

**NORTHERN RIVERS COUNTY COUNCIL (UNDERTAKING
ACQUISITION) ACT, 1981, No. 95**

New South Wales



ANNO TRICESIMO

ELIZABETHÆ II REGINÆ

Act No. 95, 1981.

An Act to make provision with respect to the acquisition by the Northern Rivers County Council of the electricity undertaking in the Shire of Tweed. [Assented to, 5th June, 1981.]

Northern Rivers County Council (Undertaking Acquisition).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Northern Rivers County Council (Undertaking Acquisition) Act, 1981".

Interpretation.

2. (1) In this Act—

"agreement" means the indenture dated 15th July, 1958, made between The Southern Electric Authority of Queensland and the Council of the Shire of Tweed, as varied by—

- (a) the assignment dated 27th May, 1977, and made between The Southern Electric Authority of Queensland and The South East Queensland Electricity Board;
- (b) section 10 of the County Districts Reconstitution Act, 1979; and
- (c) any other agreement made between The South East Queensland Electricity Board and the County Council;

"appointed day" means the day that is 1 month after the day fixed pursuant to the agreement for the acquisition of the undertaking by the County Council;

"County Council" means the Northern Rivers County Council;

"previous service", in relation to a transferred servant, means service during the employment of the transferred servant in the electricity supply industry within the meaning of section 346 of the Queensland Act;

"the Queensland Act" means the Electricity Act, 1976, of the Parliament of the State of Queensland, as amended by subsequent Acts of that Parliament;

Northern Rivers County Council (Undertaking Acquisition).

“transferred servant” means a person who, pursuant to section 4 (2), is transferred to the service of the County Council;

“undertaking” means the electricity undertaking which under the agreement may be acquired by the County Council.

(2) This Act shall be construed with and as part of the Local Government Act, 1919, but this Act has effect notwithstanding anything in the Local Government Act, 1919, or the agreement.

County Council may act in Queensland to acquire, etc., undertaking.

3. The County Council shall have, and shall be deemed always to have had, the power to do anything necessary to be done in the State of Queensland (including the purchase of land in that State) for the purposes of acquiring and of controlling and managing the undertaking.

Servants may elect to transfer.

4. (1) The persons who, on the day fixed pursuant to the agreement for the acquisition of the undertaking by the County Council—

- (a) are servants of The South East Queensland Electricity Board; and
- (b) are wholly or principally employed on or in connection with the undertaking,

may, by a notice in writing served on the County Council before the appointed day, elect to transfer to the service of the County Council.

(2) A person who elects to transfer to the service of the County Council in accordance with subsection (1) shall, on the appointed day—

- (a) be transferred to the service of the County Council;
- (b) become a servant of the County Council; and
- (c) subject to this Act, be deemed to have been appointed and employed by the County Council.

Northern Rivers County Council (Undertaking Acquisition).

(3) A transferred servant shall, on and from the appointed day and until otherwise directed by the County Council, continue to perform the duties which attached to his employment immediately before the appointed day.

Remuneration of transferred servants.

5. A transferred servant shall, subject to Part V of the Industrial Arbitration Act, 1940, be remunerated by the County Council on terms not less advantageous than those on which he was remunerated by The South East Queensland Electricity Board immediately before the appointed day.

Mobility of transferred servants.

6. (1) Subject to subsection (2), a transferred servant may not, without his consent, be required by the County Council to be based, as a servant of the County Council, at a place which is outside the State of Queensland and outside the Shire of Tweed.

(2) Where a transferred servant has once given an unconditional consent for the purposes of subsection (1), that subsection ceases to apply to him.

Redundancy of transferred servants.

7. The employment of a transferred servant may not be terminated by the County Council on the ground of redundancy arising from the acquisition of the undertaking.

Awards and agreements relating to transferred servants.

8. Subject to this Act, where any condition of employment of any transferred servant is, immediately before the appointed day, regulated by an award or industrial agreement (whether under the law of the State of New South Wales or not), the condition shall continue to be so regulated until it is varied or altered by an award that is made by a competent tribunal and that binds the County Council or by an industrial agreement to which the County Council is a party.

Northern Rivers County Council (Undertaking Acquisition).

Previous service and accrued leave of transferred servants.

9. (1) The period of previous service of a transferred servant shall, upon his transfer to the service of the County Council, be counted as service with the County Council for the purposes of any Act or of any ordinance, regulation or by-law or of the terms and conditions of any staff agreement or of any award or agreement made under the Industrial Arbitration Act, 1940.

(2) The transfer of a transferred servant to the service of the County Council shall not affect any right to leave (including long service leave) of absence accrued prior to the appointed day.

Gratuity for transferred servants.

10. (1) If—

(a) the employment of any transferred servant is terminated by the County Council, otherwise than for misconduct, within the period of 2 years after the appointed day; or

(b) any transferred servant resigns his position with the County Council within the period commencing 1 year after, and ending 2 years after, the appointed day and the County Council has prior to the date on which his resignation was tendered failed to offer him in writing continuous employment at a salary or wage at least equal to that received by him immediately prior to the appointed day, and that failure is not occasioned by his misconduct,

the County Council shall grant to the transferred servant a gratuity equivalent to the amount of 4 weeks' salary or wages for each year of his previous service and of his service with the County Council, such salary or wages being reckoned on the average of the weekly salary or wages paid to that servant during the 52 weeks immediately preceding the appointed day.

(2) Nothing in subsection (1) shall require the County Council to offer any transferred servant employment beyond the date fixed for retirement by the Local Government Act, 1919.

(3) The amount of any gratuity payable under subsection (1) to a transferred servant shall not in any case exceed an amount being the equivalent of the salary and wages (reckoned on the average of the weekly salary

Northern Rivers County Council (Undertaking Acquisition).

or wages paid to the transferred servant during the 52 weeks immediately preceding the appointed day) which the transferred servant would have received if he had continued in his previous service until the age of 65 years.

(4) This section shall not apply to a transferred servant unless he has been employed continuously in his previous service for a period of not less than 1 year immediately preceding the appointed day.

(5) Nothing in this section affects the operation of sections 6 and 7.

Compensation payable for termination under previous service.

11. (1) Where—

(a) a transferred servant was, in respect of his previous service, engaged under a contract of service which provides for payment of compensation in the event of the termination of his employment; and

(b) the employment of the transferred servant is, before the expiration of the period of the contract, terminated by the County Council otherwise than in accordance with the terms of the contract,

the County Council shall pay to the transferred servant the amount of compensation provided for in the contract, and if the amount of the compensation is less than the amount that would be payable to the transferred servant under section 10, shall also pay to the transferred servant a gratuity equal to the difference.

(2) A transferred servant who is entitled to receive any compensation or compensation and gratuity under subsection (1) shall not be entitled to receive a gratuity under section 10.

Transferred servants to be notified of provisions relating to superannuation.

12. (1) The Local Government Superannuation Board shall, as soon as practicable after the date of assent to this Act and before the appointed day, inform each person who, in its opinion, is wholly or principally employed by The South East Queensland Electricity Board on or in connection with the undertaking of his entitlements under section 14 should he elect to come under the provisions of Part III D of the Local Government and Other Authorities (Superannuation) Act, 1927.

Northern Rivers County Council (Undertaking Acquisition).

(2) Nothing done or omitted to be done pursuant to subsection (1) prejudices any determination to be made by the Local Government Superannuation Board under section 14.

Transferred servants electing to remain in Queensland superannuation scheme.

13. Where a transferred servant elects, pursuant to clause 12A of the Fifth Schedule to the Queensland Act, to continue to contribute to the Queensland Electricity Supply Industry Employees' Superannuation Scheme or to remain a member of a fund referred to in that Schedule—

- (a) the County Council shall, while the transferred servant remains in its employ and so far as the law of the State of Queensland permits, comply in all respects with the obligations of an employer under the rules of and the terms and conditions relating to that Scheme or that fund, as the case may be; and
- (b) the Local Government and Other Authorities (Superannuation) Act, 1927, does not apply to or in respect of the transferred servant while he remains in the employ of the County Council.

Transferred servants not electing to remain in Queensland superannuation scheme.

14. (1) Where a transferred servant, within 1 month after the appointed day or within such further period as the Local Government Superannuation Board may allow—

- (a) makes an election under section 15AN (2) of the Local Government and Other Authorities (Superannuation) Act, 1927, to come under the provisions of Part III D of that Act; and
- (b) pays to, or directs the Queensland Electricity Supply Industry Superannuation Board to pay to, the Local Government Superannuation Board the total amount that is paid to him, or payable on his account, by reason of his withdrawal from the Queensland Electricity Supply Industry Employees' Superannuation Scheme or from a fund referred to in the Fifth Schedule to the Queensland Act,

the provisions of this section apply to and in respect of the transferred servant notwithstanding anything to the contrary in the Local Government and Other Authorities (Superannuation) Act, 1927.

Northern Rivers County Council (Undertaking Acquisition).

(2) A transferred servant referred to in subsection (1) becomes a contributor to the Local Government Pension Fund on a day to be determined by the Local Government Superannuation Board.

(3) The Local Government Superannuation Board may, under section 15AN (8) of the Local Government and Other Authorities (Superannuation) Act, 1927, determine that a transferred servant referred to in subsection (1) is—

- (a) qualified for full additional benefits;
- (b) qualified for partial, but not full, additional benefits; or
- (c) not qualified for either such benefits,

after considering any details of the medical and personal history of the transferred servant that are supplied to it by the Queensland Electricity Supply Industry Superannuation Board.

(4) The amount paid by, or in pursuance of a direction given by, a transferred servant under subsection (1) (b) shall be credited to the Local Government Pension Fund in the following manner:—

- (a) that part of the amount that the Local Government Superannuation Board determines to be the previous contributions, and any interest thereon, of the transferred servant shall be credited to the transferred servant's account in that Fund;
- (b) that part of the amount that the Local Government Superannuation Board determines to be the previous contributions, and any interest thereon, of the transferred servant's employer shall be credited to the general reserve in that Fund.

(5) A transferred servant referred to in subsection (1) shall be deemed to have accrued under section 15BE of the Local Government and Other Authorities (Superannuation) Act, 1927, such additional number of pension points as the Local Government Superannuation Board determines having regard to the amount paid by, or in pursuance of a direction given by, the transferred servant under subsection (1) (b).

(6) A transferred servant referred to in subsection (1) shall, for the purposes of section 15AU (1) (b) of the Local Government and Other Authorities (Superannuation) Act, 1927, be deemed to be a contributor referred to in that paragraph.

Northern Rivers County Council (Undertaking Acquisition).

(7) The previous service of a transferred servant referred to in subsection (1), or such period thereof as the Local Government Superannuation Board determines, shall be deemed to be approved service for the purposes of such of the provisions of Part III^D of the Local Government and Other Authorities (Superannuation) Act, 1927, as that Board determines.

(8) The County Council and the Local Government Superannuation Board may make such agreements with the Queensland Electricity Supply Industry Superannuation Board as are necessary to facilitate a transferred servant's election to come under the provisions of Part III^D of the Local Government and Other Authorities (Superannuation) Act, 1927.

(9) Without affecting the generality of section 16, the Governor may make such regulations as he considers necessary to facilitate a transferred servant's election to come under the provisions of Part III^D of the Local Government and Other Authorities (Superannuation) Act, 1927.

Staff committee.

15. (1) The Minister shall appoint a staff committee to report to the County Council on any matter arising from the operation of this Act in relation to servants of the County Council.

(2) For the purposes of subsection (1), a staff committee shall comprise—

- (a) a chairman nominated by the Minister;
- (b) 2 persons nominated by the County Council; and
- (c) 2 persons nominated by the Minister, after consulting such persons as he thinks fit, to represent servants of the County Council.

(3) The Minister may constitute a staff committee under this section by appointing different persons according to the subject-matter with which it is at any time, or from time to time, required to deal.

Northern Rivers County Council (Undertaking Acquisition).

Regulations.

16. The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

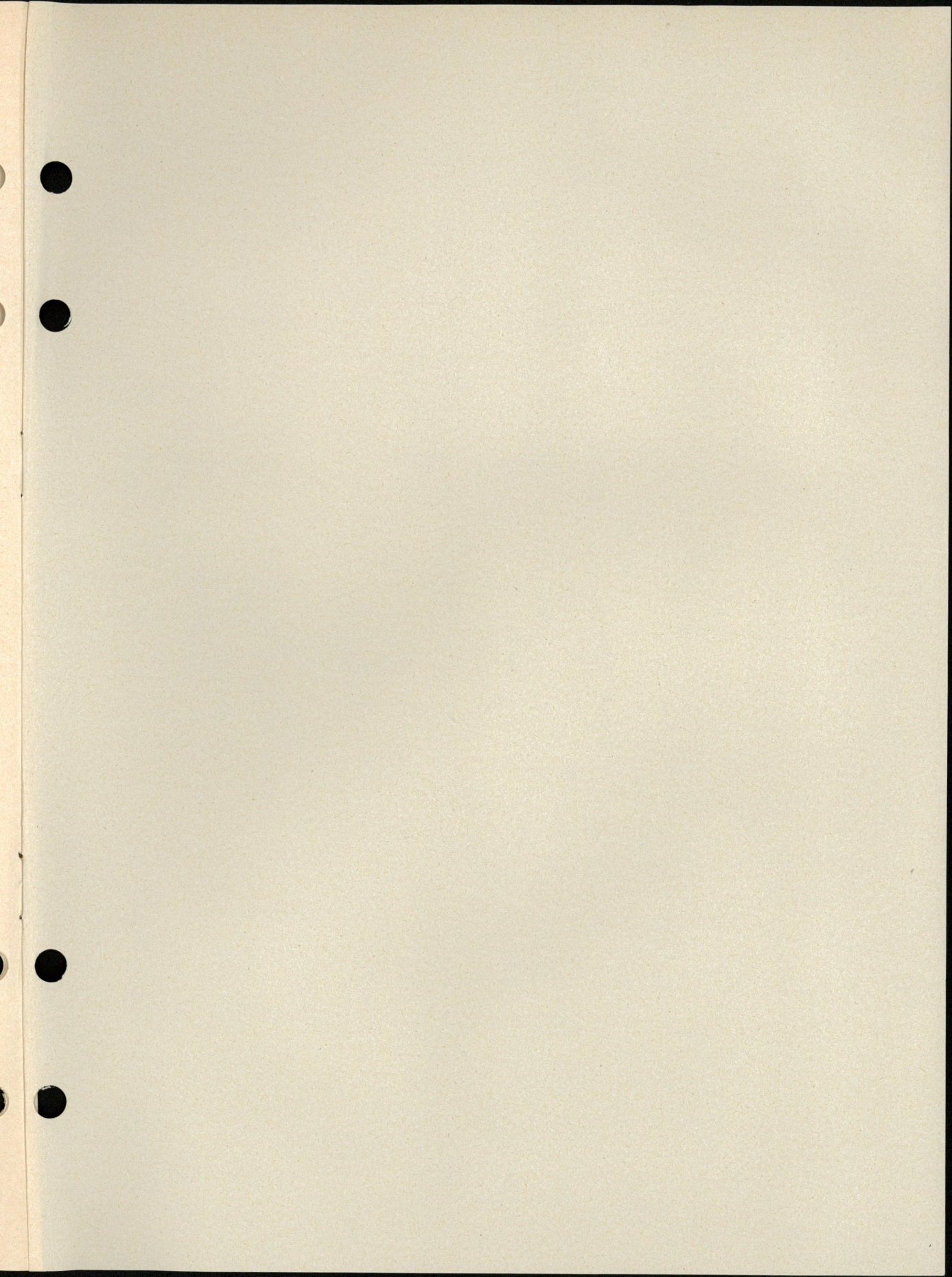
In the name and on behalf of Her Majesty I assent to this Act.

L. W. STREET,
By Deputation from
His Excellency the Governor.

Government House,
Sydney, 5th June, 1981.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981



Northern Rivers County Council (Undertaking Acquisition)

Regulations.

16. The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be provided for carrying out or giving effect to this Act.

In the name and on behalf of Her Majesty's Council in this Act

L. W. STRUPP

Its Designated Officer

His Excellency The Governor

Government House,

Adelaide, 5th June, 1981.

BY APPOINTMENT

SECRETARY OF DEFENCE, DEFENCE HOUSE, PARLIAMENTS HOUSE, CANBERRA

NORTHERN RIVERS COUNTY COUNCIL (UNDERTAKING ACQUISITION) BILL, 1981

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to make provision with respect to the acquisition by the Northern Rivers County Council ("the County Council") of the electricity undertaking of The South East Queensland Electricity Board in the Shire of Tweed ("the undertaking") and, in particular, with respect to the transfer of certain servants of that Board to the County Council.

The Bill contains the following provisions:—

Clause 1. Short title.

Clause 2. Interpretation.

Clause 3 authorises the County Council to act in the State of Queensland for the purposes of acquiring and of controlling and managing the undertaking.

Clause 4 provides that the servants of the South East Queensland Electricity Board who are employed on or in connection with the undertaking may elect to transfer to the service of the County Council within 1 month after the County Council acquires the undertaking.

Clause 5 ensures that the salary and wages of a transferred servant are not reduced after his transfer.

Clause 6 prevents the County Council from requiring a transferred servant to be based outside Queensland and the Shire of Tweed without his consent.

Clause 7 prohibits the services of a transferred servant being terminated on the ground of redundancy arising from the acquisition of the undertaking.

Clause 8 saves certain existing awards and industrial agreements relating to the conditions of employment of transferred servants.

Clause 9 deems certain previous service of a transferred servant to be service with the County Council and saves any accrued leave of absence.

Clause 10 provides for the payment of a gratuity where a transferred servant has his employment with the County Council terminated, or he resigns from that employment, within a specified period after his transfer.

Clause 11 preserves any right to compensation which a transferred servant may have, under a contract of service, for the termination of his previous service.

Clause 12 requires the Local Government Superannuation Board to inform transferred servants of their entitlements under clause 14.

Clause 13 makes provision with respect to transferred servants who elect to remain in a Queensland superannuation scheme.

Clause 14 makes provision with respect to transferred servants who do not elect to remain in a Queensland superannuation scheme but who elect to transfer to the New South Wales Local Government Pension Fund.

Clause 15 provides for the establishment of a staff committee to report on matters arising from the operation of the proposed Act.

Clause 16 empowers the Governor to make regulations.

NORTHERN RIVERS COUNTY COUNCIL (UNDERTAKING ACQUISITION) BILL, 1981

and consent of the Northern Rivers County Council and the Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

(2) This Act shall be deemed to have been made as part of the Electricity Undertaking Act, 1919.

Interpretation

3. The County Council shall have and shall have the same powers as if it were a body corporate and as if it were a body corporate established by or under an Act of Parliament.

A BILL FOR

An Act to make provision with respect to the acquisition by the Northern Rivers County Council of the electricity undertaking in the Shire of Tweed.

[MR HILLS—15 April, 1981.]

Northern Rivers County Council (Undertaking Acquisition).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Northern Rivers County Council (Undertaking Acquisition) Act, 1981".

Interpretation.

2. (1) In this Act—

10 "agreement" means the indenture dated 15th July, 1958, made between The Southern Electric Authority of Queensland and the Council of the Shire of Tweed, as varied by—

- 15 (a) the assignment dated 27th May, 1977, and made between The Southern Electric Authority of Queensland and The South East Queensland Electricity Board;
- (b) section 10 of the County Districts Reconstitution Act, 1979; and
- (c) any other agreement made between The South East Queensland Electricity Board and the County Council;

20 "appointed day" means the day that is 1 month after the day fixed pursuant to the agreement for the acquisition of the undertaking by the County Council;

"County Council" means the Northern Rivers County Council;

25 "previous service", in relation to a transferred servant, means service during the employment of the transferred servant in the electricity supply industry within the meaning of section 346 of the Queensland Act;

30 "the Queensland Act" means the Electricity Act, 1976, of the Parliament of the State of Queensland, as amended by subsequent Acts of that Parliament;

Northern Rivers County Council (Undertaking Acquisition).

“transferred servant” means a person who, pursuant to section 4 (2), is transferred to the service of the County Council;

“undertaking” means the electricity undertaking which under the agreement may be acquired by the County Council.

- 5 (2) This Act shall be construed with and as part of the Local Government Act, 1919, but this Act has effect notwithstanding anything in the Local Government Act, 1919, or the agreement.

County Council may act in Queensland to acquire, etc., undertaking.

10 3. The County Council shall have, and shall be deemed always to have had, the power to do anything necessary to be done in the State of Queensland (including the purchase of land in that State) for the purposes of acquiring and of controlling and managing the undertaking.

Servants may elect to transfer.

15 4. (1) The persons who, on the day fixed pursuant to the agreement for the acquisition of the undertaking by the County Council—

- (a) are servants of The South East Queensland Electricity Board; and
- (b) are wholly or principally employed on or in connection with the undertaking,

20 may, by a notice in writing served on the County Council before the appointed day, elect to transfer to the service of the County Council.

25 (2) A person who elects to transfer to the service of the County Council in accordance with subsection (1) shall, on the appointed day—

- (a) be transferred to the service of the County Council;
- (b) become a servant of the County Council; and
- (c) subject to this Act, be deemed to have been appointed and employed by the County Council.

Northern Rivers County Council (Undertaking Acquisition).

(3) A transferred servant shall, on and from the appointed day and until otherwise directed by the County Council, continue to perform the duties which attached to his employment immediately before the appointed day.

5 Remuneration of transferred servants.

5. A transferred servant shall, subject to Part V of the Industrial Arbitration Act, 1940, be remunerated by the County Council on terms not less advantageous than those on which he was remunerated by The South East Queensland Electricity Board immediately before the appointed day.

10 Mobility of transferred servants.

6. (1) Subject to subsection (2), a transferred servant may not, without his consent, be required by the County Council to be based, as a servant of the County Council, at a place which is outside the State of Queensland and outside the Shire of Tweed.

15 (2) Where a transferred servant has once given an unconditional consent for the purposes of subsection (1), that subsection ceases to apply to him.

Redundancy of transferred servants.

7. The employment of a transferred servant may not be terminated by the 20 County Council on the ground of redundancy arising from the acquisition of the undertaking.

Awards and agreements relating to transferred servants.

25 8. Subject to this Act, where any condition of employment of any transferred servant is, immediately before the appointed day, regulated by an award or industrial agreement (whether under the law of the State of New South Wales or not), the condition shall continue to be so regulated until it is varied or altered by an award that is made by a competent tribunal and that binds the County Council or by an industrial agreement to which the County Council is a party.

*Northern Rivers County Council (Undertaking Acquisition).***Previous service and accrued leave of transferred servants.**

9. (1) The period of previous service of a transferred servant shall, upon his transfer to the service of the County Council, be counted as service with the County Council for the purposes of any Act or of any ordinance, regulation or by-law or of the terms and conditions of any staff agreement or of any award or agreement made under the Industrial Arbitration Act, 1940.

(2) The transfer of a transferred servant to the service of the County Council shall not affect any right to leave (including long service leave) of absence accrued prior to the appointed day.

10 Gratuity for transferred servants.

10. (1) If—

(a) the employment of any transferred servant is terminated by the County Council, otherwise than for misconduct, within the period of 2 years after the appointed day; or

(b) any transferred servant resigns his position with the County Council within the period commencing 1 year after, and ending 2 years after, the appointed day and the County Council has prior to the date on which his resignation was tendered failed to offer him in writing continuous employment at a salary or wage at least equal to that received by him immediately prior to the appointed day, and that failure is not occasioned by his misconduct,

the County Council shall grant to the transferred servant a gratuity equivalent to the amount of 4 weeks' salary or wages for each year of his previous service and of his service with the County Council, such salary or wages being reckoned on the average of the weekly salary or wages paid to that servant during the 52 weeks immediately preceding the appointed day.

(2) Nothing in subsection (1) shall require the County Council to offer any transferred servant employment beyond the date fixed for retirement by the Local Government Act, 1919.

(3) The amount of any gratuity payable under subsection (1) to a transferred servant shall not in any case exceed an amount being the equivalent of the salary and wages (reckoned on the average of the weekly salary

Northern Rivers County Council (Undertaking Acquisition).

or wages paid to the transferred servant during the 52 weeks immediately preceding the appointed day) which the transferred servant would have received if he had continued in his previous service until the age of 65 years.

(4) This section shall not apply to a transferred servant unless he has been employed continuously in his previous service for a period of not less than 1 year immediately preceding the appointed day.

(5) Nothing in this section affects the operation of sections 6 and 7.

Compensation payable for termination under previous service.

11. (1) Where—

10 (a) a transferred servant was, in respect of his previous service, engaged under a contract of service which provides for payment of compensation in the event of the termination of his employment; and

15 (b) the employment of the transferred servant is, before the expiration of the period of the contract, terminated by the County Council otherwise than in accordance with the terms of the contract,

the County Council shall pay to the transferred servant the amount of compensation provided for in the contract, and if the amount of the compensation is less than the amount that would be payable to the transferred servant under 20 section 10, shall also pay to the transferred servant a gratuity equal to the difference.

(2) A transferred servant who is entitled to receive any compensation or compensation and gratuity under subsection (1) shall not be entitled to receive a gratuity under section 10.

25 **Transferred servants to be notified of provisions relating to superannuation.**

12. (1) The Local Government Superannuation Board shall, as soon as practicable after the date of assent to this Act and before the appointed day, inform each person who, in its opinion, is wholly or principally employed by The South East Queensland Electricity Board on or in connection with the 30 undertaking of his entitlements under section 14 should he elect to come under the provisions of Part III D of the Local Government and Other Authorities (Superannuation) Act, 1927.

Northern Rivers County Council (Undertaking Acquisition).

(2) Nothing done or omitted to be done pursuant to subsection (1) prejudices any determination to be made by the Local Government Superannuation Board under section 14.

Transferred servants electing to remain in Queensland superannuation scheme.

5 13. Where a transferred servant elects, pursuant to clause 12A of the Fifth Schedule to the Queensland Act, to continue to contribute to the Queensland Electricity Supply Industry Employees' Superannuation Scheme or to remain a member of a fund referred to in that Schedule—

10 (a) the County Council shall, while the transferred servant remains in its employ and so far as the law of the State of Queensland permits, comply in all respects with the obligations of an employer under the rules of and the terms and conditions relating to that Scheme or that fund, as the case may be; and

15 (b) the Local Government and Other Authorities (Superannuation) Act, 1927, does not apply to or in respect of the transferred servant while he remains in the employ of the County Council.

Transferred servants not electing to remain in Queensland superannuation scheme.

20 14. (1) Where a transferred servant, within 1 month after the appointed day or within such further period as the Local Government Superannuation Board may allow—

(a) makes an election under section 15AN (2) of the Local Government and Other Authorities (Superannuation) Act, 1927, to come under the provisions of Part III D of that Act; and

25 (b) pays to, or directs the Queensland Electricity Supply Industry Superannuation Board to pay to, the Local Government Superannuation Board the total amount that is paid to him, or payable on his account, by reason of his withdrawal from the Queensland Electricity Supply Industry Employees' Superannuation Scheme or from a fund referred to in the Fifth Schedule to the Queensland Act,

30

the provisions of this section apply to and in respect of the transferred servant notwithstanding anything to the contrary in the Local Government and Other Authorities (Superannuation) Act, 1927.

Northern Rivers County Council (Undertaking Acquisition).

(2) A transferred servant referred to in subsection (1) becomes a contributor to the Local Government Pension Fund on a day to be determined by the Local Government Superannuation Board.

(3) The Local Government Superannuation Board may, under section 15AN (8) of the Local Government and Other Authorities (Superannuation) Act, 1927, determine that a transferred servant referred to in subsection (1) is—

- (a) qualified for full additional benefits;
 - (b) qualified for partial, but not full, additional benefits; or
 - 10 (c) not qualified for either such benefits,
- after considering any details of the medical and personal history of the transferred servant that are supplied to it by the Queensland Electricity Supply Industry Superannuation Board.

(4) The amount paid by, or in pursuance of a direction given by, a 15 transferred servant under subsection (1) (b) shall be credited to the Local Government Pension Fund in the following manner:—

- (a) that part of the amount that the Local Government Superannuation Board determines to be the previous contributions, and any interest thereon, of the transferred servant shall be credited to the 20 transferred servant's account in that Fund;
- (b) that part of the amount that the Local Government Superannuation Board determines to be the previous contributions, and any interest thereon, of the transferred servant's employer shall be credited to the general reserve in that Fund.

25 (5) A transferred servant referred to in subsection (1) shall be deemed to have accrued under section 15BE of the Local Government and Other Authorities (Superannuation) Act, 1927, such additional number of pension points as the Local Government Superannuation Board determines having regard to the amount paid by, or in pursuance of a direction given by, the 30 transferred servant under subsection (1) (b).

(6) A transferred servant referred to in subsection (1) shall, for the purposes of section 15AU (1) (b) of the Local Government and Other Authorities (Superannuation) Act, 1927, be deemed to be a contributor referred to in that paragraph.

Northern Rivers County Council (Undertaking Acquisition).

(7) The previous service of a transferred servant referred to in subsection (1), or such period thereof as the Local Government Superannuation Board determines, shall be deemed to be approved service for the purposes of such of the provisions of Part III^D of the Local Government and Other Authorities (Superannuation) Act, 1927, as that Board determines.

(8) The County Council and the Local Government Superannuation Board may make such agreements with the Queensland Electricity Supply Industry Superannuation Board as are necessary to facilitate a transferred servant's election to come under the provisions of Part III^D of the Local Government and Other Authorities (Superannuation) Act, 1927.

(9) Without affecting the generality of section 16, the Governor may make such regulations as he considers necessary to facilitate a transferred servant's election to come under the provisions of Part III^D of the Local Government and Other Authorities (Superannuation) Act, 1927.

Staff committee.

15. (1) The Minister shall appoint a staff committee to report to the County Council on any matter arising from the operation of this Act in relation to servants of the County Council.

20 (2) For the purposes of subsection (1), a staff committee shall comprise—

- (a) a chairman nominated by the Minister;
- (b) 2 persons nominated by the County Council; and
- 25 (c) 2 persons nominated by the Minister, after consulting such persons as he thinks fit, to represent servants of the County Council.

(3) The Minister may constitute a staff committee under this section by appointing different persons according to the subject-matter with which it is at any time, or from time to time, required to deal.

Northern Rivers County Council (Undertaking Acquisition).

Regulations.

16. The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981

(50c)