

TRANSPORT (GRATUITIES) AMENDMENT BILL, 1979

EXPLANATORY NOTE

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

The Transport Employees Retirement Benefits (Amendment) Bill, 1979, is cognate with this Bill.

The objects of this Bill are—

- (a) to provide that gratuities payable on the death, or the retirement through incapacity, of officers under the Transport Act, 1930, are to be at the uniform rate of 3 weeks' salary or wages for each year of service (instead of at a sliding rate with a maximum equal to that rate) (clause 2 (a), (b), (c));
 - (b) to enable the payment of a gratuity to the estate of a deceased officer, if no gratuity is payable to a widow, child or relative, but so that only half the gratuity is so payable to the estate in a case where the officer died under the age of 60 years (clause 2 (d));
 - (c) to provide that the above matters extend to officers who were retired or died on or after 1st April, 1976 (clause 3); and
 - (d) to repeal the Transport (Amendment) Act, 1976, consequent on the enactment of the proposed amendments to the Transport Act, 1930 (clause 4).
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STATE OF NEW YORK
IN SENATE
January 15, 1914.

REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE
IN RESPONSE TO A RESOLUTION
PASSED BY THE SENATE
MAY 15, 1912.

ALBANY:
J. B. LIPPINCOTT COMPANY,
PRINTERS,
1914.

RECEIVED
JAN 15 1914
STATE OF NEW YORK
LAND OFFICE

**TRANSPORT (GRATUITIES) AMENDMENT
BILL, 1979**

No. , 1979.

A BILL FOR

An Act to amend section 132A of the Transport Act, 1930, to increase the amounts of gratuities payable on the death, or retirement through incapacity, of certain officers, and as a consequence to repeal the Transport (Amendment) Act, 1976.

[MR HILLS—3 April, 1979.]

See also Transport Employees Retirement Benefits (Amendment) Bill, 1979.

Transport (Gratuities) Amendment.

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 1. This Act may be cited as the "Transport (Gratuities) Short title. Amendment Act, 1979".

2. The Transport Act, 1930, is amended—

Amendment
of Act No.
18, 1930.
Sec. 132A.
(Gratuities
payable to
non-
contribu-
tors.)

10 (a) by omitting from section 132A (3) the words "gratuity determined in accordance with subsection (4A)" and by inserting instead the words "gratuity equivalent to the amount of three weeks' salary or wages for each complete year of service";

15 (b) by omitting from section 132A (4) the words "gratuity determined in accordance with subsection (4A)" and by inserting instead the words "gratuity equivalent to the amount of three weeks' salary or wages for each complete year of service";

(c) by omitting section 132A (4A);

20 (d) by inserting before section 132A (5) the following subsection:—

(4B) On the death of an officer to whom this section applies and who is not survived by a widow, a dependent child or children or a dependent relative or relatives (as referred to in subsection (4)), a gratuity equivalent to—

25 (a) in the case of an officer who died after attaining the age of sixty years—the amount of three weeks' salary or wages for each complete year of service; or

Transport (Gratuities) Amendment.

- (b) in the case of an officer who died before attaining that age—the amount of one and one-half weeks' salary or wages for each complete year of service,
- 5 shall be payable to his personal representatives or, where he has no personal representatives, to such other person or persons as the Minister may determine.

3. Section 132A of the Transport Act, 1930, as amended by this Act, in addition to its application to and in respect of an officer who is retired or dies after the commencement of this Act, applies to and in respect of an officer who was retired or died before that commencement but not before 1st April, 1976, as if it had been in force at the time of the retirement or death.

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Application of amendments to or in respect of certain officers.

4. The Transport (Amendment) Act, 1976, is repealed.

Consequential repeal of Act No. 100, 1976.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979

[8c]

Section 17A of the Transport Act 1930

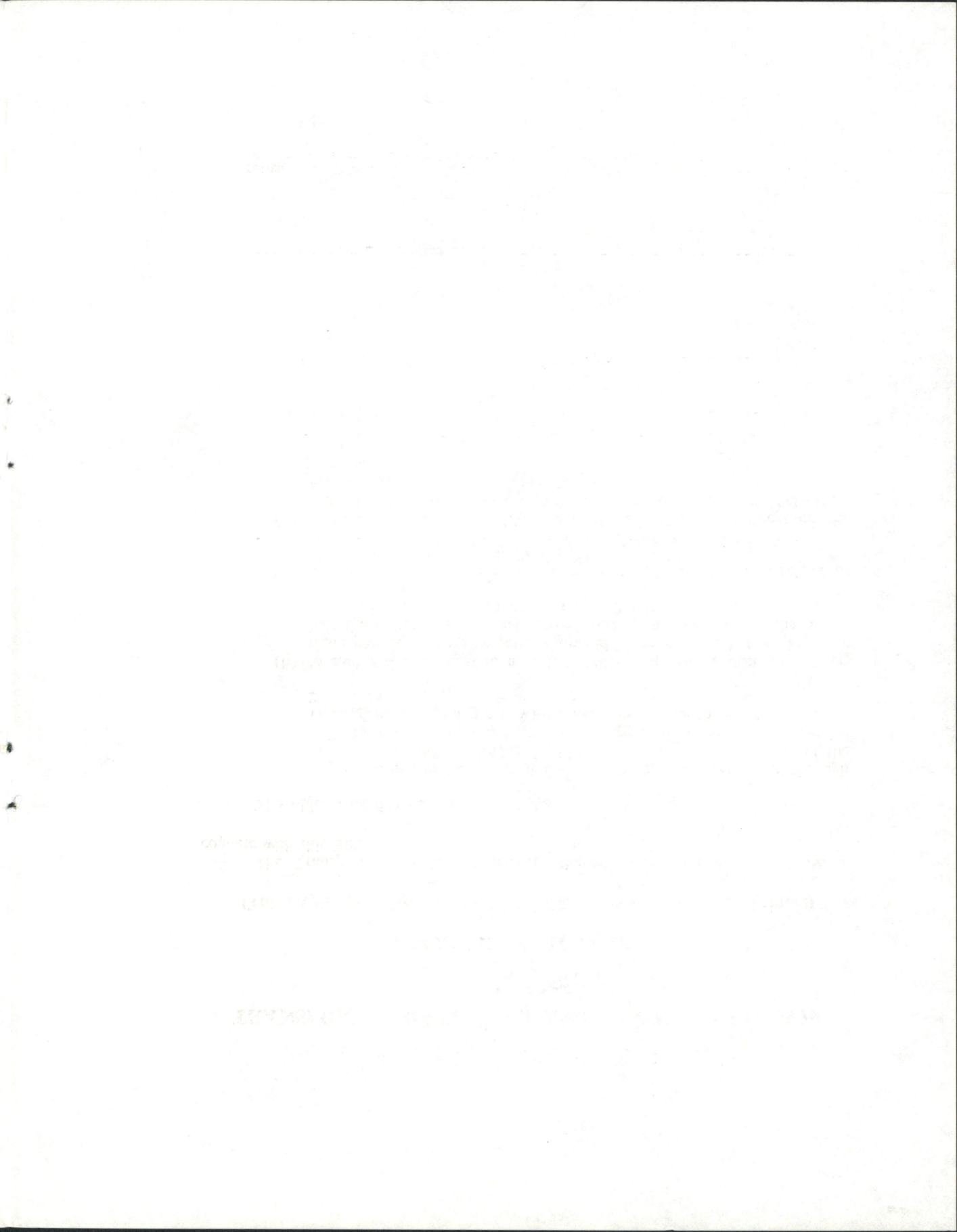
(1) In this case the driver of a motor vehicle who has been charged with an offence under section 17A of the Transport Act 1930 shall be deemed to be a person who has been charged with an offence under that section if he is charged with an offence under that section in respect of a motor vehicle which is a motor vehicle of the class specified in section 17A of that Act and if he is charged with an offence under that section in respect of a motor vehicle which is a motor vehicle of the class specified in section 17A of that Act.

Section 17A of the Transport Act 1930 as amended by the Transport Act 1968 shall have effect as if it read as follows:— "17A. (1) A person who is charged with an offence under section 17A of this Act shall be deemed to be a person who has been charged with an offence under that section if he is charged with an offence under that section in respect of a motor vehicle which is a motor vehicle of the class specified in section 17A of that Act and if he is charged with an offence under that section in respect of a motor vehicle which is a motor vehicle of the class specified in section 17A of that Act."

Enacted in the House of Commons at Westminster this 10th day of July 1979.

The Transport (Amendment) Act 1979 is hereby

BY APPOINTMENT



**TRANSPORT (GRATUITIES) AMENDMENT ACT,
1979, No. 34**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 34, 1979.

An Act to amend section 132A of the Transport Act, 1930, to increase the amounts of gratuities payable on the death, or retirement through incapacity, of certain officers, and as a consequence to repeal the Transport (Amendment) Act, 1976. [Assented to, 27th April, 1979.]

See also Transport Employees Retirement Benefits (Amendment) Act, 1979.

Transport (Gratuities) Amendment.

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 "Transport (Gratuities) Amendment Act, 1979".

Amendment
of Act No.
18, 1930.
Sec. 132A.
(Gratuities
payable to
non-
contribu-
tors.)

2. The Transport Act, 1930, is amended—

- (a) by omitting from section 132A (3) the words "gratuity determined in accordance with subsection (4A)" and by inserting instead the words "gratuity equivalent to the amount of three weeks' salary or wages for each complete year of service";
- (b) by omitting from section 132A (4) the words "gratuity determined in accordance with subsection (4A)" and by inserting instead the words "gratuity equivalent to the amount of three weeks' salary or wages for each complete year of service";
- (c) by omitting section 132A (4A);
- (d) by inserting before section 132A (5) the following subsection:—

(4B) On the death of an officer to whom this section applies and who is not survived by a widow, a dependent child or children or a dependent relative or relatives (as referred to in subsection (4)), a gratuity equivalent to—

- (a) in the case of an officer who died after attaining the age of sixty years—the amount of three weeks' salary or wages for each complete year of service; or

Transport (Gratuities) Amendment.

(b) in the case of an officer who died before attaining that age—the amount of one and one-half weeks' salary or wages for each complete year of service,

shall be payable to his personal representatives or, where he has no personal representatives, to such other person or persons as the Minister may determine.

3. Section 132A of the Transport Act, 1930, as amended by this Act, in addition to its application to and in respect of an officer who is retired or dies after the commencement of this Act, applies to and in respect of an officer who was retired or died before that commencement but not before 1st April, 1976, as if it had been in force at the time of the retirement or death.

Application
of
amendments
to or in
respect of
certain
officers.

4. The Transport (Amendment) Act, 1976, is repealed.

Consequen-
tial repeal
of Act No.
100, 1976.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 27th April, 1979.*

BY AUTHORITY

D. WEST. GOVERNMENT PRINTER, NEW SOUTH WALES—1979

for No. 10, 1934

January 1, 1934

In the year of our Lord one thousand nine hundred and thirty-four, the first day of January, I, the undersigned, being of legal age and sound mind, do hereby certify that the within and foregoing is a true and correct copy of the original thereof as the same appears from the records of the County of ... State of ...

Witness my hand and seal of office at the City of ... State of ... this first day of January, 1934.

Notary Public in and for the State of ...
My Commission Expires ...

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