

FIRST PRINT

**POLICE REGULATION (SPECIAL BENEFITS)
AMENDMENT BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Superannuation Administration Bill 1987.

The object of this Bill is to amend the Police Regulation Act 1899 to provide special benefits to certain retired members of the police force.

A special risk benefit is provided for future members of the police force who are retired after being hurt on duty. The special risk benefit is to be an amount (not exceeding 24 months' pay) determined by the Commissioner to be commensurate with the special risks to which the member was exposed when hurt on duty. Existing members of the police force who are retired after being hurt on duty will continue to receive an increased superannuation allowance commensurate with those special risks.

A special leave benefit of 26 weeks' pay is payable to existing members of the police force who retire between the ages of 50-55 years after being offered a disengagement benefit under the proposed Police Regulation (Superannuation) Amendment Act 1987.



**POLICE REGULATION (SPECIAL BENEFITS)
AMENDMENT BILL 1987**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Act No. 20, 1899
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**POLICE REGULATION (SPECIAL BENEFITS)
AMENDMENT BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Police Regulation Act 1899 to provide special benefits for certain retired members of the police force.

Police Regulation (Special Benefits) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Police Regulation (Special Benefits) Amendment Act 1987.

5 Commencement

2. This Act shall commence on a day to be appointed by proclamation.

Amendment of Act No. 20, 1899

3. The Police Regulation Act 1899 is amended by inserting after section 12G the following sections:

10 Special risk benefit where member hurt on duty

12H. (1) The Commissioner may pay to a member of the police force who—

(a) is retired from the police force on the ground of physical or mental incapacity (being an incapacity which the Commissioner determines to have been caused by the member being hurt on duty); and

(b) is not a contributor to the Police Superannuation Fund, an amount not exceeding 24 months' pay at the rate of the member's salary at the date of retirement.

20 (2) If—

(a) a member of the police force dies;

(b) the member's death is determined by the Commissioner to have been caused by the member being hurt on duty; and

25 (c) the member is not a contributor to the Police Superannuation Fund,

the Commissioner may pay an amount, not exceeding 24 months' pay at the rate of the member's salary at the date the member was hurt on duty, to the spouse of the member or (if the member is not survived by a spouse) to the personal representative of the member.

30 (3) The Commissioner shall not make a payment under this section unless the member of the police force concerned was, in the opinion of the Commissioner, hurt on duty because the member was required to be exposed to risks to which members of the general workforce would normally not be required to be exposed in the course of their employment.

(4) The amount of any such payment shall be commensurate, in the opinion of the Commissioner, with the risks to which the member of the police force concerned was so required to be exposed.

(5) In this section—

Police Regulation (Special Benefits) Amendment 1987

“hurt on duty”, in relation to a member of the police force, means injured in such circumstances as would entitle the member to compensation under the Workers Compensation Act 1987;

“spouse” includes de-facto partner.

5 **Special leave benefit where member disengaged etc.**

12I. (1) This section applies to a member of the police force who—

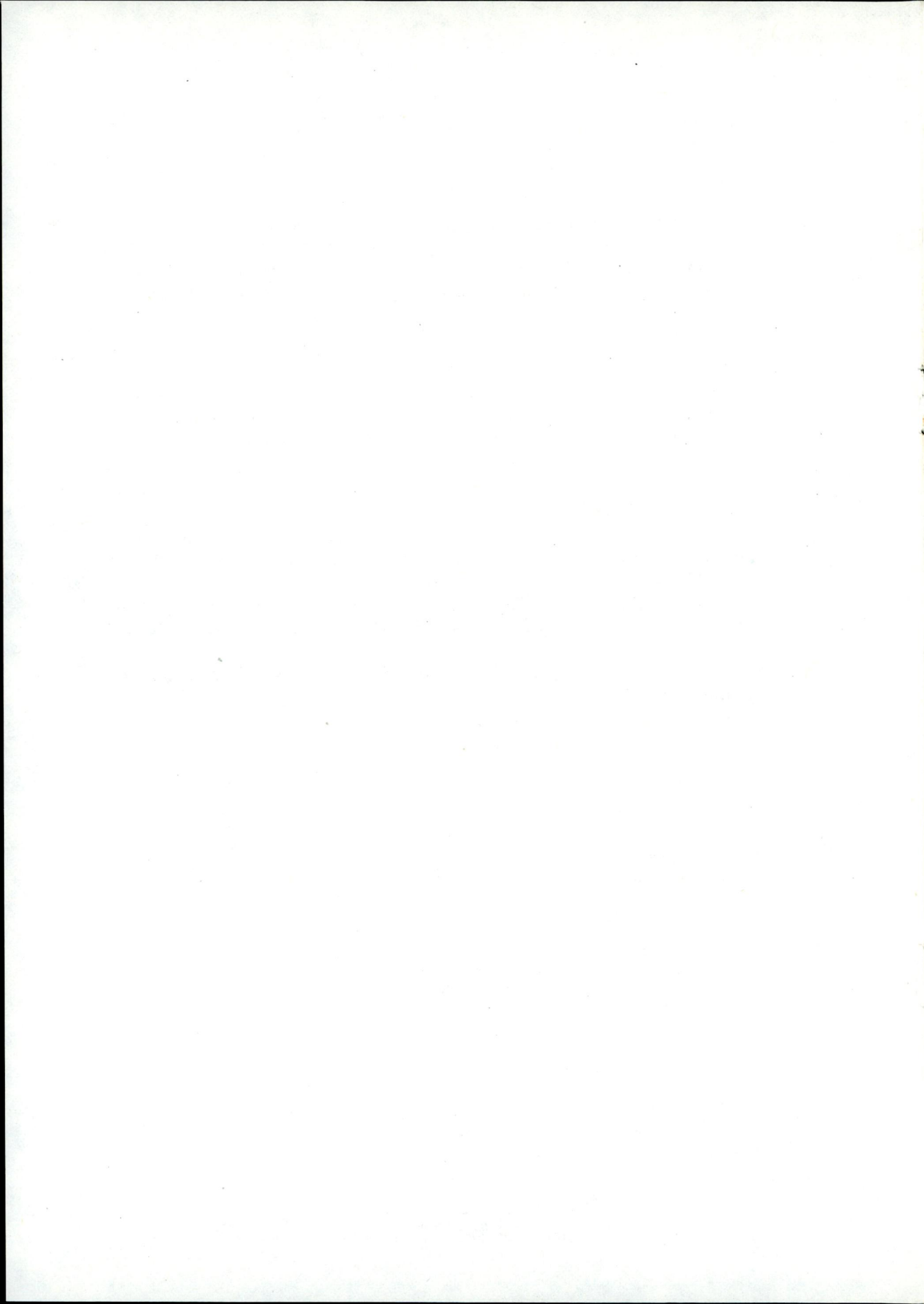
(a) accepts an offer of a disengagement benefit under section 8A of the Police Regulation (Superannuation) Act 1906; or

10 (b) is offered a disengagement benefit under that section but elects instead to make provision for the benefit under section 9B of that Act (Preserved benefit).

(2) A member of the police force to whom this section applies is entitled to be paid on the termination of the member's services the money value of 26 weeks' special leave with pay as a gratuity.

15 (3) Any such gratuity is in addition to any other gratuity to which the member may be entitled under the Police Regulation (Superannuation) Act 1906.

(4) Any such gratuity is not payable from the Police Superannuation Fund.



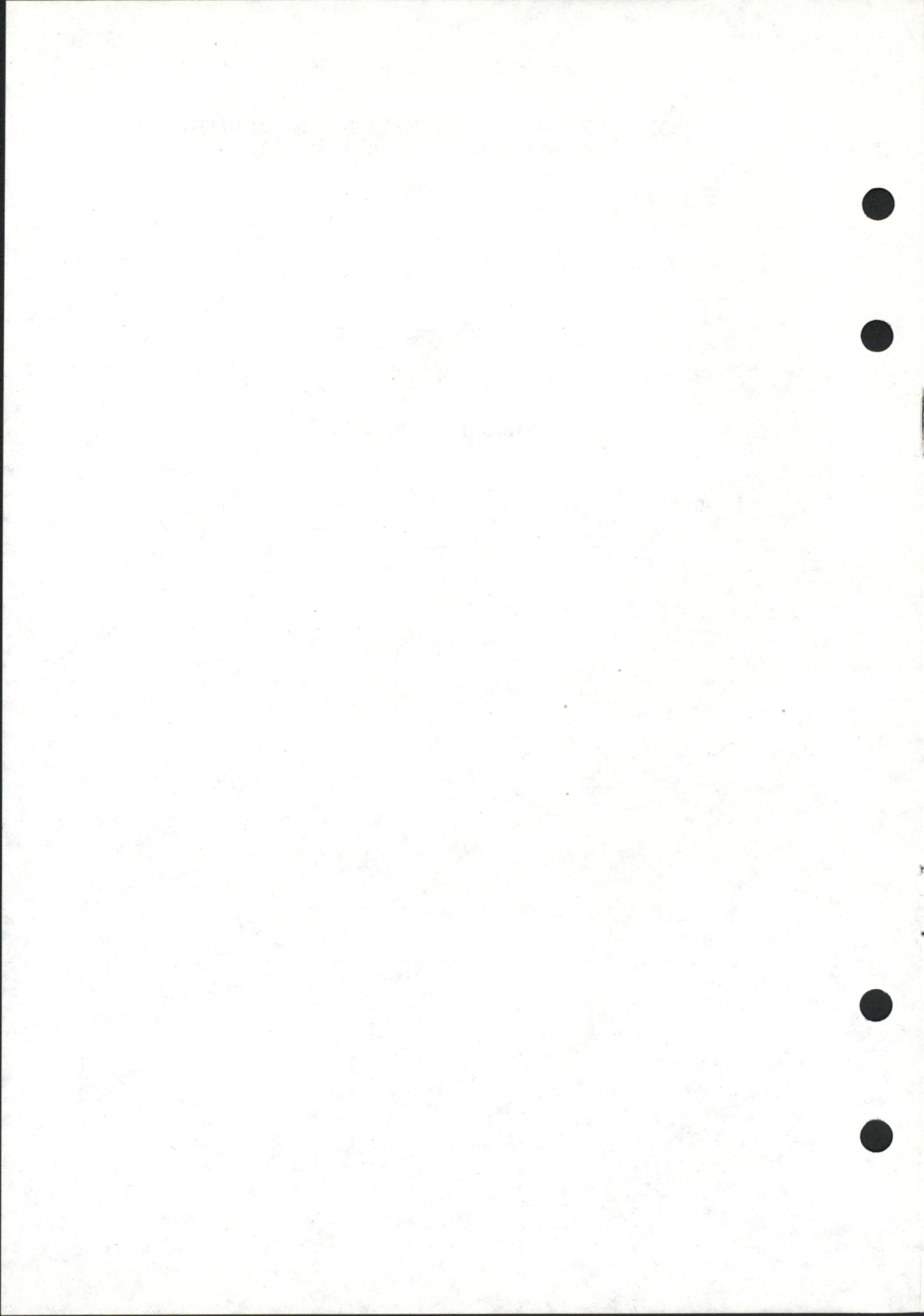
**POLICE REGULATION (SPECIAL BENEFITS)
AMENDMENT ACT 1987 No. 221**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Act No. 20, 1899
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**POLICE REGULATION (SPECIAL BENEFITS) AMENDMENT ACT
1987 No. 221**

NEW SOUTH WALES



Act No. 221, 1987

An Act to amend the Police Regulation Act 1899 to provide special benefits for certain retired members of the police force. [Assented to 9 December 1987]

Police Regulation (Special Benefits) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Police Regulation (Special Benefits) Amendment Act 1987.

Commencement

2. This Act shall commence on a day to be appointed by proclamation.

Amendment of Act No. 20, 1899

3. The Police Regulation Act 1899 is amended by inserting after section 12G the following sections:

Special risk benefit where member hurt on duty

12H. (1) The Commissioner may pay to a member of the police force who—

- (a) is retired from the police force on the ground of physical or mental incapacity (being an incapacity which the Commissioner determines to have been caused by the member being hurt on duty); and
- (b) is not a contributor to the Police Superannuation Fund,

an amount not exceeding 24 months' pay at the rate of the member's salary at the date of retirement.

(2) If—

- (a) a member of the police force dies;
- (b) the member's death is determined by the Commissioner to have been caused by the member being hurt on duty; and
- (c) the member is not a contributor to the Police Superannuation Fund,

the Commissioner may pay an amount, not exceeding 24 months' pay at the rate of the member's salary at the date the member was hurt on duty, to the spouse of the member or (if the member is not survived by a spouse) to the personal representative of the member.

(3) The Commissioner shall not make a payment under this section unless the member of the police force concerned was, in the opinion of the Commissioner, hurt on duty because the member was required to be exposed to risks to which members of the general workforce would normally not be required to be exposed in the course of their employment.

(4) The amount of any such payment shall be commensurate, in the opinion of the Commissioner, with the risks to which the member of the police force concerned was so required to be exposed.

(5) In this section—

Police Regulation (Special Benefits) Amendment 1987

“hurt on duty”, in relation to a member of the police force, means injured in such circumstances as would entitle the member to compensation under the Workers Compensation Act 1987;

“spouse” includes de-facto partner.

Special leave benefit where member disengaged etc.

121. (1) This section applies to a member of the police force who—

- (a) accepts an offer of a disengagement benefit under section 8A of the Police Regulation (Superannuation) Act 1906; or
- (b) is offered a disengagement benefit under that section but elects instead to make provision for the benefit under section 9B of that Act (Preserved benefit).

(2) A member of the police force to whom this section applies is entitled to be paid on the termination of the member's services the money value of 26 weeks' special leave with pay as a gratuity.

(3) Any such gratuity is in addition to any other gratuity to which the member may be entitled under the Police Regulation (Superannuation) Act 1906.

(4) Any such gratuity is not payable from the Police Superannuation Fund.

