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.

**B**<sup>E</sup> 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 5 follows:—

1. (1) This Act may be cited as the "Superannuation Short title, (Amendment) Act, 1965". (2) citation, construct

citation, construction and commencement.

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This PUBLIC BILL ori, **6391***d*, in the **ON** (**DA**VEVE ASSEMBLY, and, having this day passed is now ready for presentation to the LEGISLATIVE COUNCIL for its concut (thember A) notisunation of the concut for the conc

(2) The Superannuation Act, 1916, as amended by subsequent Acts, by the Governor pursuant to section ninetytwo 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.

Where any pension payable under the Principal Act, Increase other than a pension in respect of children, was at the of rates of certain 15 commencement of this section payable to or after such compensions. mencement 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

20 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
- 30 which such pension becomes so payable.

the Commonwealth";

- DE it enacted by the Oueen's Most Excellent Majesty, by
- - (a) by omitting from paragraph (a) of subsection one Sec. 5A. of section 5A the words "of the Commonwealth" (Certain and by inserting in lieu thereof the words "or Terri- investments

tory, including a Territory under trusteeship, of authorised.)

Il Short title **26** citation, **26** construction and commencement.

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

11, 382 1911 9B. (1) Where, in relation to any financial year, Employers the amount ascertained in accordance with the to meet cost of words "Any unit or units in excess of Halumrobed tionscertain increased number in respect of which an employe 2720. ributes commence.) pensions. pursuant to the foregoing provisions o is certified by the Board to be less than the amount ascertained in accordance with the formula-(Amendment) Act. 1965, up (Bth A) \*7720. num

ber prescribed for her salary in accordance with ov 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.

(a fo bend in three of a section one sec. 12. 35 to section 9A of this Act shall apply to this section. 4.

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28, 1916.

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The Principal Act is further amended-4.

Further amendment of Act No. 28, 1916.

- (a) by inserting in subsection one of section eleven after Sec. 11. the words "from contributing under this Act." the (Contribuwords "Any unit or units in excess of the reduced tionsnumber in respect of which an employee contributes when to commence.) 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 anothing of noitheup mi

(ii) by omitting from the same subsection the words "or retires" wherever occurring.

The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

(a) by omitting from the scale set out in subsection one Sec. 12. of section twelve all the words, figures and symbols (Scale of units of after pension.)

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## Act No. , 1965.

### Superannuation (Amendment).

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

	390	480	Six units, or	8		195 0	0
	480	570	Seven units, or			227 10	Õ
5	570	660	Eight units, or			260 0	ŏ
	660	750	Nine units, or			292 10	ŏ
	750	830	Ten units, or			325 0	õ
	830	910	Eleven units, or			357 10	ŏ
	910	990	Twelve units, or	Chiefe a	1.1	390 0	õ
10	990	1,070	Thirteen units, or			422 10	õ
	1,070	1,150	Fourteen units, or			455 0	ŏ
	1.150	1,230	Fifteen units, or	10.00	10.00	487 10	õ
	1.230	1,310	Sixteen units, or			520 0	õ
	1,310	1,390	Contraction			552 10	Ő
15	1,390	1,470	Elabora mait			585 0	Ő
	1,470	1,550	<b>N</b> T <sup>1</sup>	• •	•••	617 10	0
	1.550	1,630	Transferret		••	650 0	ő
	1,630	1,710	The second secon	1. N	••	682 10	ő
	1,710	1,790		••			0
20	1,790	1,870	Twenty-two units, or			715 0 747 10	
20	1,870	1,990	Twenty-three units, or				0
	1,990	2,110	Twenty-four units, or				0
	2.110	2,110	Twenty-five units, or			812 10	0
	2,230		Twenty-six units, or		•••	845 0	0
25	2,250 2,350	2,350	Twenty-seven units, or	••	••	877 10	0
25	2,550	2,470	Twenty-eight units, or		••	910 0	0
	2,470	2,600	Twenty-nine units, or	00101	••	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
30	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 ····		1,137 10	0
	3,380	3,510	Thirty-six units, or	1. 1.1.1		1,170 0	0
	3,510	3,640	Thirty-seven units, or			1,202 10	0
35	3,640	3,770			1	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
10	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
15	4,810	4,940				1,527 10	0
45	4,810	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	SQ		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 5		1,820 0	0
	6,630	6,825	Fifty-seven units, or	and the lot		1,852 10	0
55	6,825		Fifty-eight units, or			1,885 0	0
			AND			TTT AT STATE TO A	

(b)

Act No. . 1965.

#### 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,";

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- (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,";
- ) by omitting from paragrap

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(k)

- (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";
- 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".

#### 25 6. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

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

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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.

(b)

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

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(b) by inserting next after section 12A the following new New sec. section : — 12B.

12B. (1) In this section "the prescribed age" Contributions in certain cases.

- (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.

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(3)

(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

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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.

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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.

(b)

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

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.

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Act No.2001 , 1965.0N toA

	Superannuation (Amendment).nersqu2	
		Sec. 27. Amount of bension on retirement.)
F	Forty-nine units 1,592 10 0 mi suffity units 1,625 0 0	
5	Fifty-three units in the second secon	S
0	Fifty-six units in a second se	0
	Fifty-eight units 1,885 0 0	
her	(1) The Principal Act is further amended— Furth	7.
916. <b>7</b> 26. sion	(c) (i) by omitting from subsection one of section 28A s 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 accord- ance with subsection three of this section, one three hundred and sixty-fourth part";	(Pension or
	(ii) by inserting at the end of the same section the following new subsection :	
5	(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 com-	0 5
0	this scheme and the set of the second of the second of the scheme week shall. Schemes sind to any subsequent Act ment, Act, 1965, and to any subsequent Act amending this Act, be the unit of pension.	
	(d) by omitting section forty-five and by inserting in lieu thereof the following section :	Subst. sec. 45.
	45. Pensions shall be payable by equal fort-	Pensions payable
		fortnightly

(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 Amendment 5 upon the first day of January, one thousand nine hundred 3, 1963. and sixty-three. Sec. 3.

(Increase

(2) The Superannuation (Amendment) Act, 1963, is of rates of certain amended by omitting from subsection three of section three pensionsthe word "person" where secondly occurring and by inserting more than 12 units.) 10 in lieu thereof the word "pension".

- The Macquarie University Act, 1964, is amended-Amendment 9. of Act No. 29, 1964.
  - (a) by omitting from subparagraph (ii) of paragraph sec. 34. (a) of subsection one of section thirty-four the (Amendment words "the same subsection" and by inserting in <sup>of Act No.</sup> 28, 1916.) lieu thereof the words "subsection three of the same section";

(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)]

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(2) Paragraph (d) of substances one of this surface shall contribute the incard fourth dog of Publicates, one (housand more hundred and safesis).

8. (1) The settion dual is devided to have commenced another to be set in a set of the term in a set of ter

(2) Fac Superimum on Christian Act, 1963, is direction another by contract from subsection three of section there ensities the word "person" where secondly recurring and by meeting "rolled" to in here there are word "pension".

9. The Macquaria Hingensity Act. 1964. is antended — Americante

(a) by summing from subsumming (a) of rangeraph see 34, (a) of subsection and of section, thirty-barrier (Amendment words, the words subsection and ov inserting in of Act Net (a) of the sector subsection face of the same

(b) by omning paramaph (b) of the same subsection "

AUTIMORITY

S REPORT GOVERNMENT FRINTER, SYDNEY, NEW SOUTH W 115-1963 [18, 6d. (15c)]

#### 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.]

 $\mathbf{B}^{E}$  it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows:—

1. (1) This Act may be cited as the "Superannuation short title, (Amendment) Act, 1965". (2) citation,

) citation, construction and commencement.

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(2) The Superannuation Act, 1916, as amended by subsequent Acts, by the Governor pursuant to section ninetytwo 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.

Where any pension payable under the Principal Act, Increase other than a pension in respect of children, was at the of rates of certain 15 commencement of this section payable to or after such compensions. mencement 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 20 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 30 which such pension becomes so payable.

o which such pension becomes so payaon

3. The Principal Act is amended—

Amendment of Act No. 28, 1916.

(a) by omitting from paragraph (a) of subsection one Sec. 5A.
 of section 5A the words "of the Commonwealth" (Certain and by inserting in lieu thereof the words "or Terri-share investments tory, including a Territory under trusteeship, of authorised.) the Commonwealth";

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(b)

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

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

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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.

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Act No. , 1965.

#### 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 Sec. 11. (Contributions and the words "from contributing under this Act." the Contributions words "Any unit or units in excess of the reduced tions—number in respect of which an employee contributes when to commence.) 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.";
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(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.
- 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 Sec. 12. of section twelve all the words, figures and symbols (Scale of after units of pension.)

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Act No. , 1965.

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	ő	
5	570	660	Dickt maile			260 0	ő	
-	660	750		•••		292 10	-	
	750	830	Nine units, or	••			0	
	830	910	Ten units, or Eleven units, or					
	910	990	Truster miles		•••		0	
10	990	1.070	Thistern	•••			-	
	1.070	1,150	Equation with	•••	1.11.0		0	
	1,150	1,230		••			-	
	1.230	1,310	Fifteen units, or				0	
	1,310	1,390			111		0	
15	1,390	1,470	Seventeen units, or Eighteen units, or		•••	552 10 585 0	0	
	1,470	1,550	NI:			617 10	-	
	1.550	1,630	T			650 0	0	
	1,630	1,710	T			682 10	0	
	1.710	1,790				715 0	0	
20	1,790	1,870	Twenty-two units, or Twenty-three units, or	10.100		747 10	0	
	1.870	1,990	Twenty-four units, or		•••	780 0	0	
	1,990	2,110	Twenty-five units, or				-	
	2.110	2,230	Twenty-six units, or			$     812 \ 10 \\     845 \ 0 $	0	
	2,230	2,350	Twenty-seven units, or		••	877 10	-	
25	2,350	2,470	Twenty-eight units, or			910 0	0	
	2,470	2,600	Twenty-nine units, or			942 10	Ő	
	2,600	2,730		11		975 0	ő	
	2,730	2,860	T1 ' .		••	1,007 10	ő	
	2,860	2,990	Thirty-two units, or Thirty-two units, or	••		1.040 0	ő	
30	2,990	3,120	Thirty-three units, or			1,040 0	ő	
	3.120	3,250	Thirty-four units, or			1.105 0	ő	
	3.250	3,380	Thirty-five units, or	•••		1,137 10	0	
	3,380	3,510	Thirty-six units, or	Sec. Sec.		1.170 0	0	
	3,510	3,640	Thirty-seven units, or	••		1.202 10	Ő	
35	3,640	3,770	Thirty-eight units, or			1.235 0	ő	
55	3,770	3.900	Thirty-nine units, or		million	1,267 10	ő	
	3,900	4,030	Forty units, or		••	1,300 0	ŏ	
	4.030	4,160	Forty-one units, or		•••	1,332 10	ŏ	
	4,160	4,290	Forty-two units, or	::		1,365 0	ŏ	
40	4.290	4,420	Forty-three units, or			1,397 10	ŏ	
	4,420	4,550	Forty-four units, or			1,430 0	ŏ	
	4,550	4,680	Forty-five units, or	C31 201.		1.462 10	ŏ	
	4,680	4,810	Forty-six units, or			1.495 0	ŏ	
	4 810	4,940	Forty-seven units, or			1.527 10	ŏ	
45	4,940	5.070	Forty-eight units, or		2.110	1.560 0	ŏ	
	5.070	5,265	Forty-nine units, or			1,592 10	ŏ	
	5.265	5,460	Fifty units, or			1,625 0	ŏ	
	5,460	5,655	Fifty-one units, or			1.657 10	ŏ	
	5,655	5,850	Fifty-two units, or			1.690 0	ŏ	
50	5,850	6,045	Fifty-three units, or			1.722 10	ŏ	
	6.045	6.240	Fifty-four units, or			1,755 0	õ	
	6,240	6,435	Fifty-five units, or	(A. 2011)		1.787 10	Ő	
	6,435	6,630	Fifty-six units, or			1.820 0	ŏ	
	6.630	6,825	Fifty-seven units, or			1.852 10	ŏ	
55	6,825		Fifty-eight units, or		110	1.885 0	Ő	
	,		,			-,		

(b)

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- (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,";

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(f)

#### Act No. , 1965.

#### 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,";

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(k)

- (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":
- 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".

### 25 6. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

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

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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.

> > (b)

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

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(b) by inserting next after section 12A the following new New sec. section : — 12B.

12B. (1) In this section "the prescribed age" Contributions in certain

(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.

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(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

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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.

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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 Sec. 26. twenty-six the words "thirty-two pounds ten (Pension shillings per annum" and by inserting in lieu <sup>unit.</sup>) thereof the words "twelve shillings and sixpence per week";

(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)

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Act No. , 1965.

Superannuation (Amendment).

subsection one of section words and figures : —		JUD 44.	GP 2		pension or retirement
Forty-nine units		1,592	10	0	
Fifty units		1,625	0	0	
Fifty-one units	AUROLA	1,657	10	0	
Fifty-two units	1948 - 144 - 144	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	and Child	1,852	10	0	
Fifty-eight units		1,885	0	0	145 . T. 11 4

(c) (i) by omitting from subsection one of section 28A Sec. 28A.
 the words "of retirement, one three hundred (Pension on retirement and sixty-fifth part" and by inserting in lieu before 60.) 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.

(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 payable fortnightly.

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(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 Amendment 5 upon the first day of January, one thousand nine hundred 3, 1963. and sixty-three. Sec. 3.

(Increase

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

- 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 (Amendment words "the same subsection" and by inserting in of Act No. 28, 1916.) lieu thereof the words "subsection three of the same section";

(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)]

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## 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.

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### SUPERANNUATION (AMENDMENT) BILL 1965.

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- ে চুল আগত হৈছে। বিজ্ঞানিত আগত হল জন পাই বিজ্ঞানিত হৈ বিজ্ঞান হয়। ক্ষেত্ৰত ক্ষেত্ৰীয় হৈছে বিজ্ঞান
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PROOF

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.]

 $\mathbf{B}^{E}$  it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows :—

1. (1) This Act may be cited as the "Superannuation short title, (Amendment) Act, 1965". (2) citation,

citation, construction and commencement.

34281 134-

(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.

Where any pension payable under the Principal Act, Increase other than a pension in respect of children, was at the of rates of certain 15 commencement of this section payable to or after such compensions.

- mencement of this section payable to or after such com- p mencement 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
- 20 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

30 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 Sec. 5A.
 of section 5A the words "of the Commonwealth" (Certain and by inserting in lieu thereof the words "or Terri- share investments tory, including a Territory under trusteeship, of authorised.) the Commonwealth";

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

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

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

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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.

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increased pensions.

4. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

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- (a) by inserting in subsection one of section eleven after Sec. 11. the words "from contributing under this Act." the (Contribuwords "Any unit or units in excess of the reduced tionsnumber in respect of which an employee contributes when to commence.) 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.";

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- (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";
- (i) by omitting from subsection two of the same (c) section the words "or dies" wherever occurring; and
  - (ii) by omitting from the same subsection the words "or retires" wherever occurring.
- The Principal Act is further amended-5.

Further amendment of Act No. 28, 1916.

(a) by omitting from the scale set out in subsection one Sec. 12. of section twelve all the words, figures and symbols (Scale of units of after pension.)

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# Superannuation (Amendment).

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

	390	480	Six units, or		12.2	195 0	0
	480	570	Seven units, or			227 10	õ
5	570	660	Eight units, or			260 0	õ
-	660	750	Nine units, or	• • •		292 10	ŏ
	750	830	Ten units, or	•••		325 0	õ
	830	910	Eleven units, or	•••	•••	357 10	õ
	910	990	Twelve units, or		•••	390 0	õ
10	990	1.070	TT1			422 10	õ
	1,070	1,150	E	• •		455 0	õ
	1.150	1,230	<b>F</b> 'C.	•••	•••	487 10	0
	1,230	1,310	C'		• •	520 0	0
-	1,310	1,390		•••		552 10	0
15	1,390	1,470	Seventeen units, or	••	••	585 0	Ő
	1,470	1,550	Eighteen units, or	• •		617 10	0
	1,550	1,630	Nineteen units, or	••	••		0
	1,630	1,710	Twenty units, or		••		0
	1,710	1,790	Twenty-one units, or	••			-
20	1,790	1,870	Twenty-two units, or			715 0	0
20		1,990	Twenty-three units, or		••	747 10	0
	1,870		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
25	2,230 2,350	2,350	Twenty-seven units, or	••		877 10	0
25		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
30	2,860	2,990	Thirty-two units, or			1,040 0	0
50	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
25	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
10	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
45	4,810	4,940	Forty-seven units, or			1,527 10	0
45	4,240	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
50	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
22	6,825	the states of the second	Fifty-eight units, or			1,885 0	0

(b)

- (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,";

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#### 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 seven of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five of the Superannuation (Amendment) Act, 1963" and by inserting in lieu thereof the words "commencement of section five 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,";

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- (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";
  - 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".
- 25 6. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

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

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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";

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(b) by inserting next after section 12A the following new New sec. section : — 12B.

12B. (1) In this section "the prescribed age" Contributions in certain

- (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.

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cases.

(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

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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.

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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 Sec. 26.
   twenty-six the words "thirty-two pounds ten (Pension shillings per annum" and by inserting in lieu unit.)
   thereof the words "twelve shillings and sixpence per week";
  - (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.

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(b)	by inserting a						
	subsection one words and figu		n twer	ity-seven t	he fo	ollow	pension on retirement
	Forty-nine u	inits		1,592	10	0	
	Fifty units	In Call		1,625	0	0	
	Fifty-one un	its		1,657	10	0	
	Fifty-two un	its		1,690	0	0	
	Fifty-three u	inits		1,722	10	0	
	Fifty-four u	nits		1,755	0	0	
	Fifty-five un	its	10.00	1,787	10	0	
	Fifty-six uni	ts		1,820	0	0	
	Fifty-seven u	inits		1,852	10	0	
	Fifty-eight u	nits		1,885	0	0	

the words "of retirement, one three hundred (Pension on and sixty-fifth part" and by inserting in lieu before 60.) 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.

(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 fort-Pensions payable nightly instalments. fortnightly.

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(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 Amendment of Act No.
5 upon the first day of January, one thousand nine hundred 3, 1963. and sixty-three.

(2) The Superannuation (Amendment) Act, 1963, is of rates of certain amended by omitting from subsection three of section three pensions—the word "person" where secondly occurring and by inserting 12 units.)
 10 in lieu thereof the word "pension".

- 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 (Amendment words "the same subsection" and by inserting in of Act No. 28, 1916.) lieu thereof the words "subsection three of the same section";

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

#### BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES-1965

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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.]

 $\mathbf{B}^{E}$  it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Superannuation Short title, (Amendment) Act, 1965". (2) citation, construct

citation, construction and commencement.

P 37837 [1s. 6d. (15c)] : "ddiss wrommail) orb

(2) The Superannuation Act, 1916, as amended by subsequent Acts, by the Governor pursuant to section ninetytwo 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.

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.

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";

Increase of rates of certain pensions.

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

Amendment

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

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

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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.

pensions.

# Superannuation (Amendment).

The Principal Act is further amended-

Further amendment of Act No. 28, 1916. 4.

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

5. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

Sec. 12. (Scale of units of pension.) (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
	1.310				520 0	0
1,230 1,310	1,390	Sixteen units, or	11 12 3		552 10	0
		Seventeen units, or	u a Carani	1. 1	585 0	Ō
1,390	1,470	Eighteen units, or			617 10	ŏ
1,470	1,550	Nineteen units, or	110 <b>01</b> (36)	••	650 0	ŏ
1,550	1,630	Twenty units, or	••	••	682 10	ŏ
1,630	1,710	Twenty-one units, or	••	••	715 0	ŏ
1,710	1,790	Twenty-two units, or	iri .2.604	•••	747 10	ŏ
1,790	1,870	Twenty-three units, or	· · ·	••	780 0	ŏ
1,870	1,990	Twenty-four units, or	K HI. O.	•••	812 10	ŏ
1,990	2,110	Twenty-five units, or		•••	845 0	Ő
2,110	2,230	Twenty-six units, or	••	••		ŏ
2,230	2,350	Twenty-seven units, or		••		ŏ
2,350	2,470	Twenty-eight units, or	••	••	910 0	
2,470	2,600	Twenty-nine units, or	11111	••	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 6 .1. 1.		1,202 10	0
3,640	3,770	Thirty-eight units, or	10.00	•••	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	nir laan s		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	Para Jul		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
	5,655	Fifty-one units, or			1,657 10	0
5,460		Fifty-two units, or			1.690 0	ŏ
5,655	5,850		S and the second		1,722 10	ŏ
5,850	6,045	Fifty-three units, or			1,755 0	ŏ
6,045	6,240	Fifty-four units, or	•••	•••	1,787 10	ŏ
6,240	6,435	Fifty-five units, or	••	••	1,820 0	ŏ
6,435	6,630	Fifty-six units, or	• •	••	1,820 0	ŏ
6,630	6,825	Fifty-seven units, or	••	••	1,885 0	ŏ
6,825	••	Fifty-eight units, or	••	••	1,005 0	U

(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 there of the words "section five of the Superannuation (Amendment) Act, 1965,";

(k)

- (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";
- 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.

(a)

Sec. 12A.

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

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";

New sec. 12B. (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.

Contributions in certain

cases.

(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

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 Sec. 26. twenty-six the words "thirty-two pounds ten (Pension shillings per annum" and by inserting in lieu unit.) thereof the words "twelve shillings and sixpence per week";
  - (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.

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(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 1 1 10001	1,722 10	0
Fifty-four units		1,755 0	0
Fifty-five units	156 N 15 M 15	1,787 10	0
Fifty-six units		1,820 0	0
Fifty-seven units	2011 - Di 2020 • •	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.

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

45. Pensions shall be payable by equal fortnightly instalments.

Subst. sec. 45.

Pensions payable fortnightly.

(2)

(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 Amendment upon the first day of January, one thousand nine hundred <sup>of Act No.</sup> 3, 1963. and sixty-three. Sec. 3.

(Increase

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

- 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 (Amendment words "the same subsection" and by inserting in of Act No. lieu thereof the words "subsection three of the same section";
  - (b) by omitting paragraph (b) of the same subsection.

BY AUTHORITY:

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

#### Ast No. 19, 1965.

#### Supersanation (Amendment).

(2) Paragraph (d) of subsection one of this section shalt commence upon the twenty-fourth day of February, and through i nine hundred and sixty-size.

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8. D This sett a shall be accured to have commenced American as error first day or familiary, one thousand nine hundred states and stay-three.

• 21 The Superanization (Aucedment) Act. 1963, is already acceled by omitting along allog allocation three of section three allocation discound "person" where secondly occurring and by inserting to the first of by the record the wood "pension".

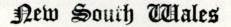
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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE Assembly, has finally passed the LEGISLATIVE COUNCIL and the LEGIS-LATIVE ASSEMBLY of NEW SOUTH WALES.

> ALLAN PICKERING, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 7 December, 1965.





# 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.]

 $\mathbf{B}^{E}$  it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Superannuation Short title, (Amendment) Act, 1965". (2) citation, construct

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 ninetytwo 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.

3. The Principal Act is amended—

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

(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";

2

(b)

# Superannuation (Amendment).

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

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

## 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.

pensions.

# Superannuation (Amendment).

The Principal Act is further amended-

Further amendment of Act No. 28, 1916. 4.

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

5. The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

Sec. 12. (Scale of units of pension.) (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	Õ
830	910	Eleven units, or			357 10	Õ
910	990	Twelve units, or			390 0	ŏ
990	1.070	Thirteen units, or		-0111	422 10	ŏ
1,070	1,150	Fourteen units, or			455 0	õ
1,150	1,230	Fifteen units, or			487 10	õ
1,230	1,310	Sixteen units, or			520 0	0
1,310	1,390	C			552 10	0
1,390	1,470	T' 1			585 0	Ő
1,470	1,550			••	617 10	Ő
1,550	1,630	Nineteen units, or		••	650 0	0
1,630	1,710	Twenty units, or	••			
1,710	1,790	Twenty-one units, or			682 10	0
		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	hier .		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	100.00	1000	1,235 0	0
3,770	3,900	Thirty-nine units, or			1,267 10	Ō
3,900	4,030	Forty units, or			1.300 0	ŏ
4,030	4,160	Forty-one units, or	10.00	100	1,332 10	ŏ
4,160	4,290	Forty-two units, or			1.365 0	õ
4,290	4,420	Forty-three units, or			1,397 10	ŏ
4,420	4.550	Forty-four units, or			1,430 0	ŏ
4,550	4,680	Forty-five units, or			1,462 10	ŏ
4,680	4,810	Forty-six units, or			1,495 0	õ
4,810	4,940	Forty-seven units, or	.:		1,527 10	0
4,940	5.070				1.560 0	Ő
5,070	5,265	Forty-eight units, or	••	••	1,592 10	0
	5,460	Forty-nine units, or	• •	• •		
5,265		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				0
6,825		Fifty-eight units, or			1,885 0	0
6,825	· · · · · · · · · · · · · · · · · · ·	Fifty-eight units, or			1,885 0	0

(b)

- (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,";

#### 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 Super-annuation (Amendment) Act, 1965";

E.

 (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) by omitting from paragraph (a) of subsection  $(1_B)$ 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":
- (1) 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".

The Principal Act is further amended—

Further amendment of Act No. 28, 1916.

6.

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

-3

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";

#### Superannuation (Amendment).

New sec. 12B. (b) by inserting next after section 12A the following new section : —

Contributions 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)

(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

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 Sec. 26. twenty-six the words "thirty-two pounds ten (Pension shillings per annum" and by inserting in lieu <sup>unit.</sup>) thereof the words "twelve shillings and sixpence per week";
  - (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)

Act No. 30, 1965.

	Superannuation (Amendment).									
Sec. 27. (Amount of pension on retirement.)	(b)	by inserting at the subsection one of sec words and figures :-	tion twee							
		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.)

Subst. sec. 45.

Pensions payable fortnightly. (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.

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

45. Pensions shall be payable by equal fortnightly instalments.

(2)

(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 Amendment upon the first day of January, one thousand nine hundred 3, 1963. and sixty-three. Sec. 3.

(Increase

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

- 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 (Amendment words "the same subsection" and by inserting in of Act No. 28, 1916.) lieu thereof the words "subsection three of the same section";

(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.

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#### "Areadented (Ameridaes).

(2) Paragaph (a) of subscript one of this section a shall some coupled the twent fourth day of I obtary, one chouse in mile bundled and si twents.

B. (1) The section shall be deemed to have commenced American error the first day of January, one moustand nine hundred <u>5 1967</u>, and stagethere.

(2) The Superanalitien (Amendment) Act. 1961: is a rates amended by confitting from subsection three of section three pendent the word "report" where accordly occurring and by insecting mousthan ran her incredible word "pension".

a) its continue from subnaragizable (ii) of paragraph Sec 24, (a) of subsection one of section thirty four the (American words "the same subsection" and by traceting in 21 M No. Bou thereast he words "subsection three of the same section";

(b) by contains phrastraph (b) of the since subsection

but the nume and on behalf of Her Majesty I assent to this Act.

Lieutenant-Covernor.

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