

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 5th June, 1871. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO QUARTO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Superannuation Act of 1864.

WHEREAS the Superannuation Fund provided by the Superannuation Act of 1864 has for some time past been insufficient to meet the demands upon it by reason as well of the gratuities authorized by the tenth section as of the excessive rate at which pensions are by that Act directed to be computed and whereas the interests of the officers of the Civil Service require that the pensions should be reduced to the rate hereinafter mentioned and that the gratuities should be abolished Be it therefore 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:—

1. The deduction provided for by the first section of the said Act shall be and the same is hereby fixed at the rate of four per centum instead of at a sum not exceeding the rate of four per centum as in the said section mentioned.

Preamble.
Contribution to Superannuation Fund fixed at four per centum.

2. Instead of the superannuation allowance authorized by the third and fourth sections of the said Act the superannuation allowance payable under the said Act shall from and after the first day of January last be as follows:—

20 To any person who shall have served fifteen years and upwards and under sixteen years an annual allowance of fifteen-sixtieths of the annual salary of his office.

Rate of superannuation allowance.

Superannuation Act Amendment.

For sixteen years and under seventeen years an annual allowance of sixteen-sixtieths of such salary.

5 And in like manner a further addition to the annual allowance of one-sixtieth in respect of each additional year of such service until the completion of a period of service of forty years when the annual allowance of forty-sixtieths may be granted and no addition shall be made in respect of any service beyond forty years.

10 And no superannuation allowance granted or payable under the said Act shall in any case exceed these rates.

3. From and after the passing of this Act except in the case of persons incapacitated by infirmity of mind or body from discharging the duties of their office no officer shall be entitled to retire from active employment on superannuation allowance until he shall have attained 15 the age of sixty years and no certificate of incapacity shall be granted under the third section of the said Act to any person whose incapacity has been caused by his own negligence or misconduct.

4. Every officer who under the provisions of the said Act may at the time of the passing of this Act have been required by the 20 Governor with the advice of the Executive Council to retire from active service or under the like authority may at the time of the passing of this Act have been removed in consequence of the abolition of his office or for the purpose of facilitating improvements in the organization of any department or effecting greater efficiency or 25 economy shall be entitled to the superannuation allowance allotted to him under the said Act anything herein contained to the contrary notwithstanding.

5. The superannuation allowance granted or payable or here- 30 after to be granted or payable to any officer under the said Act shall from and after the first day of January last not be computed upon the amount of the salary enjoyed by him at the time of his retirement unless he shall have been in the receipt of the same for a period of at least three years immediately before the granting of such super- 35 annuation allowance and in case he shall not have enjoyed his then existing salary for that period such superannuation allowance shall be calculated upon the average amount of salary received by such officer for three years next preceding the commencement of such allowance.

6. The tenth and thirteenth sections of the said Act are hereby 40 repealed.

7. The contributions toward the Superannuation Fund shall be paid into the Colonial Treasury and form part of the Consolidated Revenue Fund and all superannuation allowances shall henceforth be a charge upon and be paid out of that Fund.

8. This Act and the said Act shall be construed and read as one 45 Act.

9. In the event of the Superannuation Fund in any year being sufficient to pay the various charges upon it at the rates and in the manner provided by the said Act such payments shall in such year be made as in the said Act mentioned anything in this Act to the contrary 50 notwithstanding.

10. This Act shall be styled and may be cited as the "Super-annuation Act Amendment Act of 1871."

Officers not to superannuate before the age of sixty years except in case of incapacity.

Certificate of incapacity not to be given where incapacity caused by negligence or misconduct.

Officers forced to retire entitled to superannuation allowance allotted to them under Superannuation Act of 1864.

Superannuation not to be granted on advanced amount of salary received for less than three years.

10th and 13th sections of 27 Vic. No. 11 repealed.

Superannuation allowances to be a charge upon the Consolidated Revenue Fund.

This Act and the Act 27 Vic. No. 11 to be read as one Act.

Payments to be made as in the 27 Vic. No. 11 mentioned in any year in which the fund will be sufficient for such purpose.

Short title.

Legislative Council.

SUPERANNUATION ACT AMENDMENT BILL.

(Amendments to be proposed in Committee of the Whole by MR. HAY.)

Page 2, clause 6, line 39. *Add* "except in so far as the former provides for the payment of gratuities to widows and children under twenty-one years of age."

Page 2, clause 9, line 47. *After* "at" *omit* remainder of clause *insert* "higher rates than those provided by this Act such payments shall in such year be made at such higher rates as the state of the fund will admit in the same proportions as fixed by this Act but not exceeding in any case the amount which would be payable under the said Superannuation Act of 1864 and for the purposes of this clause a separate account shall be kept of the said fund by the Commissioners appointed under the said Act."

(Amendments to be proposed in Committee of the Whole by MR. DARLEY.)

Omit clause 1 *insert* new clauses 1 and 2.

1. There shall be deducted from the pay or salary of all persons in the Civil Service—except as hereinafter mentioned—such rateable sum not exceeding the rate of four per cent. as shall be fixed and notified as hereinafter provided and the sums so deducted shall be carried to the credit of the Consolidated Revenue.

Rate of deductions from salary.

2. The Governor with the advice of the Executive Council shall within the month of December in every year fix and notify in the *Gazette* the rate not exceeding four per cent. at which the deductions from pay and salary required by the first section of this Act shall be made during the year next following. Provided that in fixing such due regard shall be had to the estimated requirements for allowances and gratuities under the Act hereby repealed and under this Act and that the report of the Commissioners aforesaid shall have been obtained thereon.

Rate of deductions how fixed.

(To follow clause 5 of the Bill as printed.)

6. It shall be lawful for the Governor with the advice of the Executive Council from time to time by any order or warrant to declare that for the due and efficient discharge of the duties of any office or class of offices to be specified in such order or warrant professional or other peculiar qualifications not ordinarily to be acquired in the public service are required and that it is for the interest of the public that persons should be appointed thereto at an age exceeding that at which public service ordinarily begins and by the same or any other order or warrant to direct that when any person now holding or who may hereafter be appointed to such office or any of such class of offices shall retire from the public service a number of years not exceeding twenty to be specified in the said order or warrant shall in computing the amount of superannuation allowance which may be granted to him under this Act be added to the number of years during which he may have actually served and also to direct that in respect of such office or class of offices the period of service required to entitle the holder to superannuation may be a period less than fifteen years to be specified in the order or warrant and also to direct that in respect of such office or class of offices the holder may be entitled to superannuation though he may not hold his appointment directly from the Crown. Provided always that every order or warrant made under this enactment shall be laid before Parliament.

Provision for computing amount of Superannuation to persons holding professional and other special offices.

SUPERANNUATION ACT AMENDMENT BILL.

*SCHEDULE of the Amendments made by the Legislative Council in the Bill intituled
"An Act to amend the Superannuation Act," returned to the Legislative Assembly
with Message of 20th June, 1871.*

JOHN J. CALVERT,
Clerk of the Parliaments.

- Page 1, Preamble, lines 7 and 8. *Omit* "and that the gratuities should be abolished"
Page 2, clause 2, line 9. *After* "allowance" *insert* "hereafter"
" " " *After* "or" *insert* "made"
" clause 3, line 17. *Omit* "negligence or"
" clause 6, line 39. At the end of the clause *add* "except in so far as the
" former provides for the payment of gratuities to widows and to children
" if under twenty-one years of age."
" clause 9, lines 48 to 51. *Omit* "the rates and in the manner provided by the
" said Act such payments shall in such year be made as in the said Act men-
" tioned anything in this Act to the contrary notwithstanding" *insert* "higher
" rates than those provided by this Act such payments shall in such
" year be made at such higher rates as the state of the fund will admit
" in the same proportions as fixed by this Act but not exceeding in any
" case the amount which would be payable under the said Superan-
" nuation Act of 1864 anything in this Act to the contrary notwith-
" standing and for the purposes of this clause a separate account shall
" be kept of the said fund."
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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 5th June, 1871. }*

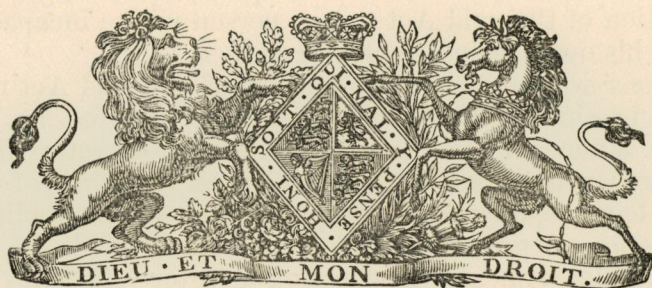
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 20th June, 1871. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Superannuation Act of 1864.

WHEREAS the Superannuation Fund provided by the Superannuation Act of 1864 has for some time past been insufficient to meet the demands upon it by reason as well of the gratuities authorized by the tenth section as of the excessive rate at which pensions are by that Act directed to be computed and whereas the interests of the officers of the Civil Service require that the pensions should be reduced to the rate hereinafter mentioned and that the gratuities should be abolished Be it therefore 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:—

1. The deduction provided for by the first section of the said Act shall be and the same is hereby fixed at the rate of four per centum instead of at a sum not exceeding the rate of four per centum as in the said section mentioned.

Contribution to Superannuation Fund fixed at four per centum.

2. Instead of the superannuation allowance authorized by the third and fourth sections of the said Act the superannuation allowance payable under the said Act shall from and after the first day of January last be as follows:—

20 To any person who shall have served fifteen years and upwards and under sixteen years an annual allowance of fifteen-sixtieths of the annual salary of his office.

Rate of superannuation allowance.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Superannuation Act Amendment.

For sixteen years and under seventeen years an annual allowance of sixteen-sixtieths of such salary.

5 And in like manner a further addition to the annual allowance of one-sixtieth in respect of each additional year of such service until the completion of a period of service of forty years when the annual allowance of forty-sixtieths may be granted and no addition shall be made in respect of any service beyond forty years.

And no superannuation allowance hereafter granted or made payable 10 under the said Act shall in any case exceed these rates.

3. From and after the passing of this Act except in the case of 15 persons incapacitated by infirmity of mind or body from discharging the duties of their office no officer shall be entitled to retire from active employment on superannuation allowance until he shall have attained the age of sixty years and no certificate of incapacity shall be granted under the third section of the said Act to any person whose incapacity has been caused by his own negligence or misconduct.

4. Every officer who under the provisions of the said Act may 20 at the time of the passing of this Act have been required by the Governor with the advice of the Executive Council to retire from active service or under the like authority may at the time of the passing of this Act have been removed in consequence of the abolition of his office or for the purpose of facilitating improvements in the organization of any department or effecting greater efficiency or 25 economy shall be entitled to the superannuation allowance allotted to him under the said Act anything herein contained to the contrary notwithstanding.

5. The superannuation allowance granted or payable or here- 30 after to be granted or payable to any officer under the said Act shall from and after the first day of January last not be computed upon the amount of the salary enjoyed by him at the time of his retirement unless he shall have been in the receipt of the same for a period of at least three years immediately before the granting of such superannuation allowance and in case he shall not have enjoyed his then 35 existing salary for that period such superannuation allowance shall be calculated upon the average amount of salary received by such officer for three years next preceding the commencement of such allowance.

6. The tenth and thirteenth sections of the said Act are hereby 40 repealed except in so far as the former provides for the payment of gratuities to widows and to children if under twenty-one years of age.

7. The contributions toward the Superannuation Fund shall be paid into the Colonial Treasury and form part of the Consolidated Revenue Fund and all superannuation allowances shall henceforth be a charge upon and be paid out of that Fund.

45 8. This Act and the said Act shall be construed and read as one Act.

9. In the event of the Superannuation Fund in any year being sufficient to pay the various charges upon it at the rates and in the manner provided by the said Act such payments shall in such year be 50 made as in the said Act mentioned anything in this Act to the contrary notwithstanding higher rates than those provided by this Act such payments shall in such year be made at such higher rates as the state of the fund will admit in the same proportions as fixed by this Act but not exceeding in any case the amount which would be payable under 55 the said Superannuation Act of 1864 anything in this Act to the contrary notwithstanding and for the purposes of this clause a separate account shall be kept of the said fund.

10. This Act shall be styled and may be cited as the "Superannuation Act Amendment Act of 1871."

Officers not to superannuate before the age of sixty years except in case of incapacity.

Certificate of incapacity not to be given where incapacity caused by negligence or misconduct.

Officers forced to retire entitled to superannuation allowance allotted to them under Superannuation Act of 1864.

Superannuation not to be granted on advanced amount of salary received for less than three years.

10th and 13th sections of 27 Vic. No. 11 repealed in part.

Superannuation allowances to be a charge upon the Consolidated Revenue Fund.

This Act and the Act 27 Vic. No. 11 to be read as one Act.

Payments to be made as in the 27 Vic. No. 11 mentioned at higher rates in any year in which the fund will be sufficient for such purpose.

Short title.