

CONCURRENCE COPY

TRANSPORT EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL, 1983

EXPLANATORY NOTE

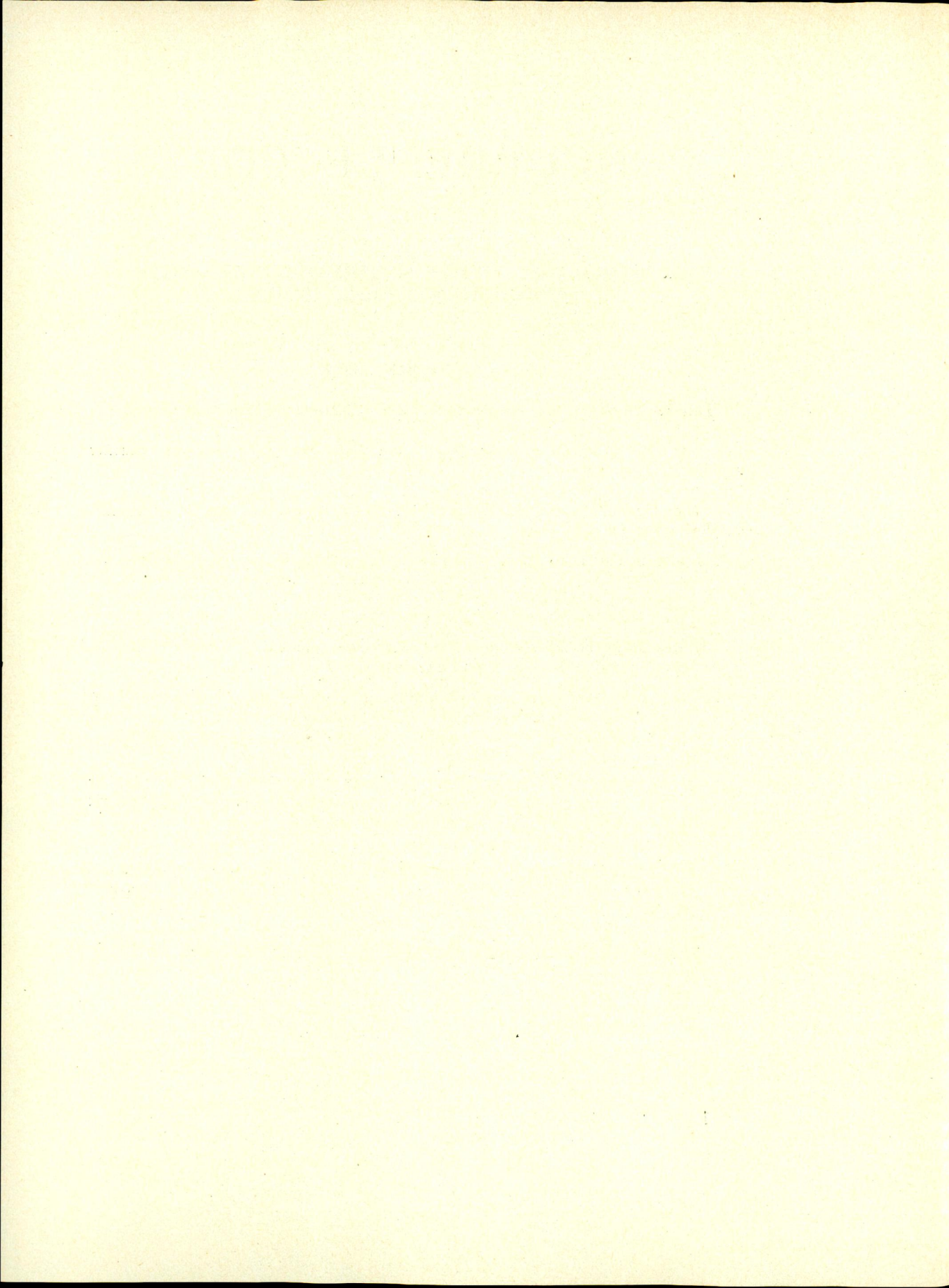
(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the New South Wales Retirement Benefits (Further Amendment) Bill, 1983.

The object of this Bill is to amend the Transport Employees Retirement Benefits Act, 1967 ("the Act"), so as—

- (a) to omit Part II of the Act and make other provisions as a consequence of the amalgamation of the Transport Retirement Fund with the New South Wales Retirement Fund established under the New South Wales Retirement Benefits Act, 1972 (Schedule 1 (1), (2) and (3));
- (b) to remove the present upper limit of \$50,000 imposed on lump sum benefits payable under the Act (Schedule 1 (4));
- (c) to provide for the payment of interest on contributions refunded under the Act, where the contributor who paid the contributions—
 - (i) dies before he has completed 10 years' service and does not leave a widow or any dependants; or
 - (ii) ceases to be required to contribute to the Fund under the Act by reason of his employment being terminated and no lump sum benefit or pension is payable to him under the Act,(Schedule 1 (5) and (6)); and
- (d) to enable the payment of an additional amount of interest to contributors under the Act upon their ceasing to be employed, dying or retiring (Schedule 1 (7)).

The Bill also contains other provisions of a minor or ancillary nature.



**TRANSPORT EMPLOYEES RETIREMENT BENEFITS
(AMENDMENT) BILL, 1983**

No. , 1983.

A BILL FOR

An Act to amend the Transport Employees Retirement Benefits Act, 1967,
so as to vary in certain respects the scheme for the payment of benefits
under that Act; and for other purposes.

[MR HILLS—23 *March*, 1983.]

Transport Employees Retirement Benefits (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 Short title.

1. This Act may be cited as the "Transport Employees Retirement Benefits (Amendment) Act, 1983".

Commencement.

2. (1) Except as provided by subsections (2) and (3), this Act shall
10 commence on the date of assent to this Act.

(2) Section 4 shall, in its application to a provision of Schedule 1, commence or be deemed to have commenced on the day on which that provision commences or is deemed to have commenced, as the case may require.

15 **(3)** Schedule 1 (1), (2), (3) and (7) shall commence or be deemed to have commenced, as the case may require, on 1st July, 1983.

Principal Act.

3. The Transport Employees Retirement Benefits Act, 1967, is referred to in this Act as the Principal Act.

20 Amendment of Act No. 96, 1967.

4. The Principal Act is amended in the manner set forth in Schedule 1.

Transport Employees Retirement Benefits (Amendment).

SCHEDULE 1.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT.

- (1) Section 2—
5 Omit the matter relating to Part II.
- (2) (a) Section 3 (1), definition of “average earning rate on the Fund”—
Omit the definition.
- (b) Section 3 (1), definition of “Fund”—
Omit the definition, insert instead:—
10 “Fund” means the New South Wales Retirement Fund;
- (3) Part II—
Omit the Part.
- (4) Section 18 (1) (a)—
Omit the paragraph.
- 15 (5) Section 24 (4) (c)—
After “contributions”, insert “, together with interest thereon at the prescribed rate, compounded annually at the end of each financial year from the date on which he became a contributor until the date of his death”.
- 20 (6) Section 25—
After “contributions”, insert “, together with interest thereon at the prescribed rate, compounded annually at the end of each financial year from the date on which he became a contributor until the date on which his services terminate”.

Transport Employees Retirement Benefits (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(7) Section 25A—

After section 25, insert:—

5 **Supplementary amounts.**

25A. (1) In subsection (2), “supplementary amount”, in relation to a contributor who ceases to be employed by an employer, dies or retires, means the difference between—

- 10 (a) the total of the amount of his initial credit, if any, and of the amount of his contributions and interest at the prescribed rate on those amounts, compounded annually at the end of each financial year, up to the day on which he ceases so to be employed, dies or retires; and
- 15 (b) the amount which that total would be if the prescribed rate were—
- (i) for each financial year commencing with or after 1st July, 1968, and ending with or before 30th June, 1973—the average earning rate on the Fund for that year, as determined by the Board;
- 20 (ii) for each financial year commencing with or after 1st July, 1973, and ending with or before 30th June, 1982—5½ per centum per annum; and
- 25 (iii) for each financial year commencing with or after 1st July, 1982—the rate for that financial year determined by order of the Board.

(2) There shall be paid from the Fund to a contributor who, on or after 1st July, 1983—

- (a) ceases to be employed by his employer;

Transport Employees Retirement Benefits (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(b) dies; or

(c) retires,

5 the supplementary amount for the contributor.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1983

(40c)

