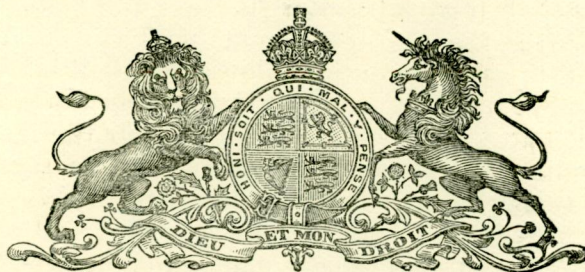


New South Wales.



ANNO TERTIO

EDWARDI VII REGIS.

Act No. 8, 1903.

An Act to provide that on the Superannuation Account becoming exhausted, all amounts payable to and out of that account shall be paid to and out of the Consolidated Revenue Fund; to provide for the payment of certain superannuation allowances; and to otherwise amend the Public Service Act, 1902, and the Civil Service Act of 1884. [Assented to, 19th October, 1903.]

BE it enacted by the King'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. This Act may be cited as the "Public Service (Superannuation) Act, 1903," and shall be construed with the Civil Service Act of 1884 and the Public Service Act, 1902.

Short title.

2.

Public Service (Superannuation).

Provision for deductions, allowances, and refunds on Superannuation Account becoming exhausted.

2. Notwithstanding anything in section seventy of the Public Service Act, 1902, when the Governor is advised that the Superannuation Account has become exhausted, he shall so certify, and on such certificate being given—

- (a) all deductions under section fifty-three of the Civil Service Act of 1884, as amended by the Act fifty-ninth Victoria number twenty-five, from the salaries of persons shall be paid into the Consolidated Revenue Fund;
- (b) all superannuation allowances payable under the Civil Service Act of 1884 and the Public Service Act, 1902, to any persons shall continue to be paid to such persons in accordance with the provisions of the said Acts, but shall be paid from the Consolidated Revenue Fund;
- (c) all persons being contributors to the Superannuation Account at or after the commencement of this Act and becoming entitled to superannuation allowances shall be paid and shall receive out of the Consolidated Revenue Fund allowances to be calculated at the same rates and for the same periods as superannuation allowances payable and receivable from the said account before the commencement of this Act;
- (d) every person who having been in the Civil Service had a superannuation allowance computed or assigned at any time before the commencement of this Act consequent on his acceptance of another office under the Crown which he now holds, but who is not receiving such allowance shall, upon retirement from such office, be paid from the Consolidated Revenue Fund such allowance in accordance with the provisions of the Civil Service Act of 1884, and the Public Service Act, 1902;
- (e) all amounts of refunds and interest theretofore payable out of the Superannuation Account, under section sixty-two of the Act fifty-ninth Victoria number twenty-five, or section seventy-three of the Public Service Act, 1902, and all gratuities payable out of such account under section fifty-one of the Civil Service Act of 1884, shall be paid out of the Consolidated Revenue Fund:

Provided that the annual sum of three thousand five hundred pounds, payable out of the Consolidated Revenue Fund, under section forty-three of the Constitution Act, 1902, shall be payable each year in satisfaction of the claims of such officers as are or may become entitled to be paid thereunder.

Temporary employment.

3. Notwithstanding anything in section forty-four of the Public Service Act, 1902, any person temporarily employed under the provisions of the said section may be so employed after the termination of the period mentioned in the said section for any further periods not exceeding

Public Service (Superannuation).

exceeding twelve months each, if the Board after investigation certify before the commencement of each such period that it would be in the public interest that such person should be so further employed.

4. On any person having become or becoming hereafter entitled under section one of the repealed Act sixtieth Victoria number twenty-seven, or under subsection (a) of section seventy-one of the Public Service Act, 1902, to a refund on his retirement from his public employment, such person shall be deemed to have been and shall be also entitled to a gratuity not exceeding one month's pay for each year of service from the date of his permanent appointment, and a fortnight's pay in respect of each year of temporary service. Such gratuity to be calculated on the average of his salary during the whole term of his employment, and to be payable, in the case of a retirement before the commencement of the Public Service Act, 1902, only in respect to service prior to the commencement of the repealed Act fifty-ninth Victoria number twenty-five, and in the case of a retirement after the commencement of the Public Service Act, 1902, only in respect of service prior to such commencement.

Granting gratuities to railway officers who ceased to contribute to the fund.

5. If an officer now in the Public Service who elected under section sixty-two of the repealed Act fifty-ninth Victoria number twenty-five to discontinue contributing to the Superannuation Account applies to the Colonial Treasurer within one month after the commencement of this Act to be reinstated as a contributor to such account, and proves to the satisfaction of a District Court Judge appointed by the Governor in that behalf—

Provision for enabling ex-contributors to be reinstated on the fund under certain conditions.

- (a) that he so discontinued contributing in consequence of a statement made by the Public Service Board as to the period of service to be counted in calculating retiring allowances that in cases where an officer commenced to contribute to the Superannuation Account since the first day of January, one thousand eight hundred and eighty-five, his services would count from the date of such commencement; and
- (b) that in law his services prior to such date should be so counted; or
- (c) that he so discontinued contributing in consequence of breaks in his service, such service afterwards having been made by his department to count as continuous—

the Colonial Treasurer shall, by writing under his hand, direct that such officer be so reinstated, and thereupon the said officer, on paying into the Treasury within three months after such direction of the Colonial Treasurer the amount of all yearly deductions from his salary which would have accrued due from him if he had not discontinued contributing to the said account, shall have the same rights and be entitled to the same privileges and benefits as if he had not discontinued so contributing.

Public Service (Superannuation).

Allowing contributors a right to cease contributing to the fund.

6. (1) Any person whose salary at the commencement of this Act is subject to an annual deduction under the Civil Service Act of 1884, may, within twelve months thereafter, elect that such deductions shall no longer be made, and in that event such person on his voluntary resignation or his retirement from the Public Service for any cause other than an offence, or if he dies while in the service, his personal representative on his death, shall be entitled to be paid from and out of the Consolidated Revenue Fund a refund of the amount deducted from his salary as aforesaid and paid to the Superannuation Account under the said Act, or to the Consolidated Revenue Fund under this Act, up to the date of such election, together with interest thereon at the rate of three pounds per centum from the said date.

Any person so electing as aforesaid shall be entitled on retirement to the gratuity provided under section seventy-one of the Public Service Act, 1902.

(2) Every person who, under the provisions aforesaid, elects as aforesaid shall thereupon cease to be entitled to any right in or benefit from the Consolidated Revenue Fund in respect of any deductions made as aforesaid, except such refund, interest, and gratuity.

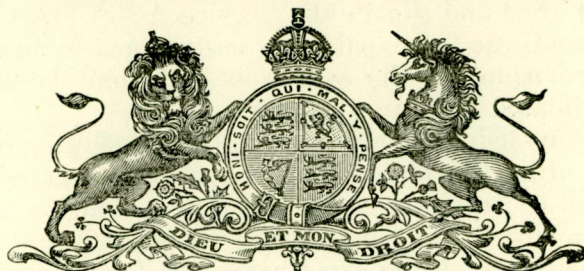
Service in the Government Printing Office for gratuity or pension.

7. For the purpose of computing the amount of superannuation allowance or gratuity due to any person now in the Public Service, all unbroken service by that person in the Government Printing Office shall be deemed to be service within the meaning of the Civil Service Act of 1884, the Public Service Act, 1902, and any Act amending the same. And where such person became a contributor to the Superannuation Fund in terms of section fifty-seven of the first-mentioned Act, and continues to so contribute, he shall on retirement (except for an offence) in respect to the whole of his service prior to his commencing to so contribute be subject to the provisions of section fifty-five of that Act.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Assembly Chamber, } RICHD. A. ARNOLD,
Sydney, 8 October, 1903. } Acting Clerk of the Legislative Assembly.*

New South Wales.



ANNO TERTIO

EDWARDI VII REGIS.

Act No. 8, 1903.

An Act to provide that on the Superannuation Account becoming exhausted, all amounts payable to and out of that account shall be paid to and out of the Consolidated Revenue Fund ; to provide for the payment of certain superannuation allowances ; and to otherwise amend the Public Service Act, 1902, and the Civil Service Act of 1884. [Assented to, 19th October, 1903.]

BE it enacted by the King'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. This Act may be cited as the "Public Service (Superannuation) Act, 1903," and shall be construed with the Civil Service Act of 1884 and the Public Service Act, 1902. Short title.
2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

J. H. CANN,
Chairman of Committees of the Legislative Assembly.

Public Service (Superannuation).

Provision for deductions, allowances, and refunds on Superannuation Account becoming exhausted.

2. Notwithstanding anything in section seventy of the Public Service Act, 1902, when the Governor is advised that the Superannuation Account has become exhausted, he shall so certify, and on such certificate being given—

- (a) all deductions under section fifty-three of the Civil Service Act of 1884, as amended by the Act fifty-ninth Victoria number twenty-five, from the salaries of persons shall be paid into the Consolidated Revenue Fund;
- (b) all superannuation allowances payable under the Civil Service Act of 1884 and the Public Service Act, 1902, to any persons shall continue to be paid to such persons in accordance with the provisions of the said Acts, but shall be paid from the Consolidated Revenue Fund;
- (c) all persons being contributors to the Superannuation Account at or after the commencement of this Act and becoming entitled to superannuation allowances shall be paid and shall receive out of the Consolidated Revenue Fund allowances to be calculated at the same rates and for the same periods as superannuation allowances payable and receivable from the said account before the commencement of this Act;
- (d) every person who having been in the Civil Service had a superannuation allowance computed or assigned at any time before the commencement of this Act consequent on his acceptance of another office under the Crown which he now holds, but who is not receiving such allowance shall, upon retirement from such office, be paid from the Consolidated Revenue Fund such allowance in accordance with the provisions of the Civil Service Act of 1884, and the Public Service Act, 1902;
- (e) all amounts of refunds and interest theretofore payable out of the Superannuation Account, under section sixty-two of the Act fifty-ninth Victoria number twenty-five, or section seventy-three of the Public Service Act, 1902, and all gratuities payable out of such account under section fifty-one of the Civil Service Act of 1884, shall be paid out of the Consolidated Revenue Fund:

Provided that the annual sum of three thousand five hundred pounds, payable out of the Consolidated Revenue Fund, under section forty-three of the Constitution Act, 1902, shall be payable each year in satisfaction of the claims of such officers as are or may become entitled to be paid thereunder:

3. Notwithstanding anything in section forty-four of the Public Service Act, 1902, any person temporarily employed under the provisions of the said section may be so employed after the termination of the period mentioned in the said section for any further periods not exceeding

Temporary employment.

Public Service (Superannuation).

exceeding twelve months each, if the Board after investigation certify before the commencement of each such period that it would be in the public interest that such person should be so further employed.

4. On any person having become or becoming hereafter entitled under section one of the repealed Act sixtieth Victoria number twenty-seven, or under subsection (a) of section seventy-one of the Public Service Act, 1902, to a refund on his retirement from his public employment, such person shall be deemed to have been and shall be also entitled to a gratuity not exceeding one month's pay for each year of service from the date of his permanent appointment, and a fortnight's pay in respect of each year of temporary service. Such gratuity to be calculated on the average of his salary during the whole term of his employment, and to be payable, in the case of a retirement before the commencement of the Public Service Act, 1902, only in respect to service prior to the commencement of the repealed Act fifty-ninth Victoria number twenty-five, and in the case of a retirement after the commencement of the Public Service Act, 1902, only in respect of service prior to such commencement.

Granting gratuities to railway officers who ceased to contribute to the fund.

5. If an officer now in the Public Service who elected under section sixty-two of the repealed Act fifty-ninth Victoria number twenty-five to discontinue contributing to the Superannuation Account applies to the Colonial Treasurer within one month after the commencement of this Act to be reinstated as a contributor to such account, and proves to the satisfaction of a District Court Judge appointed by the Governor in that behalf—

Provision for enabling ex-contributors to be reinstated on the fund under certain conditions.

- (a) that he so discontinued contributing in consequence of a statement made by the Public Service Board as to the period of service to be counted in calculating retiring allowances that in cases where an officer commenced to contribute to the Superannuation Account since the first day of January, one thousand eight hundred and eighty-five, his services would count from the date of such commencement; and
- (b) that in law his services prior to such date should be so counted; or
- (c) that he so discontinued contributing in consequence of breaks in his service, such service afterwards having been made by his department to count as continuous—

the Colonial Treasurer shall, by writing under his hand, direct that such officer be so reinstated, and thereupon the said officer, on paying into the Treasury within three months after such direction of the Colonial Treasurer the amount of all yearly deductions from his salary which would have accrued due from him if he had not discontinued contributing to the said account, shall have the same rights and be entitled to the same privileges and benefits as if he had not discontinued so contributing.

Public Service (Superannuation).

Allowing contributors a right to cease contributing to the fund.

6. (1) Any person whose salary at the commencement of this Act is subject to an annual deduction under the Civil Service Act of 1884, may, within twelve months thereafter, elect that such deductions shall no longer be made, and in that event such person on his voluntary resignation or his retirement from the Public Service for any cause other than an offence, or if he dies while in the service, his personal representative on his death, shall be entitled to be paid from and out of the Consolidated Revenue Fund a refund of the amount deducted from his salary as aforesaid and paid to the Superannuation Account under the said Act, or to the Consolidated Revenue Fund under this Act, up to the date of such election, together with interest thereon at the rate of three pounds per centum from the said date.

Any person so electing as aforesaid shall be entitled on retirement to the gratuity provided under section seventy-one of the Public Service Act, 1902.

(2) Every person who, under the provisions aforesaid, elects as aforesaid shall thereupon cease to be entitled to any right in or benefit from the Consolidated Revenue Fund in respect of any deductions made as aforesaid, except such refund, interest, and gratuity.

Service in the Government Printing Office for gratuity or pension.

7. For the purpose of computing the amount of superannuation allowance or gratuity due to any person now in the Public Service, all unbroken service by that person in the Government Printing Office shall be deemed to be service within the meaning of the Civil Service Act of 1884, the Public Service Act, 1902, and any Act amending the same. And where such person became a contributor to the Superannuation Fund in terms of section fifty-seven of the first-mentioned Act, and continues to so contribute, he shall on retirement (except for an offence) in respect to the whole of his service prior to his commencing to so contribute be subject to the provisions of section fifty-five of that Act.

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

*State Government House,
Sydney, 19th October, 1903.*

HARRY H. RAWSON,
Governor.

PUBLIC SERVICE (SUPERANNUATION) BILL.

SCHEDULE of the Amendments referred to in Message of 1 October, 1903.

- Page 2, clause 2, line 7. *Omit "officers" insert "persons"*
Page 2, clause 2, line 10. *Omit "officers" insert "persons"*
Page 2, clause 2, line 11. *Omit "officers" insert "persons"*
Page 2, clause 2, line 14. *Omit "officers" insert "persons"*
Page 2, clause 2, line 27. *Omit "an" insert "such"*
Page 3, clause 4, line 6. *After "subsection" omit "one" insert "(a)"*
Page 3, clause 5, line 24. *Omit "the said Treasurer" insert "a District Court Judge
"appointed by the Governor in that behalf"*
Page 4, clause 6, line 13. *Omit "officer" insert "person"*
Page 4, clause 6, line 15. *Omit "Principal Act" insert "Public Service Act, 1902,"*
Page 4, clause 7, line 24. *Omit "of 1895" insert "1902"*
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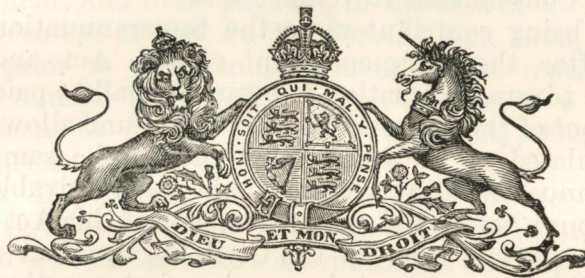
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 22 September, 1903. } **RICHD. A. ARNOLD,**
Acting Clerk of the Legislative Assembly.

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

Legislative Council Chamber,
Sydney, 1st October, 1903. } **JOHN J. CALVERT,**
Clerk of the Parliaments.

New South Wales.



ANNO TERTIO

EDWARDI VII REGIS.

Act No. , 1903.

An Act to provide that on the Superannuation Account becoming exhausted, all amounts payable to and out of that account shall be paid to and out of the Consolidated Revenue Fund; to provide for the payment of certain superannuation allowances; and to otherwise amend the Public Service Act, 1902, and the Civil Service Act of 1884.

BE it enacted by the King'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 1. This Act may be cited as the "Public Service (Superannuation) Act, 1903," and shall be construed with the Civil Service Act of 1884 and the Public Service Act, 1902. Short title.

22857

179—

2.

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

Public Service (Superannuation).

2. Notwithstanding anything in section seventy of the Public Service Act, 1902, when the Governor is advised that the Superannuation Account has become exhausted, he shall so certify, and on such certificate being given—

Provision for deductions, allowances, and refunds on Superannuation Account becoming exhausted

- 5 (a) all deductions under section fifty-three of the Civil Service Act of 1884, as amended by the Act fifty-ninth Victoria number twenty-five, from the salaries of ~~officers~~, persons shall be paid into the Consolidated Revenue Fund ;
- 10 (b) all superannuation allowances payable under the Civil Service Act of 1884 and the Public Service Act, 1902, to any ~~officers~~, persons shall continue to be paid to such ~~officers~~ persons in accordance with the provisions of the said Acts, but shall be paid from the Consolidated Revenue Fund ;
- 15 (c) all ~~officers~~ persons being contributors to the Superannuation Account at or after the commencement of this Act and becoming entitled to superannuation allowances shall be paid and shall receive out of the Consolidated Revenue Fund allowances to be calculated at the same rates and for the same periods as superannuation allowances payable and receivable from the said account before the commencement of this Act ;
- 20 (d) Every person who having been in the Civil Service had a superannuation allowance computed or assigned at any time before the commencement of this Act consequent on his acceptance of another office under the Crown which he now holds, but who is not receiving such allowance shall, upon retirement from such office, be paid from the Consolidated Revenue Fund ~~an~~ such allowance in accordance with the provisions of the Civil Service Act of 1884, and the Public Service Act, 1902.
- 25 (e) all amounts of refunds and interest theretofore payable out of the Superannuation Account, under section sixty-two of the Act fifty-ninth Victoria number twenty-five, or section seventy-three of the Public Service Act, 1902, and all gratuities payable out of such account under section fifty-one of the Civil Service Act of 1884, shall be paid out of the Consolidated Revenue Fund :
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40 Provided that the annual sum of three thousand five hundred pounds, payable out of the Consolidated Revenue Fund, under section forty-three of the Constitution Act, 1902, shall be payable each year in satisfaction of the claims of such officers as are or may become entitled to be paid thereunder.

3. Notwithstanding anything in section forty-four of the Public Service Act, 1902, any person temporarily employed under the provisions of the said section may be so employed after the termination of the period mentioned in the said section for any further periods not exceeding

Temporary employment.

Public Service (Superannuation).

exceeding twelve months each, if the Board after investigation certify before the commencement of each such period that it would be in the public interest that such person should be so further employed.

4. On any person having become or becoming hereafter entitled under section one of the repealed Act sixtieth Victoria number twenty-seven, or under subsection ~~one~~ (a) of section seventy-one of the Public Service Act, 1902, to a refund on his retirement from his public employment, such person shall be deemed to have been and shall be also entitled to a gratuity not exceeding one month's pay for each year of service from the date of his permanent appointment, and a fortnight's pay in respect of each year of temporary service. Such gratuity to be calculated on the average of his salary during the whole term of his employment, and to be payable, in the case of a retirement before the commencement of the Public Service Act, 1902, only in respect to service prior to the commencement of the repealed Act fifty-ninth Victoria number twenty-five, and in the case of a retirement after the commencement of the Public Service Act, 1902, only in respect of service prior to such commencement.

Granting gratuities to railway officers who ceased to contribute to the fund.

5. If an officer now in the Public Service who elected under section sixty-two of the repealed Act fifty-ninth Victoria number twenty-five to discontinue contributing to the Superannuation Account applies to the Colonial Treasurer within one month after the commencement of this Act to be reinstated as a contributor to such account, and proves to the satisfaction of ~~the said Treasurer~~ a District Court Judge appointed by the Governor in that behalf—

Provision for enabling ex-contributors to be reinstated on the fund under certain conditions.

- (a) that he so discontinued contributing in consequence of a statement made by the Public Service Board as to the period of service to be counted in calculating retiring allowances that in cases where an officer commenced to contribute to the Superannuation Account since the first day of January, one thousand eight hundred and eighty-five, his services would count from the date of such commencement; and
- (b) that in law his services prior to such date should be so counted; or
- (c) that he so discontinued contributing in consequence of breaks in his service, such service afterwards having been made by his department to count as continuous—

the Colonial Treasurer shall, by writing under his hand, direct that such officer be so reinstated, and thereupon the said officer, on paying into the Treasury within three months after such direction of the Colonial Treasurer the amount of all yearly deductions from his salary which would have accrued due from him if he had not discontinued contributing to the said account, shall have the same rights and be entitled to the same privileges and benefits as if he had not discontinued so contributing.

Public Service (Superannuation).

6. (1) Any person whose salary at the commencement of this Act is subject to an annual deduction under the Civil Service Act of 1884, may, within twelve months thereafter, elect that such deductions shall no longer be made, and in that event such person on his voluntary resignation or his retirement from the Public Service for any cause other than an offence, or if he dies while in the service, his personal representative on his death, shall be entitled to be paid from and out of the Consolidated Revenue Fund a refund of the amount deducted from his salary as aforesaid and paid to the Superannuation Account under the said Act, or to the Consolidated Revenue Fund under this Act, up to the date of such election, together with interest thereon at the rate of three pounds per centum from the said date.

Any officer person so electing as aforesaid shall be entitled on retirement to the gratuity provided under section seventy-one of the ~~Principal Act~~ **Public Service Act, 1902.**

(2) Every person who, under the provisions aforesaid, elects as aforesaid shall thereupon cease to be entitled to any right in or benefit from the Consolidated Revenue Fund in respect of any deductions made as aforesaid, except such refund, interest, and gratuity.

7. For the purpose of computing the amount of superannuation allowance or gratuity due to any person now in the Public Service, all unbroken service by that person in the Government Printing Office shall be deemed to be service within the meaning of the Civil Service Act of 1884, the Public Service Act, of 1895 **1902**, and any Act amending the same. And where such person became a contributor to the Superannuation Fund in terms of section fifty-seven of the first-mentioned Act, and continues to so contribute, he shall on retirement (except for an offence) in respect to the whole of his service prior to his commencing to so contribute be subject to the provisions of section fifty-five of that Act.

Allowing contributors a right to cease contributing to the fund.

Service in the Government Printing Office for gratuity or pension.

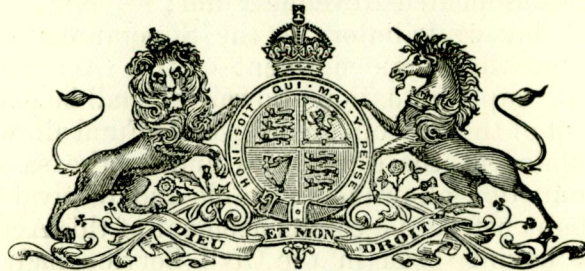
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, } **RICHD. A. ARNOLD,**
Sydney, 22 September, 1903. } *Acting Clerk of the Legislative Assembly.*

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

Legislative Council Chamber, } *Clerk of the Parliaments.*
Sydney, October, 1903. }

New South Wales.



ANNO TERTIO

EDWARDI VII REGIS.

Act No. , 1903.

An Act to provide that on the Superannuation Account becoming exhausted, all amounts payable to and out of that account shall be paid to and out of the Consolidated Revenue Fund; to provide for the payment of certain superannuation allowances; and to otherwise amend the Public Service Act, 1902, and the Civil Service Act of 1884.

BE it enacted by the King'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 **1.** This Act may be cited as the "Public Service (Superannuation) Short title. Act, 1903," and shall be construed with the Civil Service Act of 1884 and the Public Service Act, 1902.

22857 179— **2.**

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

Public Service (Superannuation).

2. Notwithstanding anything in section seventy of the Public Service Act, 1902, when the Governor is advised that the Superannuation Account has become exhausted, he shall so certify, and on such certificate being given—

Provision for deductions, allowances, and refunds on Superannuation Account becoming exhausted

- 5 (a) all deductions under section fifty-three of the Civil Service Act of 1884, as amended by the Act fifty-ninth Victoria number twenty-five, from the salaries of ~~officers~~, persons shall be paid into the Consolidated Revenue Fund ;
- 10 (b) all superannuation allowances payable under the Civil Service Act of 1884 and the Public Service Act, 1902, to any ~~officers~~, persons shall continue to be paid to such ~~officers~~ persons in accordance with the provisions of the said Acts, but shall be paid from the Consolidated Revenue Fund ;
- 15 (c) all ~~officers~~ persons being contributors to the Superannuation Account at or after the commencement of this Act and becoming entitled to superannuation allowances shall be paid and shall receive out of the Consolidated Revenue Fund allowances to be calculated at the same rates and for the same periods as superannuation allowances payable and receivable from the said account before the commencement of this Act ;
- 20 (d) Every person who having been in the Civil Service had a superannuation allowance computed or assigned at any time before the commencement of this Act consequent on his acceptance of another office under the Crown which he now holds, but who is not receiving such allowance shall, upon retirement from such office, be paid from the Consolidated Revenue Fund ~~an~~ such allowance in accordance with the provisions of the Civil Service Act of 1884, and the Public Service Act, 1902.
- 25 (e) all amounts of refunds and interest theretofore payable out of the Superannuation Account, under section sixty-two of the Act fifty-ninth Victoria number twenty-five, or section seventy-three of the Public Service Act, 1902, and all gratuities payable out of such account under section fifty-one of the Civil Service Act of 1884, shall be paid out of the Consolidated Revenue Fund :
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Provided that the annual sum of three thousand five hundred pounds, payable out of the Consolidated Revenue Fund, under section forty-three of the Constitution Act, 1902, shall be payable each year in satisfaction of the claims of such officers as are or may become entitled to be paid thereunder.

3. Notwithstanding anything in section forty-four of the Public Service Act, 1902, any person temporarily employed under the provisions of the said section may be so employed after the termination of the period mentioned in the said section for any further periods not exceeding

Temporary employment.

Public Service (Superannuation).

exceeding twelve months each, if the Board after investigation certify before the commencement of each such period that it would be in the public interest that such person should be so further employed.

4. On any person having become or becoming hereafter entitled under section one of the repealed Act sixtieth Victoria number twenty-seven, or under subsection one (a) of section seventy-one of the Public Service Act, 1902, to a refund on his retirement from his public employment, such person shall be deemed to have been and shall be also entitled to a gratuity not exceeding one month's pay for each year of service from the date of his permanent appointment, and a fortnight's pay in respect of each year of temporary service. Such gratuity to be calculated on the average of his salary during the whole term of his employment, and to be payable, in the case of a retirement before the commencement of the Public Service Act, 1902, only in respect of service prior to the commencement of the repealed Act fifty-ninth Victoria number twenty-five, and in the case of a retirement after the commencement of the Public Service Act, 1902, only in respect of service prior to such commencement.

Granting gratuities to railway officers who ceased to contribute to the fund.

5. If an officer now in the Public Service who elected under section sixty-two of the repealed Act fifty-ninth Victoria number twenty-five to discontinue contributing to the Superannuation Account applies to the Colonial Treasurer within one month after the commencement of this Act to be reinstated as a contributor to such account, and proves to the satisfaction of ~~the said Treasurer~~ **a District Court Judge appointed by the Governor in that behalf—**

Provision for enabling ex-contributors to be reinstated on the fund under certain conditions.

- (a) that he so discontinued contributing in consequence of a statement made by the Public Service Board as to the period of service to be counted in calculating retiring allowances that in cases where an officer commenced to contribute to the Superannuation Account since the first day of January, one thousand eight hundred and eighty-five, his services would count from the date of such commencement; and
- (b) that in law his services prior to such date should be so counted; or
- (c) that he so discontinued contributing in consequence of breaks in his service, such service afterwards having been made by his department to count as continuous—

the Colonial Treasurer shall, by writing under his hand, direct that such officer be so reinstated, and thereupon the said officer, on paying into the Treasury within three months after such direction of the Colonial Treasurer the amount of all yearly deductions from his salary which would have accrued due from him if he had not discontinued contributing to the said account, shall have the same rights and be entitled to the same privileges and benefits as if he had not discontinued so contributing.

Public Service (Superannuation).

6. (1) Any person whose salary at the commencement of this Act is subject to an annual deduction under the Civil Service Act of 1884, may, within twelve months thereafter, elect that such deductions shall no longer be made, and in that event such person on his voluntary resignation or his retirement from the Public Service for any cause other than an offence, or if he dies while in the service, his personal representative on his death, shall be entitled to be paid from and out of the Consolidated Revenue Fund a refund of the amount deducted from his salary as aforesaid and paid to the Superannuation Account under the said Act, or to the Consolidated Revenue Fund under this Act, up to the date of such election, together with interest thereon at the rate of three pounds per centum from the said date.

Allowing contributors a right to cease contributing to the fund.

Any officer person so electing as aforesaid shall be entitled on retirement to the gratuity provided under section seventy-one of the Principal Act **Public Service Act, 1902.**

(2) Every person who, under the provisions aforesaid, elects as aforesaid shall thereupon cease to be entitled to any right in or benefit from the Consolidated Revenue Fund in respect of any deductions made as aforesaid, except such refund, interest, and gratuity.

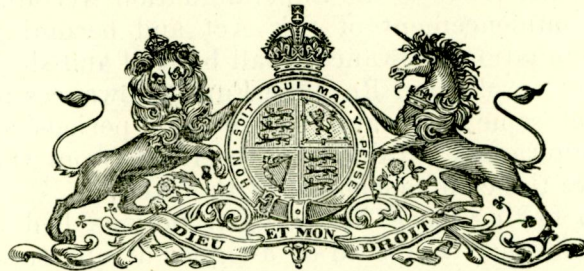
7. For the purpose of computing the amount of superannuation allowance or gratuity due to any person now in the Public Service, all unbroken service by that person in the Government Printing Office shall be deemed to be service within the meaning of the Civil Service Act of 1884, the Public Service Act, of 1895 **1902**, and any Act amending the same. And where such person became a contributor to the Superannuation Fund in terms of section fifty-seven of the first-mentioned Act, and continues to so contribute, he shall on retirement (except for an offence) in respect to the whole of his service prior to his commencing to so contribute be subject to the provisions of section fifty-five of that Act.

Service in the Government Printing Office for gratuity or pension.

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, 22 September, 1903. } RICHD. A. ARNOLD,
Acting Clerk of the Legislative Assembly.*

New South Wales.



ANNO TERTIO

EDWARDI VII REGIS.

Act No. , 1903.

An Act to provide that on the Superannuation Account becoming exhausted, all amounts payable to and out of that account shall be paid to and out of the Consolidated Revenue Fund ; to provide for the payment of certain superannuation allowances ; and to otherwise amend the Public Service Act, 1902, and the Civil Service Act of 1884.

BE it enacted by the King'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 1. This Act may be cited as the "Public Service(Superannuation) Short title.
Act, 1903," and shall be construed with the Civil Service Act of 1884
and the Public Service Act, 1902.

Public Service (Superannuation).

2. Notwithstanding anything in section seventy of the Public Service Act, 1902, when the Governor is advised that the Superannuation Account has become exhausted, he shall so certify, and on such certificate being given—

Provision for deductions, allowances, and refunds on Superannuation Account becoming exhausted

- 5 (a) all deductions under section fifty-three of the Civil Service Act of 1884, as amended by the Act fifty-ninth Victoria number twenty-five, from the salaries of officers, shall be paid into the Consolidated Revenue Fund ;
- 10 (b) all superannuation allowances payable under the Civil Service Act of 1884 and the Public Service Act, 1902, to any officers, shall continue to be paid to such officers in accordance with the provisions of the said Acts, but shall be paid from the Consolidated Revenue Fund ;
- 15 (c) all officers being contributors to the Superannuation Account at or after the commencement of this Act and becoming entitled to superannuation allowances shall be paid and shall receive out of the Consolidated Revenue Fund allowances to be calculated at the same rates and for the same periods as superannuation allowances payable and receivable from the said account before the commencement of this Act ;
- 20 (d) Every person who having been in the Civil Service had a superannuation allowance computed or assigned at any time before the commencement of this Act consequent on his acceptance of another office under the Crown which he now holds, but who is not receiving such allowance shall, upon retirement from such office, be paid from the Consolidated Revenue Fund an allowance in accordance with the provisions of the Civil Service Act of 1884, and the Public Service Act, 1902.
- 25 (e) all amounts of refunds and interest theretofore payable out of the Superannuation Account, under section sixty-two of the Act fifty-ninth Victoria number twenty-five, or section seventy-three of the Public Service Act, 1902, and all gratuities payable out of such account under section fifty-one of the Civil Service Act of 1884, shall be paid out of the Consolidated Revenue Fund :
- 30
- 35

Provided that the annual sum of three thousand five hundred pounds, payable out of the Consolidated Revenue Fund, under section forty-three of the Constitution Act, 1902, shall be payable each year 40 in satisfaction of the claims of such officers as are or may become entitled to be paid thereunder.

3. Notwithstanding anything in section forty-four of the Public Service Act, 1902, any person temporarily employed under the provisions of the said section may be so employed after the termination 45 of the period mentioned in the said section for any further periods not exceeding

Temporary employment.

Public Service (Superannuation).

exceeding twelve months each, if the Board after investigation certify before the commencement of each such period that it would be in the public interest that such person should be so further employed.

4. On any person having become or becoming hereafter entitled Granting gratuities to railway officers who ceased to contribute to the fund.
 5 under section one of the repealed Act sixtieth Victoria number twenty-seven, or under subsection one of section seventy-one of the Public Service Act, 1902, to a refund on his retirement from his public employment, such person shall be deemed to have been and shall be also entitled to a gratuity not exceeding one month's pay for each year
 10 of service from the date of his permanent appointment, and a fortnight's pay in respect of each year of temporary service. Such gratuity to be calculated on the average of his salary during the whole term of his employment, and to be payable, in the case of a retirement before the commencement of the Public Service Act, 1902, only in respect to
 15 service prior to the commencement of the repealed Act fifty-ninth Victoria number twenty-five, and in the case of a retirement after the commencement of the Public Service Act, 1902, only in respect of service prior to such commencement.

5. If an officer now in the Public Service who elected under Provision for enabling ex-contributors to be reinstated on the fund under certain conditions.
 20 section sixty-two of the repealed Act fifty-ninth Victoria number twenty-five to discontinue contributing to the Superannuation Account applies to the Colonial Treasurer within one month after the commencement of this Act to be reinstated as a contributor to such account, and proves to the satisfaction of the said Treasurer—

- 25 (a) that he so discontinued contributing in consequence of a statement made by the Public Service Board as to the period of service to be counted in calculating retiring allowances that in cases where an officer commenced to contribute to
 30 the Superannuation Account since the first day of January, one thousand eight hundred and eighty-five, his services would count from the date of such commencement; and
 (b) that in law his services prior to such date should be so counted; or
 35 (c) that he so discontinued contributing in consequence of breaks in his service, such service afterwards having been made by his department to count as continuous—

the Colonial Treasurer shall, by writing under his hand, direct that such officer be so reinstated, and thereupon the said officer, on paying into the Treasury within three months after such direction of the
 40 Colonial Treasurer the amount of all yearly deductions from his salary which would have accrued due from him if he had not discontinued contributing to the said account, shall have the same rights and be entitled to the same privileges and benefits as if he had not discontinued so contributing.

Public Service (Superannuation).

6. (1) Any person whose salary at the commencement of this Act is subject to an annual deduction under the Civil Service Act of 1884, may, within twelve months thereafter, elect that such deductions shall no longer be made, and in that event such person on his voluntary resignation or his retirement from the Public Service for any cause other than an offence, or if he dies while in the service, his personal representative on his death, shall be entitled to be paid from and out of the Consolidated Revenue Fund a refund of the amount deducted from his salary as aforesaid and paid to the Superannuation Account under the said Act, or to the Consolidated Revenue Fund under this Act, up to the date of such election, together with interest thereon at the rate of three pounds per centum from the said date.

Any officer so electing as aforesaid shall be entitled on retirement to the gratuity provided under section seventy-one of the Principal Act.

(2) Every person who, under the provisions aforesaid, elects as aforesaid shall thereupon cease to be entitled to any right in or benefit from the Consolidated Revenue Fund in respect of any deductions made as aforesaid, except such refund, interest, and gratuity.

7. For the purpose of computing the amount of superannuation allowance or gratuity due to any person now in the Public Service, all unbroken service by that person in the Government Printing Office shall be deemed to be service within the meaning of the Civil Service Act of 1884, the Public Service Act of 1895, and any Act amending the same. And where such person became a contributor to the Superannuation Fund in terms of section fifty-seven of the first-mentioned Act, and continues to so contribute, he shall on retirement (except for an offence) in respect to the whole of his service prior to his commencing to so contribute be subject to the provisions of section fifty-five of that Act.

Allowing contributors a right to cease contributing to the fund.

Service in the Government Printing Office for gratuity or pension.