

FIRST PRINT

**TRANSPORT EMPLOYEES RETIREMENT BENEFITS
(FURTHER AMENDMENT) BILL 1985**

EXPLANATORY NOTE

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

This Bill is cognate with the Public Authorities Superannuation (Amendment) Bill 1985.

The object of this Bill is to amend the Transport Employees Retirement Benefits Act 1967 to increase the maximum amount of benefit that may be paid before the grant of probate, etc., from \$2,000 to \$10,000 or such other amount as may be prescribed by regulation.

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**TRANSPORT EMPLOYEES RETIREMENT BENEFITS
(FURTHER AMENDMENT) BILL 1985**

No. , 1985

A BILL FOR

**An Act to amend the Transport Employees Retirement Benefits Act 1967
in relation to certain payments on death.**

Transport Employees Retirement Benefits (Further Amendment) 1985

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 (Further Amendment) Act 1985".

Amendment of Act No. 96, 1967

2. The Transport Employees Retirement Benefits Act 1967 is amended
10 by omitting section 58 (1) and by inserting instead the following subsections:

(1) Where a contributor dies and—

- (a) a benefit thereby becomes payable from the Fund;
- (b) production to the Board of probate of the will, or letters of
15 administration of the estate, of the deceased has not been
arranged; and
- (c) the Board has not, within the period of 3 months that next
succeeds the death of the contributor, received notice of
intention to apply for a grant of probate of the will, or letters
of administration of the estate, of the deceased,

20 the Board may, if it so decides, make a payment of the whole or a part
of the benefit in accordance with subsection (1A), being a payment that
does not exceed \$10,000 or, where some other amount is prescribed
for the purposes of this section, that other amount.

25 (1A) Where the Board makes a decision under subsection (1), the
Board may—

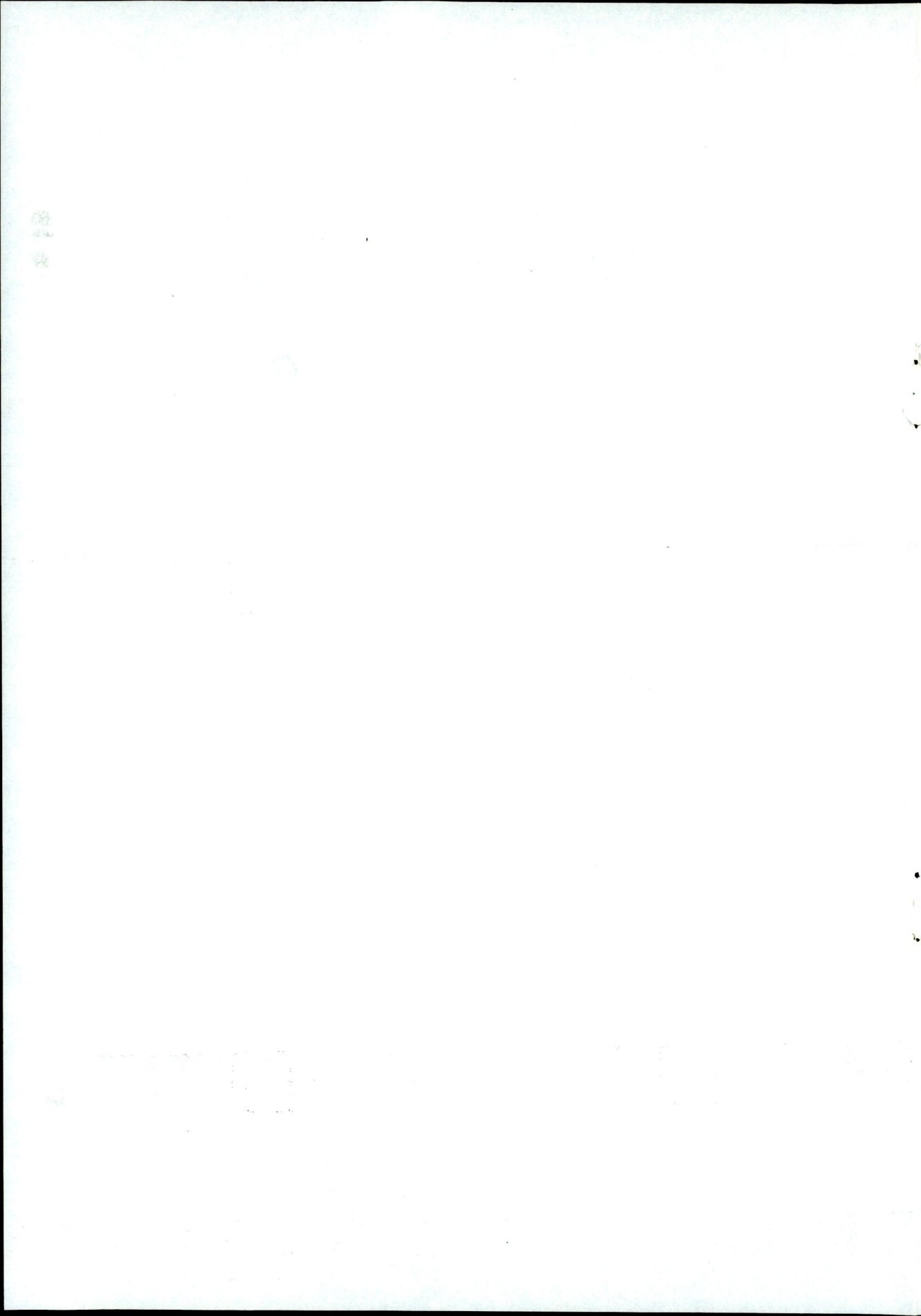
- (a) pay the whole or any part of the amount of the benefit to an
eligible person within the meaning of the Family Provision
Act 1982;
- (b) after paying the funeral expenses of the deceased or
30 reimbursing a person who has paid those expenses—pay the
whole or any part of the balance to a person referred to in
paragraph (a); or

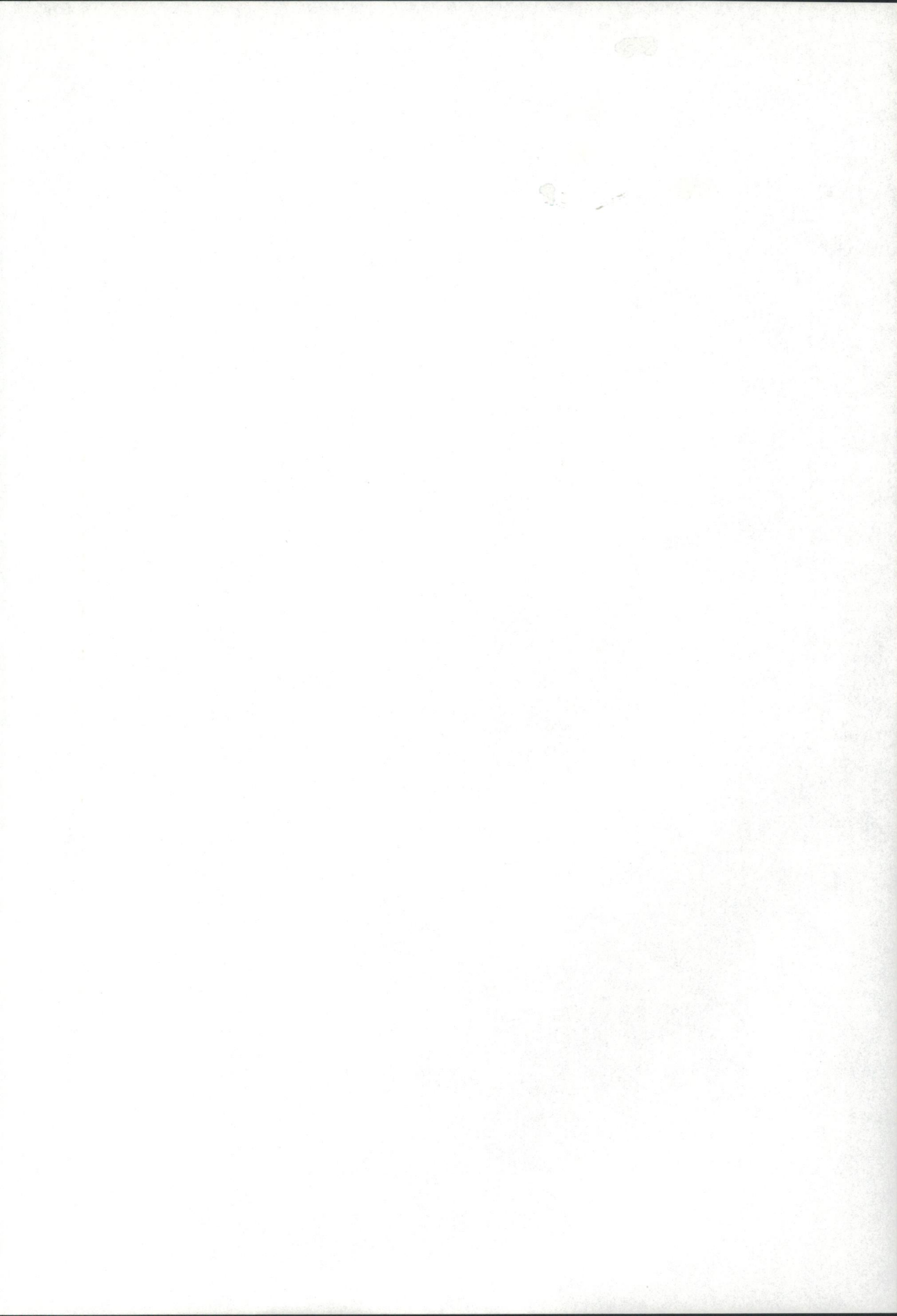
Transport Employees Retirement Benefits (Further Amendment) 1985

- (c) in special circumstances—pay the whole or any part of the amount of the benefit, or the balance referred to in paragraph (b), to some other person.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985





**TRANSPORT EMPLOYEES RETIREMENT BENEFITS (FURTHER
AMENDMENT) ACT 1985 No. 180**

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 180, 1985

An Act to amend the Transport Employees Retirement Benefits Act 1967
in relation to certain payments on death. [Assented to, 4th December,
1985.]

Transport Employees Retirement Benefits (Further Amendment) 1985

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 Employees Retirement Benefits (Further Amendment) Act 1985".

Amendment of Act No. 96, 1967

2. The Transport Employees Retirement Benefits Act 1967 is amended by omitting section 58 (1) and by inserting instead the following subsections:

(1) Where a contributor dies and—

- (a) a benefit thereby becomes payable from the Fund;
- (b) production to the Board of probate of the will, or letters of administration of the estate, of the deceased has not been arranged; and
- (c) the Board has not, within the period of 3 months that next succeeds the death of the contributor, received notice of intention to apply for a grant of probate of the will, or letters of administration of the estate, of the deceased,

the Board may, if it so decides, make a payment of the whole or a part of the benefit in accordance with subsection (1A), being a payment that does not exceed \$10,000 or, where some other amount is prescribed for the purposes of this section, that other amount.

(1A) Where the Board makes a decision under subsection (1), the Board may—

- (a) pay the whole or any part of the amount of the benefit to an eligible person within the meaning of the Family Provision Act 1982;
- (b) after paying the funeral expenses of the deceased or reimbursing a person who has paid those expenses—pay the whole or any part of the balance to a person referred to in paragraph (a); or

Transport Employees Retirement Benefits (Further Amendment) 1985

- (c) in special circumstances—pay the whole or any part of the amount of the benefit, or the balance referred to in paragraph (b), to some other person.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985

