

# CONCURRENCE COPY

## **COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) AMENDMENT BILL, 1984**

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### **EXPLANATORY NOTE**

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

Under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, mine workers who cease to work in the coal or oil shale mining industries may, within one year of so ceasing, elect to obtain a refund of their superannuation contributions. If they do not make that election, any further right to obtain that refund is forfeited but their prior period of service in those industries continues to count towards their total period of service for the purpose of superannuation benefits if they return to those industries at a later time.

The object of this Bill is to amend the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, to allow mine workers who are retrenched or cavilled out or whose mine is closed by natural disaster to make that election at any time up to the date on which they would be obliged, under that Act, to retire or such later date as the Coal and Oil Shale Mine Workers' Superannuation Tribunal may allow.

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**COAL AND OIL SHALE MINE WORKERS  
(SUPERANNUATION) AMENDMENT BILL, 1984**

No.           , 1984.

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**A BILL FOR**

An Act to amend section 19L of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, to extend the period within which certain mine workers may elect to take a refund of contributions made under that Act.

[MR HILLS—2 *May*, 1984.]

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*Coal and Oil Shale Mine Workers (Superannuation) 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 "Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1984".

**Commencement.**

2. This Act shall be deemed to have commenced on 26th January, 1984.

**10 Amendment of Act No. 45, 1941.**

3. The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, is amended in the manner set forth in Schedule 1.

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**SCHEDULE 1.**

(Sec. 3.)

15 **AMENDMENTS TO THE COAL AND OIL SHALE MINE WORKERS  
(SUPERANNUATION) ACT, 1941.**

(1) Section 19L (2) (a)—

Omit the paragraph, insert instead:—

20 (a) the mine worker or, if the Tribunal is satisfied that the mine worker, being alive, is unable for any reason to do so, some other person on behalf of the mine worker, makes application therefor—

25 (i) where the engagement was terminated on or after 26th January, 1983, by reason of retrenchment, cavil out or act of God (including fire or flood)—within the

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*Coal and Oil Shale Mine Workers (Superannuation) Amendment.*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE COAL AND OIL SHALE MINE WORKERS  
(SUPERANNUATION) ACT, 1941—*continued.*

- 5 period commencing on the termination and expiring  
on the date of retirement applicable to the mine  
worker or such later date as the Tribunal may allow;  
or  
10 (ii) where the engagement was otherwise terminated—  
within the period of one year after the termination;  
or

(2) Section 19L (2) (b)—

Omit “if he dies within that period”, insert instead “if the mine  
worker dies within the period applicable under paragraph (a) (i) or  
(ii), as the case may be,”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1984









**COAL AND OIL SHALE MINE WORKERS  
(SUPERANNUATION) AMENDMENT ACT, 1984, No. 32**

**New South Wales**



ANNO TRICESIMO TERTIO

**ELIZABETHÆ II REGINÆ**

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**Act No. 32, 1984.**

An Act to amend section 19L of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, to extend the period within which certain mine workers may elect to take a refund of contributions made under that Act. [Assented to, 13th June, 1984.]

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*Coal and Oil Shale Mine Workers (Superannuation) Amendment.*

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**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 "Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1984".

**Commencement.**

2. This Act shall be deemed to have commenced on 26th January, 1984.

**Amendment of Act No. 45, 1941.**

3. The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, is amended in the manner set forth in Schedule 1.

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SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE COAL AND OIL SHALE MINE WORKERS  
(SUPERANNUATION) ACT, 1941.

(1) Section 19L (2) (a)—

Omit the paragraph, insert instead:—

- (a) the mine worker or, if the Tribunal is satisfied that the mine worker, being alive, is unable for any reason to do so, some other person on behalf of the mine worker, makes application therefor—
  - (i) where the engagement was terminated on or after 26th January, 1983, by reason of retrenchment, cavit out or act of God (including fire or flood)—within the

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*Coal and Oil Shale Mine Workers (Superannuation) Amendment.*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE COAL AND OIL SHALE MINE WORKERS  
(SUPERANNUATION) ACT, 1941—*continued.*

period commencing on the termination and expiring on the date of retirement applicable to the mine worker or such later date as the Tribunal may allow;  
or

- (ii) where the engagement was otherwise terminated—  
within the period of one year after the termination;  
or

(2) Section 19L (2) (b)—

Omit “if he dies within that period”, insert instead “if the mine worker dies within the period applicable under paragraph (a) (i) or (ii), as the case may be,”.

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

J. A. ROWLAND,  
*Governor.*

*Government House,  
Sydney, 13th June, 1984.*

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