

FIRST PRINT

**SUPERANNUATION (RETIRED MAGISTRATES)
AMENDMENT BILL 1993**

NEW SOUTH WALES



EXPLANATORY NOTE

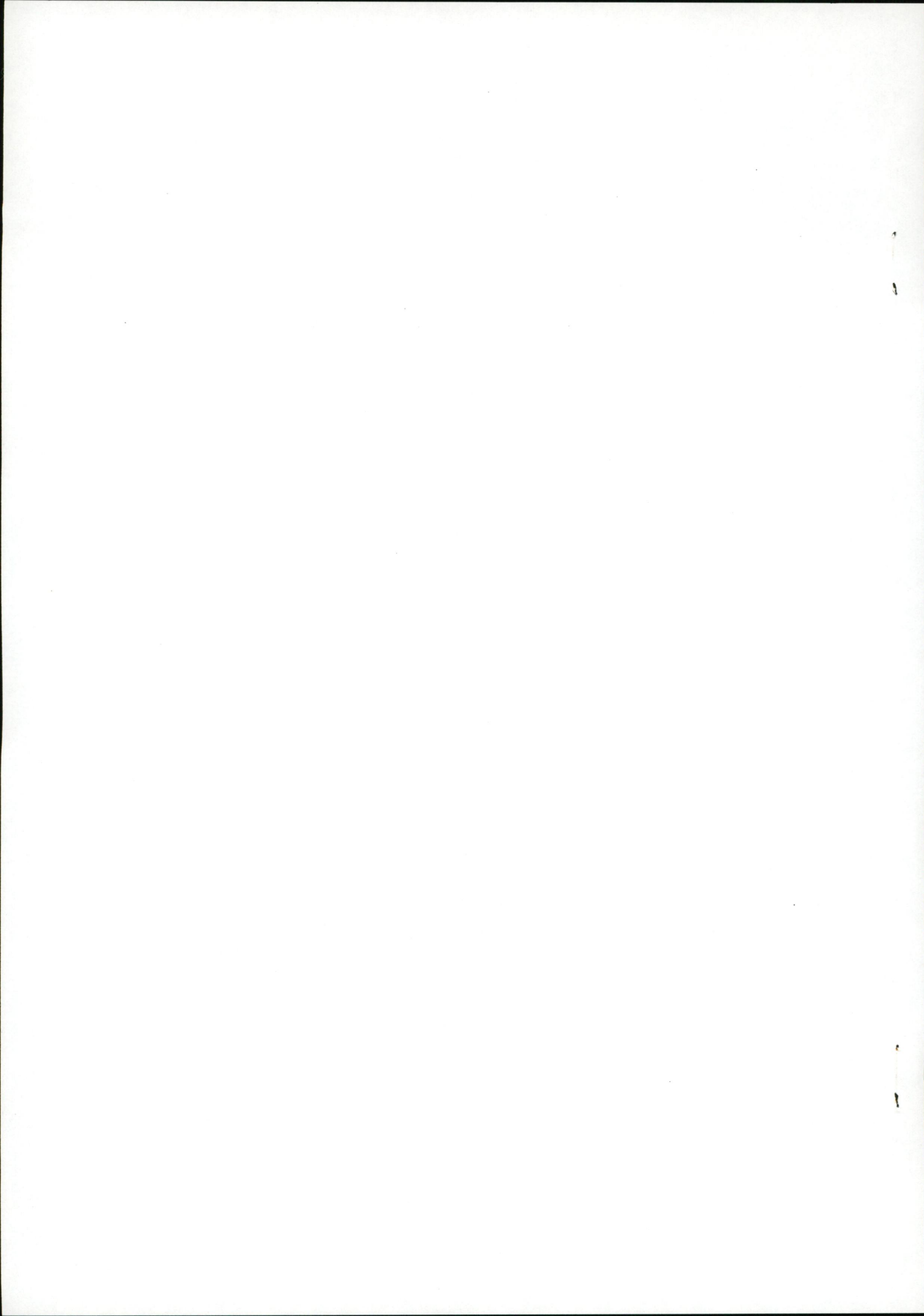
(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to ensure that a Magistrate who ceases to hold office, whether or not voluntarily, as a result of invalidity or physical or mental incapacity is eligible for a breakdown pension under the Superannuation Act 1916.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on assent.

Clause 3 amends the Superannuation Act 1916 by inserting proposed section 29 (8). It provides that a Magistrate who ceases to hold office on the ground of invalidity or physical or mental incapacity is entitled to a breakdown pension as if the Magistrate had been retired by his or her employer on that ground, if the State Authorities Superannuation Board is satisfied of that invalidity or incapacity, having regard to medical advice. Currently, under section 29, a contributor must be retired by his or her employer before being eligible for a breakdown pension. Since a Magistrate cannot be removed from office except after an inquiry by the Judicial Commission and an address of both Houses of Parliament, this provision enables a Magistrate who is unable to carry out his or her duties to resign and obtain superannuation benefits without the necessity to undergo this process.



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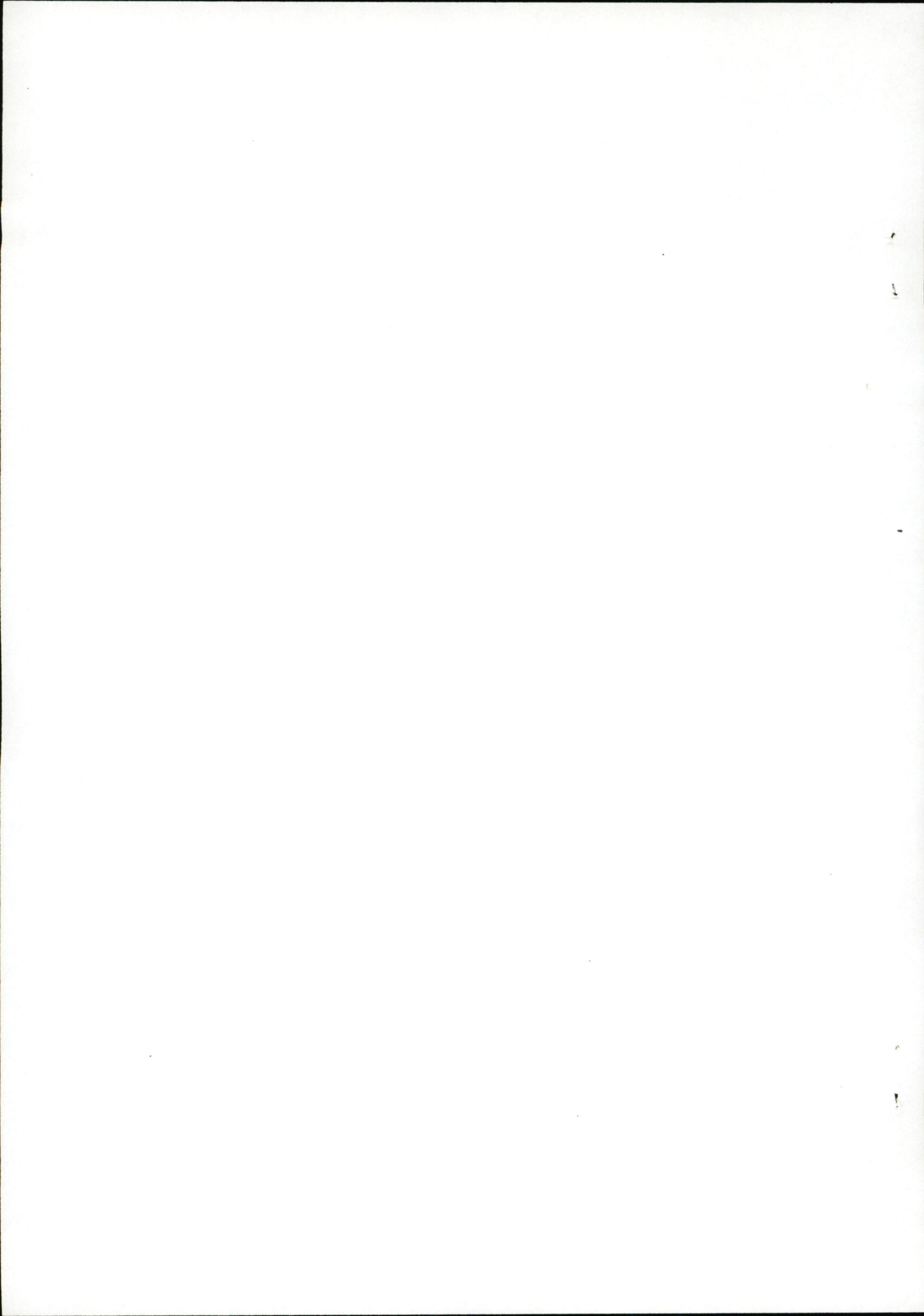
**SUPERANNUATION (RETIRED MAGISTRATES)
AMENDMENT BILL 1993**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Superannuation Act 1916 No. 28, sec. 29 (Breakdown pensions)
-



**SUPERANNUATION (RETIRED MAGISTRATES)
AMENDMENT BILL 1993**

NEW SOUTH WALES



No. , 1993

A BILL FOR

An Act to amend the Superannuation Act 1916 to provide for the superannuation entitlement of Magistrates who cease to hold office because of invalidity or physical or mental incapacity.

Superannuation (Retired Magistrates) Amendment 1993

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Superannuation (Retired Magistrates) Amendment Act 1993.

5 Commencement

2. This Act commences on the date of assent.

Amendment of Superannuation Act 1916 No. 28, sec. 29 (Breakdown pensions)

3. The Superannuation Act 1916 is amended by inserting after section 10 29 (7) the following subsection:

15 (8) A contributor who is a Magistrate and who ceases to hold office (whether before or after the commencement of this subsection) on the ground of invalidity or physical or mental incapacity to perform the Magistrate's duties is entitled to a pension under this section as if the Magistrate had been retired by the Magistrate's employer on that ground, if the Board is satisfied as to the Magistrate's invalidity or incapacity in accordance with section 22 (2).

**SUPERANNUATION (RETIRED MAGISTRATES)
AMENDMENT ACT 1993 No. 1**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Superannuation Act 1916 No. 28, sec. 29 (Breakdown pensions)
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**SUPERANNUATION (RETIRED MAGISTRATES)
AMENDMENT ACT 1993 No. 1**

NEW SOUTH WALES



Act No. 1, 1993

An Act to amend the Superannuation Act 1916 to provide for the superannuation entitlement of Magistrates who cease to hold office because of invalidity or physical or mental incapacity. [Assented to 18 March 1993]

Superannuation (Retired Magistrates) Amendment 1993 No. 1

The Legislature of New South Wales enacts:

Short title

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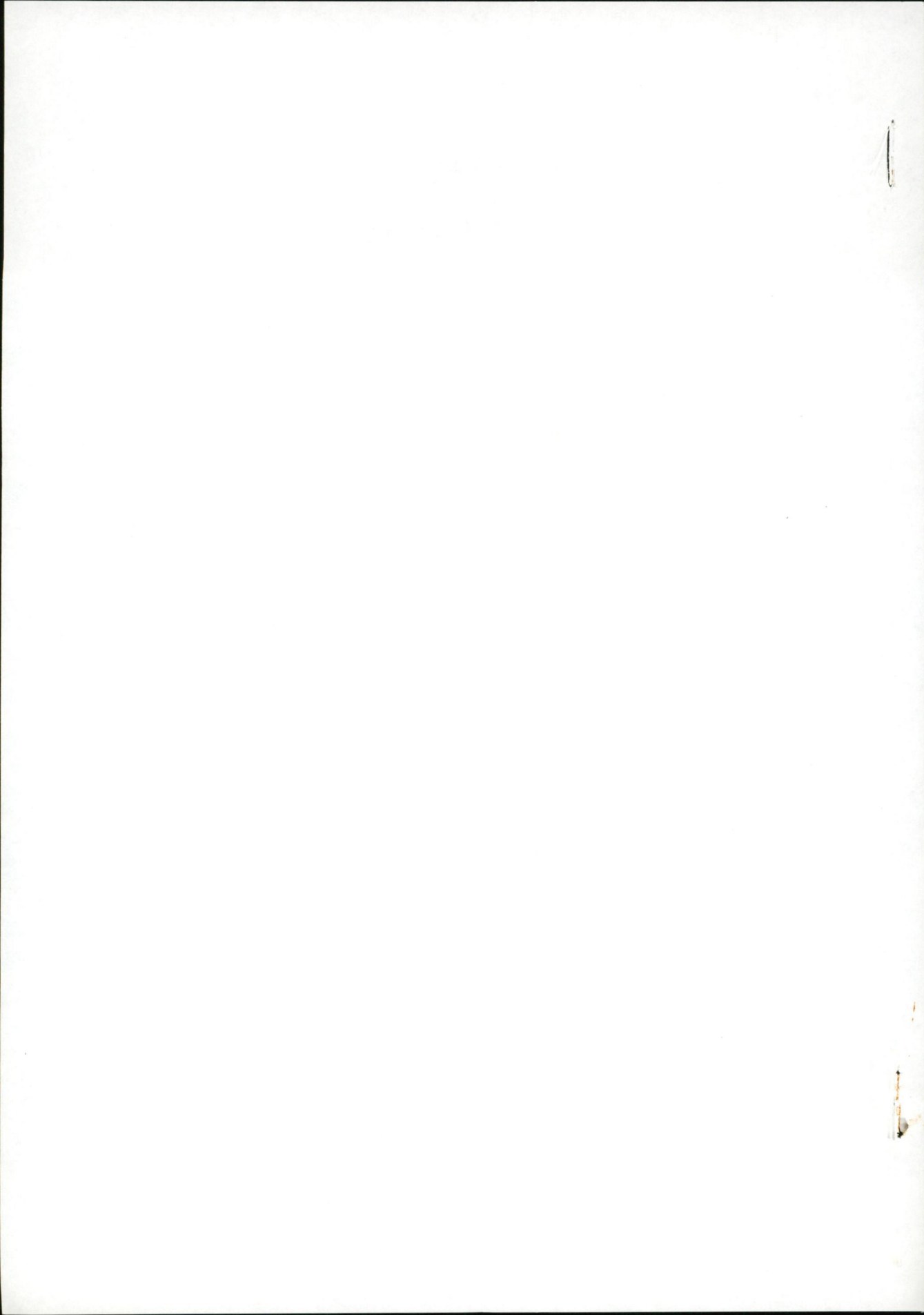
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[Minister's second reading speech made in—
Legislative Council on 4 March 1993
Legislative Assembly on 11 March 1993]



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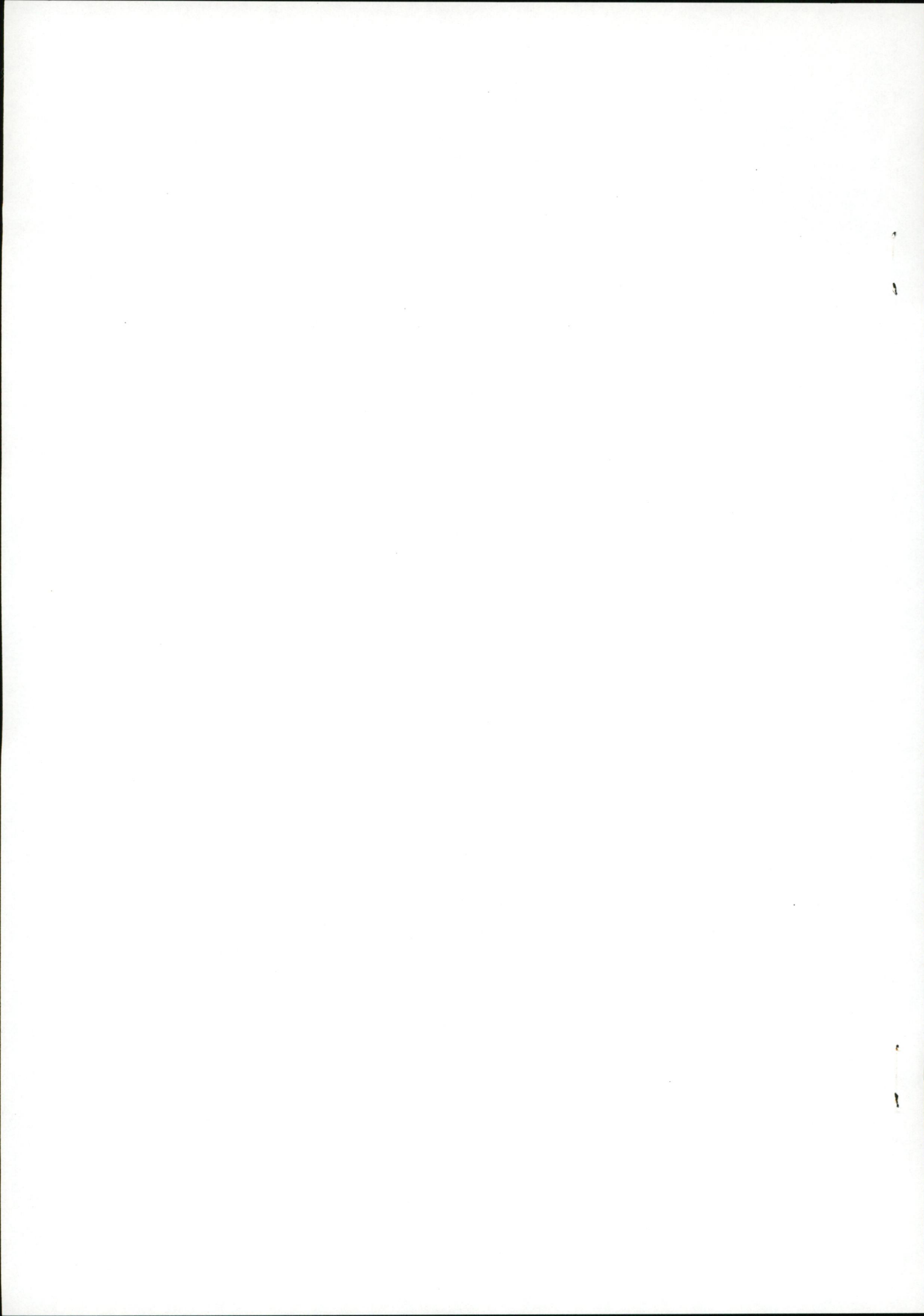
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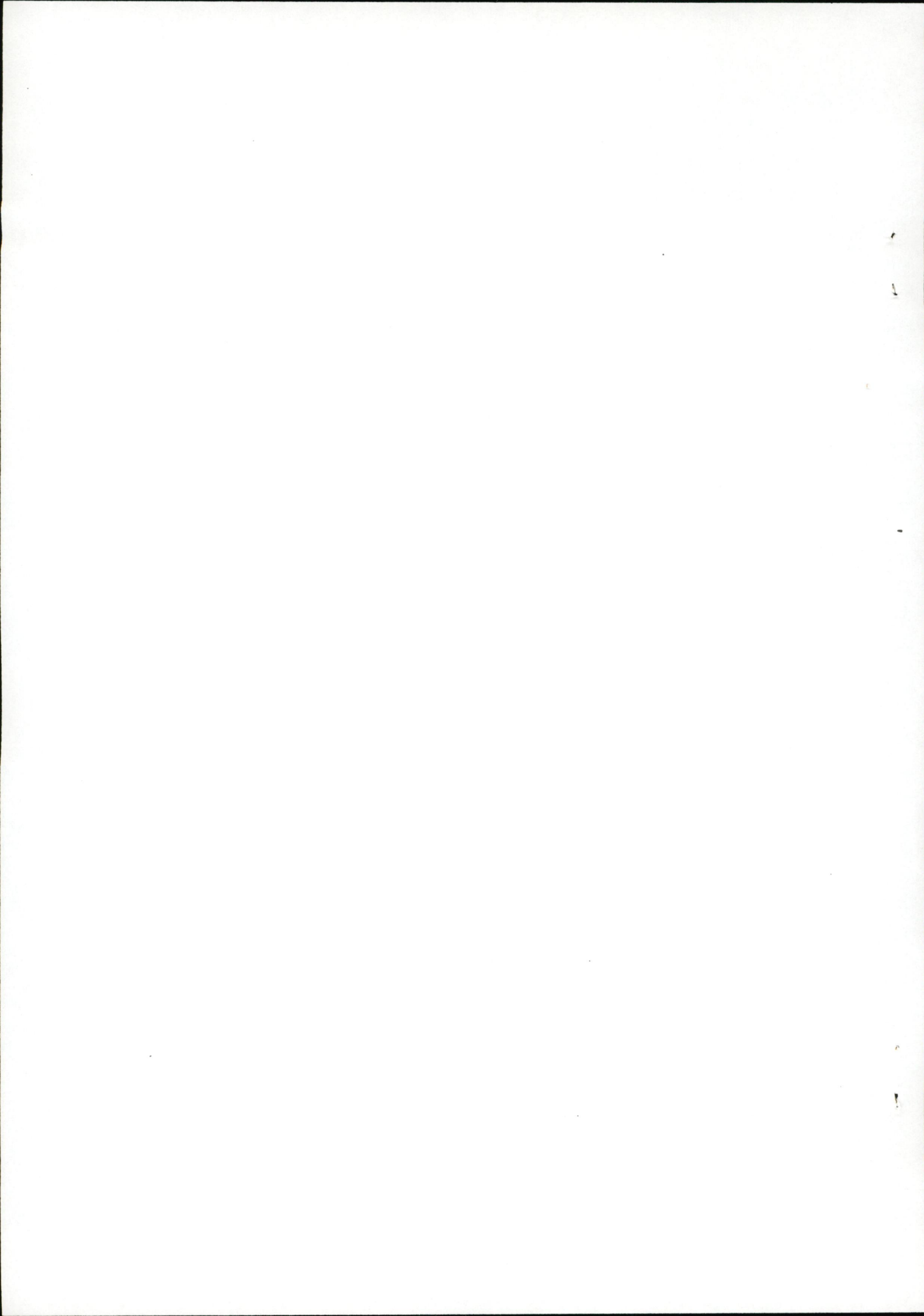
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