

TRANSPORT (OFFICERS GRATUITIES) AMENDMENT ACT.

Act No. 23, 1948.

George VI.
No. 23, 1948. An Act to make provision for and in respect to the payment of gratuities to certain officers of The Commissioner for Road Transport and Tramways; for this purpose to amend the Transport Act, 1930-1945, in certain respects; and for purposes connected therewith. [Assented to, 21st May, 1948.]

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:—

Short title,
citation and
commencement. **1.** (1) This Act may be cited as the "Transport (Officers Gratuities) Amendment Act, 1948." (2)

Transport (Officers' Gratuities) Amendment Act.

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(2) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1948. **No. 23, 1948.**

(3) This Act shall be deemed to have commenced upon the first day of September, one thousand nine hundred and forty-six.

2. The Transport Act, 1930-1945, is amended—

**Amendment
of Act
No. 18, 1930.**

(a) by inserting next after section one hundred and thirty-two the following new section:— **New sec.
132A.**

132A. (1) This section shall apply to and in respect of officers who have had not less than ten years' service and who throughout such service have not been contributors to any superannuation fund or account established under this Act, the Government Railways Act, 1912-1945, or the Superannuation Act, 1916-1944. **Gratuities
payable
to non-
contributors.**

(2) Any officer to whom this section applies shall, if he is retired otherwise than by reason of total incapacity for work and is at the date of such retirement under the age of sixty years, be entitled to a gratuity equivalent to the amount of one week's salary or wages for each complete year of service.

No gratuity payable under this subsection shall exceed an amount equivalent to thirteen weeks' salary or wages of the officer entitled to such gratuity.

(3) Any officer to whom this section applies shall—

(a) if he is retired otherwise than by reason of total incapacity for work and is at the date of such retirement of or over the age of sixty years; or

(b) if he is retired by reason of total incapacity for work irrespective of his age at the date of such retirement,

be entitled to a gratuity equivalent to the amount of two weeks' salary or wages for each complete year of service.

(4)

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(4) On the death of an officer to whom this section applies a gratuity equivalent to the amount of two weeks' salary or wages for each complete year of service shall be payable—

- (a) to the widow of such officer; or
- (b) if such officer is not survived by a widow but is survived by any child or children who at the time of his death was or were in fact dependent upon his earnings, to such child or to such children in equal shares, as the case may require; or
- (c) if such officer is not survived by a widow or dependent child or children as aforesaid but is survived by any relative or relatives who at the time of his death was or were in fact dependent upon his earnings, to such relative or to such relatives in equal shares, as the case may require.

(5) Any gratuity payable under the provisions of this section shall be calculated at the rate of the salary or wages payable to the officer entitled to such gratuity or in respect of whom such gratuity is payable immediately prior to his retirement or death, as the case may be.

(6) A gratuity payable under this section shall not, for the purposes of section forty-seven of the Workers' Compensation Act, 1926-1947, be deemed to be a benefit under any other Act.

- (b) by omitting from section two the figures "132" and by inserting in lieu thereof the figures "132A".

(Consequential.)

Sec. 2.
(Division
into Parts.)