisions of this section in respect of such additional unit or units.

Further
amendment
of Act No.
28, 1916.

- 15 (a) (i) by omitting from subsection one of section Sec. 26. twenty-six the words "thirty-two pounds ten (Pension unit.) shillings per annum" and by inserting in lieu thereof the words "twelve shillings and six-pence per week";

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

20 In respect of employees who became con-
tributors on or after the first day of July,
one thousand nine hundred and sixty-three and
before the first day of February, one thousand
25 nine hundred and sixty-six, or who become
contributors on or after the said first day of
February, the sum of one pound per week
shall, subject to the Superannuation (Amend-
ment) Act, 1965, and to any subsequent Act
amending this Act, be the unit of pension.

30 Where pension is in this Act or any Act amending this Act referable to an annual rate such pension shall be based upon a rate referable to a period of three hundred and sixty-four days.

(b)

Superannuation (Amendment).

- (b) by inserting at the end of the scale set out in Sec. 27.
 subsection one of section twenty-seven the following (Amount of
 words and figures :— pension on
 retirement.)

	Forty-nine units	..	1,592	10	0
5	Fifty units	..	1,625	0	0
	Fifty-one units	..	1,657	10	0
	Fifty-two units	..	1,690	0	0
	Fifty-three units	..	1,722	10	0
	Fifty-four units	..	1,755	0	0
10	Fifty-five units	..	1,787	10	0
	Fifty-six units	..	1,820	0	0
	Fifty-seven units	..	1,852	10	0
	Fifty-eight units	..	1,885	0	0

- (c) (i) by omitting from subsection one of section 28A Sec. 28A.
 15 the words "of retirement, one three hundred and sixty-fifth part" and by inserting in lieu (Pension on
 thereof the words "preceding that upon which retirement
 pension commences to be payable in accord- before 60.)
 20 ance with subsection three of this section, one
 three hundred and sixty-fourth part";

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

- (4) Contributions payable by and in
 25 respect of a contributor whose pension is
 determined in accordance with this section
 shall cease to be paid on the first day of the
 month or four-weekly contribution period, as
 the case may be, in which the pension com-
 30 mences to be payable in accordance with
 subsection three of this section.

- (d) by omitting section forty-five and by inserting in Subst. sec.
 lieu thereof the following section :— 45.

45. Pensions shall be payable by equal fort- Pensions
 nightly instalments. payable
 fortnightly.

Superannuation (Amendment).

(2) Paragraph (d) of subsection one of this section shall commence upon the twenty-fourth day of February, one thousand nine hundred and sixty-six.

8. (1) This section shall be deemed to have commenced
5 upon the first day of January, one thousand nine hundred
and sixty-three.

Amendment
of Act No.
3, 1963.
Sec. 3.

(2) The Superannuation (Amendment) Act, 1963, is
amended by omitting from subsection three of section three
the word "person" where secondly occurring and by inserting
10 in lieu thereof the word "pension".

(Increase
of rates
of certain
pensions—
more than
12 units.)

9. The Macquarie University Act, 1964, is amended—

Amendment
of Act No.
29, 1964.

- (a) by omitting from subparagraph (ii) of paragraph
15 (a) of subsection one of section thirty-four the
words "the same subsection" and by inserting in
lieu thereof the words "subsection three of the same
section";
- (b) by omitting paragraph (b) of the same subsection.

Sec. 34.
(Amendment
of Act No.
28, 1916.)

BY AUTHORITY:

W. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 30, 1965.

An Act to provide for an increase in value of pension units and an extension of the scale of units under the Superannuation Act, 1916–1964; for these and other purposes to amend the said Act; and for purposes connected therewith. [Assented to, 17th December, 1965.]

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, 1965". (2)

Short title,
citation,
construction
and
commence-
ment.

P 37837

[1s. 6d. (15c)]

Superannuation (Amendment).

(2) The Superannuation Act, 1916, as amended by subsequent Acts, by the Governor pursuant to section ninety-two of that Act, as so amended, and by this Act, may be cited as the Superannuation Act, 1916-1965.

(3) This Act shall be read and construed with the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor as aforesaid.

The said Act as so amended is in this Act referred to as the Principal Act.

(4) This Act shall, except where otherwise expressly provided, commence upon the first day of February, one thousand nine hundred and sixty-six.

Increase
of rates
of certain
pensions.

2. Where any pension payable under the Principal Act, other than a pension in respect of children, was at the commencement of this section payable to or after such commencement 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 from the date after such commencement upon which such person so becomes entitled to such pension, as the case may be, be increased by one-eighth.

Any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

Any additional amount applicable to any such pension by virtue of section two of the Superannuation (Amendment) Act, 1960, shall not be taken into consideration for the purpose of determining the pension payable at the commencement of this section or the date after such commencement at which such pension becomes so payable.

Amendment
of Act No.
28, 1916.

Sec. 5A.
(Certain
share
investments
authorised.)

3. The Principal Act is amended—

- (a) by omitting from paragraph (a) of subsection one of section 5A the words "of the Commonwealth" and by inserting in lieu thereof the words "or Territory, including a Territory under trusteeship, of the Commonwealth";

(b)

Superannuation (Amendment).

- (b) by inserting next after section 9A the following new section : —

New sec.
9B.

9B. (1) Where, in relation to any financial year, the amount ascertained in accordance with the formula—

Employers
to meet
cost of
certain
increased
pensions.

1.0275 I

is certified by the Board to be less than the amount ascertained in accordance with the formula—

.0275 (A + B)

the employers shall, in addition to the difference (if any) payable under section 9A of this Act, pay to the fund in the manner hereinafter provided an amount equal to the difference between those amounts, or an amount equal to the total amount of increase in pensions paid or payable in that financial year in accordance with the provisions of section two of the Superannuation (Amendment) Act, 1965, whichever is the lesser amount.

(2) Of such difference (if any) payable pursuant to subsection one of this section each employer shall pay to the fund on the requisition of the Board the sum which bears to such difference the same proportion as the total amount of the increase in pensions paid or payable by reason of the enactment of section two of the Superannuation (Amendment) Act, 1965, during the financial year in question to pensioners or to the widows of deceased pensioners or contributors who were employed in the service of such employer at the date of their retirement, retrenchment or death, as the case may be, bears to the aggregate amount of the increase in pensions so paid or payable during that year.

(3) The provisions of subsection three of section 9A of this Act shall apply to this section.

Superannuation (Amendment).

Further
amendment
of Act No.
28, 1916.

Sec. 11.
(Contribu-
tions—
when to
commence.)

4. The Principal Act is further amended—

- (a) by inserting in subsection one of section eleven after the words "from contributing under this Act." the words "Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this subsection as enacted before or after the commencement of section four of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in subsection one of section twelve of this Act shall be deemed to be abandoned units within the meaning of paragraph (b) of the proviso to the said subsection one of section twelve.";
- (b) (i) by omitting paragraph (d) of the same subsection;
- (ii) by omitting from the same subsection the words "In the case of a person referred to in paragraph (d) of this proviso the application shall be made within three months from the date on which such person enters the service of the Macquarie University, but no such exemption shall be granted by the Board except upon the recommendation of the Council of that University";
- (c) (i) by omitting from subsection two of the same section the words "or dies" wherever occurring; and
- (ii) by omitting from the same subsection the words "or retires" wherever occurring.

Further
amendment
of Act No.
28, 1916.

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

5. The Principal Act is further amended—

- (a) by omitting from the scale set out in subsection one of section twelve all the words, figures and symbols after

Superannuation (Amendment).

after "162 10 0" and by inserting in lieu thereof the words, figures and symbols :—

390	480	Six units, or	..	..	..	195	0	0
480	570	Seven units, or	..	..	..	227	10	0
570	660	Eight units, or	..	..	..	260	0	0
660	750	Nine units, or	..	..	..	292	10	0
750	830	Ten units, or	..	..	..	325	0	0
830	910	Eleven units, or	..	..	..	357	10	0
910	990	Twelve units, or	..	..	..	390	0	0
990	1,070	Thirteen units, or	..	..	..	422	10	0
1,070	1,150	Fourteen units, or	..	..	..	455	0	0
1,150	1,230	Fifteen units, or	..	..	..	487	10	0
1,230	1,310	Sixteen units, or	..	..	..	520	0	0
1,310	1,390	Seventeen units, or	..	..	..	552	10	0
1,390	1,470	Eighteen units, or	..	..	..	585	0	0
1,470	1,550	Nineteen units, or	..	..	..	617	10	0
1,550	1,630	Twenty units, or	..	..	..	650	0	0
1,630	1,710	Twenty-one units, or	..	..	..	682	10	0
1,710	1,790	Twenty-two units, or	..	..	..	715	0	0
1,790	1,870	Twenty-three units, or	..	..	..	747	10	0
1,870	1,990	Twenty-four units, or	..	..	..	780	0	0
1,990	2,110	Twenty-five units, or	..	..	..	812	10	0
2,110	2,230	Twenty-six units, or	..	..	..	845	0	0
2,230	2,350	Twenty-seven units, or	..	..	..	877	10	0
2,350	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	3,510	Thirty-six units, or	..	..	..	1,170	0	0
3,510	3,640	Thirty-seven units, or	..	..	..	1,202	10	0
3,640	3,770	Thirty-eight units, or	..	..	..	1,235	0	0
3,770	3,900	Thirty-nine units, or	..	..	..	1,267	10	0
3,900	4,030	Forty units, or	..	..	..	1,300	0	0
4,030	4,160	Forty-one units, or	..	..	..	1,332	10	0
4,160	4,290	Forty-two units, or	..	..	..	1,365	0	0
4,290	4,420	Forty-three units, or	..	..	..	1,397	10	0
4,420	4,550	Forty-four units, or	..	..	..	1,430	0	0
4,550	4,680	Forty-five units, or	..	..	..	1,462	10	0
4,680	4,810	Forty-six units, or	..	..	..	1,495	0	0
4,810	4,940	Forty-seven units, or	..	..	..	1,527	10	0
4,940	5,070	Forty-eight units, or	..	..	..	1,560	0	0
5,070	5,265	Forty-nine units, or	..	..	..	1,592	10	0
5,265	5,460	Fifty units, or	..	..	..	1,625	0	0
5,460	5,655	Fifty-one units, or	..	..	..	1,657	10	0
5,655	5,850	Fifty-two units, or	..	..	..	1,690	0	0
5,850	6,045	Fifty-three units, or	..	..	..	1,722	10	0
6,045	6,240	Fifty-four units, or	..	..	..	1,755	0	0
6,240	6,435	Fifty-five units, or	..	..	..	1,787	10	0
6,435	6,630	Fifty-six units, or	..	..	..	1,820	0	0
6,630	6,825	Fifty-seven units, or	..	..	..	1,852	10	0
6,825	..	Fifty-eight units, or	..	..	..	1,885	0	0

(b)

Superannuation (Amendment)

- (b) by omitting from the same subsection the words "The amounts" and by inserting in lieu thereof the words "Subject to any Act amending this Act the amounts";
- (c) by inserting in subparagraph (i) of paragraph (b) of the proviso to the same subsection after the words "so increased," where thirdly occurring the words "or in the case of an employee under the age of thirty years contributing for forty-eight units of pension immediately before the commencement of section five of the Superannuation (Amendment) Act, 1965, his salary is, on or after such commencement, so increased,";
- (d) by inserting in the same subparagraph after the words "paid on that date." where thirdly occurring the words "Where at the date of the commencement of section five of the Superannuation (Amendment) Act, 1965, the actual salary of an employee is in excess of the annual rate of five thousand and seventy pounds his salary shall, for the purposes of this subparagraph, 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, be deemed to have been actually paid on that date.";
- (e) by inserting in subparagraph (ii) of paragraph (b) of the proviso to the same subsection after the figures "1963," the words "or of paragraph (g) of this proviso, or of subsection one of section eleven, as enacted before or after the commencement of section five of the Superannuation (Amendment) Act, 1965,";

(f)

Superannuation (Amendment).

- (f) by omitting from subparagraph (iv) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (g) by omitting from subparagraph (v) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (h) by inserting in paragraph (g) of the proviso to the same subsection after the words "contribute to the fund." the following paragraph : —

Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this paragraph as enacted before or after the commencement of section five of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in this subsection shall be deemed to be abandoned units within the meaning of paragraph (b) of this proviso.

- (i) by omitting from paragraph (a) of subsection (1A) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (j) by omitting from paragraph (c) of the same subsection the words "this subsection" where secondly and thirdly occurring and by inserting in lieu thereof the words "section five of the Superannuation (Amendment) Act, 1965,";

(k)

Superannuation (Amendment).

- (k) by omitting from paragraph (a) of subsection (1B) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (l) by omitting from paragraph (c) of the same subsection the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (m) by omitting from subsection (1c) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (n) by omitting from the same subsection the words "paragraph (a) of subsection one of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "paragraph (a) of section five of the Superannuation (Amendment) Act, 1965".

6. The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

Sec. 12A.

(Right to
contribute
after age
60, or in
certain cases,
after age
55.)

- (a) (i) by inserting in subsection two of section 12A after the words "salary falls at such commencement." the words "Where an employee has before the commencement of section five of the Superannuation (Amendment) Act, 1965, reached the prescribed age and his salary at such commencement was in excess of the annual rate of five thousand and seventy pounds

Superannuation (Amendment).

pounds per annum, his salary shall, if he is an employee at such commencement, be deemed, for the purposes of this subsection, to have been increased immediately after such commencement from a lower salary group as set out in the scale in subsection one of section twelve of this Act to the salary group set out in that scale in which his salary falls at such commencement.”;

- (ii) by omitting from subparagraph (i) of the same subsection the words “the Superannuation (Amendment) Act, 1957” and by inserting in lieu thereof the words “section five of the Superannuation (Amendment) Act, 1965”;
- (iii) by inserting after subparagraph (ii) of the same subsection the following paragraph : —

Where immediately before the commencement of section five of the Superannuation (Amendment) Act, 1965, the time within which an employee had a right to make an election under this subsection had not expired, the right of that employee to make an election shall, notwithstanding the amendment made by paragraph (a) of section five of that Act, be deemed to continue until the expiration of that time.

- (iv) by inserting at the end of subsection (2A) of the same section the following new paragraph : —

This subsection shall not apply in any case where an election to contribute for an additional unit or units of pension has been made in accordance with section 12B of this Act.

- (v) by inserting at the end of subsection four of the same section the words “, section 12B excepted”;

(b)

Superannuation (Amendment).

New sec.
12B.

- (b) by inserting next after section 12A the following new section :—

Contribu-
tions in
certain
cases.

12B. (1) In this section “the prescribed age” means—

- (a) in the case of an employee who, being a woman contributor, elected to contribute at the rate prescribed for retirement at age fifty-five years, the age of fifty years;
- (b) in the case of any other employee, the age of fifty-five years.

(2) Where after the commencement of section six of the Superannuation (Amendment) Act, 1965, an employee has, whether before or after that commencement, reached the prescribed age and after reaching that age becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, he may, notwithstanding any other provisions of this Act, elect to contribute the total amount of the contributions payable in respect of the additional unit or units—

- (a) in the case of an employee whose contributions are payable monthly, by sixty equal monthly instalments commencing on the first day of the month in which he becomes eligible to contribute or to elect to contribute for the additional unit or units; and
- (b) in the case of an employee whose contributions are payable four-weekly, by sixty-five equal four-weekly instalments commencing on the first day of the four-weekly contribution period in which he becomes eligible to contribute or to elect to contribute for the additional unit or units.

(3)

Superannuation (Amendment).

(3) An election under this section shall be in writing and shall be forwarded so as to be received in the office of the Board—

- (a) in the case of an employee who becomes eligible to contribute or to elect to contribute for an additional unit or units in pursuance of the amendments to this Act made by the Superannuation (Amendment) Act, 1965, within a period of three months from the date of commencement of those amendments; or
- (b) in the case of an employee, not being an employee to whom paragraph (a) of this subsection applies, who becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, a period of three months after the date upon which salary at the increased rate is actually paid,

or within such further period as the Board may, in special circumstances, allow.

(4) An employee who does not elect in accordance with this section within the period prescribed by subsection three of this section or within such further period as the Board may, in special circumstances, allow, shall pay contributions in accordance with the provisions of this Act (this section excepted) and any Act amending the same or an amount equivalent to such contributions in accordance with the provisions of subsection (2A) of section 12A of this Act, as the case may require.

(5) Where an employee who has made an election in accordance with this section ceases to be employed by the employer prior to completion of payment of contributions by the instalments

specified

Superannuation (Amendment).

specified in paragraph (a) or (b), as the case may be, of subsection two of this section the following provisions shall apply : —

- (a) where the employee retires after reaching the age of sixty years or, being a woman who has contributed at rates prescribed for retirement at the age of fifty-five years, after reaching that age, the total amount of contributions unpaid shall be paid on or before the date upon which such employee ceases to be so employed ;
- (b) where the employee is retired in accordance with the provisions of section twenty-two of this Act or elects to retire on a pension calculated in accordance with the provisions of section 28A of this Act, the total amount of contributions up to and including the last day of the month or the four-weekly contribution period, as the case may be, in which such employee ceases to be employed shall be paid on or before the date upon which such employee ceases to be so employed ;
- (c) where the employee dies and is survived by a widow to whom pension is payable in accordance with section thirty of this Act, such widow shall within three months after the death of the employee pay the total amount of contributions unpaid at the date of his death.

(6) Where the total amount of contributions required to be paid by paragraph (a), (b) or (c) of subsection five of this section is not paid within the time prescribed the employee or the widow of the employee, as the case may be, shall be refunded the amount of the contributions paid in respect of the additional unit or units for which such employee elected to contribute in accordance with this section.

Where

Superannuation (Amendment).

Where any refund is payable under this subsection any rights in the fund in respect of such additional unit or units shall cease and determine.

(7) No rights in the fund shall accrue in respect of any additional unit or units of pension contributed for under subsection two of this section by an employee referred to in subsection three or four of section sixteen of this Act unless contributions for a period of one year have been paid in accordance with the provisions of this section in respect of such additional unit or units.

7. (1) The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- (a) (i) by omitting from subsection one of section twenty-six the words “thirty-two pounds ten shillings per annum” and by inserting in lieu thereof the words “twelve shillings and sixpence per week”;

Sec. 26.
(Pension
unit.)

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

In respect of employees who became contributors on or after the first day of July, one thousand nine hundred and sixty-three and before the first day of February, one thousand nine hundred and sixty-six, or who become contributors on or after the said first day of February, the sum of one pound per week shall, subject to the Superannuation (Amendment) Act, 1965, and to any subsequent Act amending this Act, be the unit of pension.

Where pension is in this Act or any Act amending this Act referable to an annual rate such pension shall be based upon a rate referable to a period of three hundred and sixty-four days.

(b)

Superannuation (Amendment).

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

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

Forty-nine units	..	1,592	10	0
Fifty units	..	1,625	0	0
Fifty-one units	..	1,657	10	0
Fifty-two units	..	1,690	0	0
Fifty-three units	..	1,722	10	0
Fifty-four units	..	1,755	0	0
Fifty-five units	..	1,787	10	0
Fifty-six units	..	1,820	0	0
Fifty-seven units	..	1,852	10	0
Fifty-eight units	..	1,885	0	0

Sec. 28A.
(Pension on
retirement
before 60.)

- (c) (i) by omitting from subsection one of section 28A the words “of retirement, one three hundred and sixty-fifth part” and by inserting in lieu thereof the words “preceding that upon which pension commences to be payable in accordance with subsection three of this section, one three hundred and sixty-fourth part”;

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

(4) Contributions payable by and in respect of a contributor whose pension is determined in accordance with this section shall cease to be paid on the first day of the month or four-weekly contribution period, as the case may be, in which the pension commences to be payable in accordance with subsection three of this section.

Subst. sec.
45.

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

Pensions
payable
fortnightly.

45. Pensions shall be payable by equal fortnightly instalments.

Superannuation (Amendment).

(2) Paragraph (d) of subsection one of this section shall commence upon the twenty-fourth day of February, one thousand nine hundred and sixty-six.

8. (1) This section shall be deemed to have commenced upon the first day of January, one thousand nine hundred and sixty-three.

Amendment
of Act No.
3, 1963.

Sec. 3.

(2) The Superannuation (Amendment) Act, 1963, is amended by omitting from subsection three of section three the word "person" where secondly occurring and by inserting in lieu thereof the word "pension".

(Increase
of rates
of certain
pensions—
more than
12 units.)

9. The Macquarie University Act, 1964, is amended—

Amendment
of Act No.
29, 1964.

(a) by omitting from subparagraph (ii) of paragraph

Sec. 34.

(a) of subsection one of section thirty-four the words "the same subsection" and by inserting in lieu thereof the words "subsection three of the same section";

(Amendment
of Act No.
28, 1916.)

(b) by omitting paragraph (b) of the same subsection.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1966

Amendment (Amendment)

(1) Paragraph (b) of subsection one of this section shall commence upon the twenty-fourth day of February, one thousand nine hundred and sixty-

8. This act shall be deemed to have commenced January the first day of January, one thousand nine hundred and sixty-three.

(2) The Amendment (Amendment) Act 1963, is hereby amended by striking out subsection three of section three of the act, and by inserting in its place the following: "The word 'and' shall be inserted after the word 'and'."

9. The Amendment (Amendment) Act 1964, is hereby amended by striking out subsection three of section three of the act, and by inserting in its place the following: "The word 'and' shall be inserted after the word 'and'."

10. The Amendment (Amendment) Act 1965, is hereby amended by striking out subsection three of section three of the act, and by inserting in its place the following: "The word 'and' shall be inserted after the word 'and'."

11. The Amendment (Amendment) Act 1966, is hereby amended by striking out subsection three of section three of the act, and by inserting in its place the following: "The word 'and' shall be inserted after the word 'and'."

12. The Amendment (Amendment) Act 1967, is hereby amended by striking out subsection three of section three of the act, and by inserting in its place the following: "The word 'and' shall be inserted after the word 'and'."

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, 7 December, 1965.*

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 30, 1965.

An Act to provide for an increase in value of pension units and an extension of the scale of units under the Superannuation Act, 1916–1964; for these and other purposes to amend the said Act; and for purposes connected therewith. [Assented to, 17th December, 1965.]

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, 1965".
- (2) Short title, citation, construction and commencement.

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

G. R. CRAWFORD,
Chairman of Committees of the Legislative Assembly.

Superannuation (Amendment).

(2) The Superannuation Act, 1916, as amended by subsequent Acts, by the Governor pursuant to section ninety-two of that Act, as so amended, and by this Act, may be cited as the Superannuation Act, 1916-1965.

(3) This Act shall be read and construed with the Superannuation Act, 1916, as amended by subsequent Acts and by the Governor as aforesaid.

The said Act as so amended is in this Act referred to as the Principal Act.

(4) This Act shall, except where otherwise expressly provided, commence upon the first day of February, one thousand nine hundred and sixty-six.

Increase
of rates
of certain
pensions.

2. Where any pension payable under the Principal Act, other than a pension in respect of children, was at the commencement of this section payable to or after such commencement 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 from the date after such commencement upon which such person so becomes entitled to such pension, as the case may be, be increased by one-eighth.

Any reference in the Principal Act to any such pension shall be read and construed as a reference to such pension as so increased.

Any additional amount applicable to any such pension by virtue of section two of the Superannuation (Amendment) Act, 1960, shall not be taken into consideration for the purpose of determining the pension payable at the commencement of this section or the date after such commencement at which such pension becomes so payable.

Amendment
of Act No.
28, 1916.
Sec. 5A.
(Certain
share
investments
authorised.)

3. The Principal Act is amended—

- (a) by omitting from paragraph (a) of subsection one of section 5A the words "of the Commonwealth" and by inserting in lieu thereof the words "or Territory, including a Territory under trusteeship, of the Commonwealth";

(b)

Superannuation (Amendment).

- (b) by inserting next after section 9A the following new section : —

New sec.
9B.

9B. (1) Where, in relation to any financial year, the amount ascertained in accordance with the formula—

Employers
to meet
cost of
certain
increased
pensions.

$1.0275 I$

is certified by the Board to be less than the amount ascertained in accordance with the formula—

$.0275 (A + B)$

the employers shall, in addition to the difference (if any) payable under section 9A of this Act, pay to the fund in the manner hereinafter provided an amount equal to the difference between those amounts, or an amount equal to the total amount of increase in pensions paid or payable in that financial year in accordance with the provisions of section two of the Superannuation (Amendment) Act, 1965, whichever is the lesser amount.

(2) Of such difference (if any) payable pursuant to subsection one of this section each employer shall pay to the fund on the requisition of the Board the sum which bears to such difference the same proportion as the total amount of the increase in pensions paid or payable by reason of the enactment of section two of the Superannuation (Amendment) Act, 1965, during the financial year in question to pensioners or to the widows of deceased pensioners or contributors who were employed in the service of such employer at the date of their retirement, retrenchment or death, as the case may be, bears to the aggregate amount of the increase in pensions so paid or payable during that year.

(3) The provisions of subsection three of section 9A of this Act shall apply to this section.

Superannuation (Amendment).

Further
amendment
of Act No.
28, 1916.

Sec. 11.
(Contribu-
tions—
when to
commence.)

4. The Principal Act is further amended—

- (a) by inserting in subsection one of section eleven after the words "from contributing under this Act." the words "Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this subsection as enacted before or after the commencement of section four of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in subsection one of section twelve of this Act shall be deemed to be abandoned units within the meaning of paragraph (b) of the proviso to the said subsection one of section twelve.";
- (b) (i) by omitting paragraph (d) of the same subsection;
- (b) (ii) by omitting from the same subsection the words "In the case of a person referred to in paragraph (d) of this proviso the application shall be made within three months from the date on which such person enters the service of the Macquarie University, but no such exemption shall be granted by the Board except upon the recommendation of the Council of that University";
- (c) (i) by omitting from subsection two of the same section the words "or dies" wherever occurring; and
- (c) (ii) by omitting from the same subsection the words "or retires" wherever occurring.

Further
amendment
of Act No.
28, 1916.

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

5. The Principal Act is further amended—

- (a) by omitting from the scale set out in subsection one of section twelve all the words, figures and symbols after

Superannuation (Amendment).

after "162 10 0" and by inserting in lieu thereof the words, figures and symbols :—

390	480	Six units, or	..	..	..	195	0	0
480	570	Seven units, or	..	..	..	227	10	0
570	660	Eight units, or	..	..	..	260	0	0
660	750	Nine units, or	..	..	..	292	10	0
750	830	Ten units, or	..	..	..	325	0	0
830	910	Eleven units, or	..	..	..	357	10	0
910	990	Twelve units, or	..	..	..	390	0	0
990	1,070	Thirteen units, or	..	..	..	422	10	0
1,070	1,150	Fourteen units, or	..	..	..	455	0	0
1,150	1,230	Fifteen units, or	..	..	..	487	10	0
1,230	1,310	Sixteen units, or	..	..	..	520	0	0
1,310	1,390	Seventeen units, or	..	..	..	552	10	0
1,390	1,470	Eighteen units, or	..	..	..	585	0	0
1,470	1,550	Nineteen units, or	..	..	..	617	10	0
1,550	1,630	Twenty units, or	..	..	..	650	0	0
1,630	1,710	Twenty-one units, or	..	..	..	682	10	0
1,710	1,790	Twenty-two units, or	..	..	..	715	0	0
1,790	1,870	Twenty-three units, or	..	..	..	747	10	0
1,870	1,990	Twenty-four units, or	..	..	..	780	0	0
1,990	2,110	Twenty-five units, or	..	..	..	812	10	0
2,110	2,230	Twenty-six units, or	..	..	..	845	0	0
2,230	2,350	Twenty-seven units, or	..	..	..	877	10	0
2,350	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	3,510	Thirty-six units, or	..	..	..	1,170	0	0
3,510	3,640	Thirty-seven units, or	..	..	..	1,202	10	0
3,640	3,770	Thirty-eight units, or	..	..	..	1,235	0	0
3,770	3,900	Thirty-nine units, or	..	..	..	1,267	10	0
3,900	4,030	Forty units, or	..	..	..	1,300	0	0
4,030	4,160	Forty-one units, or	..	..	..	1,332	10	0
4,160	4,290	Forty-two units, or	..	..	..	1,365	0	0
4,290	4,420	Forty-three units, or	..	..	..	1,397	10	0
4,420	4,550	Forty-four units, or	..	..	..	1,430	0	0
4,550	4,680	Forty-five units, or	..	..	..	1,462	10	0
4,680	4,810	Forty-six units, or	..	..	..	1,495	0	0
4,810	4,940	Forty-seven units, or	..	..	..	1,527	10	0
4,940	5,070	Forty-eight units, or	..	..	..	1,560	0	0
5,070	5,265	Forty-nine units, or	..	..	..	1,592	10	0
5,265	5,460	Fifty units, or	..	..	..	1,625	0	0
5,460	5,655	Fifty-one units, or	..	..	..	1,657	10	0
5,655	5,850	Fifty-two units, or	..	..	..	1,690	0	0
5,850	6,045	Fifty-three units, or	..	..	..	1,722	10	0
6,045	6,240	Fifty-four units, or	..	..	..	1,755	0	0
6,240	6,435	Fifty-five units, or	..	..	..	1,787	10	0
6,435	6,630	Fifty-six units, or	..	..	..	1,820	0	0
6,630	6,825	Fifty-seven units, or	..	..	..	1,852	10	0
6,825	..	Fifty-eight units, or	..	..	..	1,885	0	0

(b)

Superannuation (Amendment).

- (b) by omitting from the same subsection the words "The amounts" and by inserting in lieu thereof the words "Subject to any Act amending this Act the amounts";
- (c) by inserting in subparagraph (i) of paragraph (b) of the proviso to the same subsection after the words "so increased," where thirdly occurring the words "or in the case of an employee under the age of thirty years contributing for forty-eight units of pension immediately before the commencement of section five of the Superannuation (Amendment) Act, 1965, his salary is, on or after such commencement, so increased,";
- (d) by inserting in the same subparagraph after the words "paid on that date." where thirdly occurring the words "Where at the date of the commencement of section five of the Superannuation (Amendment) Act, 1965, the actual salary of an employee is in excess of the annual rate of five thousand and seventy pounds his salary shall, for the purposes of this subparagraph, 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, be deemed to have been actually paid on that date.";
- (e) by inserting in subparagraph (ii) of paragraph (b) of the proviso to the same subsection after the figures "1963," the words "or of paragraph (g) of this proviso, or of subsection one of section eleven, as enacted before or after the commencement of section five of the Superannuation (Amendment) Act, 1965,";
- (f)

Superannuation (Amendment).

- (f) by omitting from subparagraph (iv) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (g) by omitting from subparagraph (v) of the same paragraph the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (h) by inserting in paragraph (g) of the proviso to the same subsection after the words "contribute to the fund." the following paragraph :—

Any unit or units in excess of the reduced number in respect of which an employee contributes pursuant to the foregoing provisions of this paragraph as enacted before or after the commencement of section five of the Superannuation (Amendment) Act, 1965, up to the maximum number prescribed for her salary in accordance with the scale set out in this subsection shall be deemed to be abandoned units within the meaning of paragraph (b) of this proviso.
- (i) by omitting from paragraph (a) of subsection (1A) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (j) by omitting from paragraph (c) of the same subsection the words "this subsection" where secondly and thirdly occurring and by inserting in lieu thereof the words "section five of the Superannuation (Amendment) Act, 1965,";

(k)

Superannuation (Amendment).

- (k) by omitting from paragraph (a) of subsection (1B) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (l) by omitting from paragraph (c) of the same subsection the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (m) by omitting from subsection (1C) of the same section the words "commencement of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1965";
- (n) by omitting from the same subsection the words "paragraph (a) of subsection one of section seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "paragraph (a) of section five of the Superannuation (Amendment) Act, 1965".

Further
amendment
of Act No.
28, 1916.

Sec. 12A.

(Right to
contribute
after age
60, or in
certain cases,
after age
55.)

6. The Principal Act is further amended—

- (a) (i) by inserting in subsection two of section 12A after the words "salary falls at such commencement." the words "Where an employee has before the commencement of section five of the Superannuation (Amendment) Act, 1965, reached the prescribed age and his salary at such commencement was in excess of the annual rate of five thousand and seventy pounds

Superannuation (Amendment).

pounds per annum, his salary shall, if he is an employee at such commencement, be deemed, for the purposes of this subsection, to have been increased immediately after such commencement from a lower salary group as set out in the scale in subsection one of section twelve of this Act to the salary group set out in that scale in which his salary falls at such commencement.”;

- (ii) by omitting from subparagraph (i) of the same subsection the words “the Superannuation (Amendment) Act, 1957” and by inserting in lieu thereof the words “section five of the Superannuation (Amendment) Act, 1965”;

- (iii) by inserting after subparagraph (ii) of the same subsection the following paragraph :—

Where immediately before the commencement of section five of the Superannuation (Amendment) Act, 1965, the time within which an employee had a right to make an election under this subsection had not expired, the right of that employee to make an election shall, notwithstanding the amendment made by paragraph (a) of section five of that Act, be deemed to continue until the expiration of that time.

- (iv) by inserting at the end of subsection (2A) of the same section the following new paragraph :—

This subsection shall not apply in any case where an election to contribute for an additional unit or units of pension has been made in accordance with section 12B of this Act.

- (v) by inserting at the end of subsection four of the same section the words “, section 12B excepted”;

(b)

Superannuation (Amendment).

New sec.
12B.

Contribu-
tions in
certain
cases.

(b) by inserting next after section 12A the following new section :—

12B. (1) In this section “the prescribed age” means—

(a) in the case of an employee who, being a woman contributor, elected to contribute at the rate prescribed for retirement at age fifty-five years, the age of fifty years;

(b) in the case of any other employee, the age of fifty-five years.

(2) Where after the commencement of section six of the Superannuation (Amendment) Act, 1965, an employee has, whether before or after that commencement, reached the prescribed age and after reaching that age becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, he may, notwithstanding any other provisions of this Act, elect to contribute the total amount of the contributions payable in respect of the additional unit or units—

(a) in the case of an employee whose contributions are payable monthly, by sixty equal monthly instalments commencing on the first day of the month in which he becomes eligible to contribute or to elect to contribute for the additional unit or units; and

(b) in the case of an employee whose contributions are payable four-weekly, by sixty-five equal four-weekly instalments commencing on the first day of the four-weekly contribution period in which he becomes eligible to contribute or to elect to contribute for the additional unit or units.

(3)

Superannuation (Amendment).

(3) An election under this section shall be in writing and shall be forwarded so as to be received in the office of the Board—

- (a) in the case of an employee who becomes eligible to contribute or to elect to contribute for an additional unit or units in pursuance of the amendments to this Act made by the Superannuation (Amendment) Act, 1965, within a period of three months from the date of commencement of those amendments; or
- (b) in the case of an employee, not being an employee to whom paragraph (a) of this subsection applies, who becomes eligible to contribute or to elect to contribute for an additional unit or units in accordance with the provisions of section twelve or 12A of this Act, a period of three months after the date upon which salary at the increased rate is actually paid,

or within such further period as the Board may, in special circumstances, allow.

(4) An employee who does not elect in accordance with this section within the period prescribed by subsection three of this section or within such further period as the Board may, in special circumstances, allow, shall pay contributions in accordance with the provisions of this Act (this section excepted) and any Act amending the same or an amount equivalent to such contributions in accordance with the provisions of subsection (2A) of section 12A of this Act, as the case may require.

(5) Where an employee who has made an election in accordance with this section ceases to be employed by the employer prior to completion of payment of contributions by the instalments specified

Superannuation (Amendment).

specified in paragraph (a) or (b), as the case may be, of subsection two of this section the following provisions shall apply :—

- (a) where the employee retires after reaching the age of sixty years or, being a woman who has contributed at rates prescribed for retirement at the age of fifty-five years, after reaching that age, the total amount of contributions unpaid shall be paid on or before the date upon which such employee ceases to be so employed;
- (b) where the employee is retired in accordance with the provisions of section twenty-two of this Act or elects to retire on a pension calculated in accordance with the provisions of section 28A of this Act, the total amount of contributions up to and including the last day of the month or the four-weekly contribution period, as the case may be, in which such employee ceases to be employed shall be paid on or before the date upon which such employee ceases to be so employed;
- (c) where the employee dies and is survived by a widow to whom pension is payable in accordance with section thirty of this Act, such widow shall within three months after the death of the employee pay the total amount of contributions unpaid at the date of his death.

(6) Where the total amount of contributions required to be paid by paragraph (a), (b) or (c) of subsection five of this section is not paid within the time prescribed the employee or the widow of the employee, as the case may be, shall be refunded the amount of the contributions paid in respect of the additional unit or units for which such employee elected to contribute in accordance with this section.

Where

Superannuation (Amendment).

Where any refund is payable under this subsection any rights in the fund in respect of such additional unit or units shall cease and determine.

(7) No rights in the fund shall accrue in respect of any additional unit or units of pension contributed for under subsection two of this section by an employee referred to in subsection three or four of section sixteen of this Act unless contributions for a period of one year have been paid in accordance with the provisions of this section in respect of such additional unit or units.

7. (1) The Principal Act is further amended—

Further
amendment
of Act No.
28, 1916.

- (a) (i) by omitting from subsection one of section twenty-six the words “thirty-two pounds ten shillings per annum” and by inserting in lieu thereof the words “twelve shillings and sixpence per week”;

Sec. 26.
(Pension
unit.)

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

In respect of employees who became contributors on or after the first day of July, one thousand nine hundred and sixty-three and before the first day of February, one thousand nine hundred and sixty-six, or who become contributors on or after the said first day of February, the sum of one pound per week shall, subject to the Superannuation (Amendment) Act, 1965, and to any subsequent Act amending this Act, be the unit of pension.

Where pension is in this Act or any Act amending this Act referable to an annual rate such pension shall be based upon a rate referable to a period of three hundred and sixty-four days.

(b)

Superannuation (Amendment).

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

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

Forty-nine units	..	1,592	10	0
Fifty units ..	..	1,625	0	0
Fifty-one units ..	..	1,657	10	0
Fifty-two units ..	..	1,690	0	0
Fifty-three units	..	1,722	10	0
Fifty-four units	..	1,755	0	0
Fifty-five units ..	..	1,787	10	0
Fifty-six units ..	..	1,820	0	0
Fifty-seven units	..	1,852	10	0
Fifty-eight units	..	1,885	0	0

Sec. 28A.
(Pension on
retirement
before 60.)

- (c) (i) by omitting from subsection one of section 28A the words “of retirement, one three hundred and sixty-fifth part” and by inserting in lieu thereof the words “preceding that upon which pension commences to be payable in accordance with subsection three of this section, one three hundred and sixty-fourth part”;

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

(4) Contributions payable by and in respect of a contributor whose pension is determined in accordance with this section shall cease to be paid on the first day of the month or four-weekly contribution period, as the case may be, in which the pension commences to be payable in accordance with subsection three of this section.

Subst. sec.
45.

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

Pensions
payable
fortnightly.

45. Pensions shall be payable by equal fortnightly instalments.

Superannuation (Amendment).

(2) Paragraph (d) of subsection one of this section shall commence upon the twenty-fourth day of February, one thousand nine hundred and sixty-six.

8. (1) This section shall be deemed to have commenced upon the first day of January, one thousand nine hundred and sixty-three.

Amendment
of Act No.
3, 1963.

Sec. 3.

(2) The Superannuation (Amendment) Act, 1963, is amended by omitting from subsection three of section three the word "person" where secondly occurring and by inserting in lieu thereof the word "pension".

(Increase
of rates
of certain
pensions—
more than
12 units.)

9. The Macquarie University Act, 1964, is amended—

Amendment
of Act No.
29, 1964.

(a) by omitting from subparagraph (ii) of paragraph

Sec. 34.

(a) of subsection one of section thirty-four the words "the same subsection" and by inserting in lieu thereof the words "subsection three of the same section";

(Amendment
of Act No.
28, 1916.)

(b) by omitting paragraph (b) of the same subsection.

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

K. W. STREET,
Lieutenant-Governor.

*Government House,
Sydney, 17th December, 1965.*

Amendment (Amendment)

(3) Paragraph (a) of subsection one of this section shall compare to the twenty-fourth day of January, one thousand nine hundred and sixty-six.

4. (1) This section shall be deemed to have commenced upon the first day of January, one thousand nine hundred and sixty-three.

(2) The Supremacy (Amendment) Act, 1963, is amended by deleting from subsection three of section three the word "person" where secondly occurring and by inserting in lieu thereof the word "person".

5. The Macquarie University Act, 1964, is amended.

(a) by deleting from paragraph (b) of paragraph 24. (4) of subsection one of section three four the word "person" and by inserting in lieu thereof the words "subsection three of the same section".

(b) by deleting paragraph (b) of the same subsection.

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

K. W. STREET,
Lieutenant-Governor.

Government House,
Sydney, 17th December, 1965.