

Act No. 28, 1906.

An Act to amend the Police Regulation Act, 1899. [12th December, 1906.]

POLICE REGULATION
(SUPERANNUATION).

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:—

Preliminary.

1. This Act may be cited as the "Police Regulation (Superannuation) Act, 1906," and shall commence and take effect on and after the first day of February, one thousand nine hundred and seven.

This Act shall be construed with the Police Regulation Act, 1899, hereinafter referred to as the Principal Act.

2. Sections thirty and thirty-one and subsection one of section thirty-six of the Principal Act are repealed.

Superannuation and Reward Fund.

3. (1) On the commencement of this Act, all moneys at credit of the Police Superannuation Fund and the Police Reward Fund shall be carried to a fund to be called the Police Superannuation and Reward Fund.

(2) The words "Police Superannuation and Reward Fund" shall be read in place of the words "Police Superannuation Fund" in sections twenty-eight, twenty-nine, and subsections two of section thirty-six,

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thirty-six, and in place of the words " Police Reward Fund " in sections thirty-four, thirty-five, and subsection two of section thirty-six of the Principal Act.

(3) The Police Superannuation and Reward Fund shall be dealt with and appropriated in pursuance of the Principal Act as amended by this Act.

Payments into fund from consolidated revenue.

4. If at any time the amount at credit of the Police Superannuation and Reward Fund is insufficient to meet claims payable or likely to become payable out of such fund, the Governor may pay into the said fund from the Consolidated Revenue Fund such sums as he may think necessary to provide for such claims.

Increase of annual deductions.

5. (1) Section twenty-eight of the Principal Act is amended by substituting " four pounds per centum " for " two pounds per centum."

Validation of deductions of three per centum.

(2) Deductions made before the commencement of this Act of three per centum in lieu of two per centum per annum from any pay or salary referred to in section twenty-eight of the Principal Act are hereby validated and shall be deemed to have been lawfully made.

Payments into and out of fund.

6. All payments in pursuance of this Act shall be made into and out of the Police Superannuation and Reward Fund.

Superannuation allowances and gratuities.

Amount of pensions.

7. The annual superannuation allowances of members of the police force shall be as follows :—

- (a) Where the allowance was granted prior to the commencement of this Act, such allowance shall continue to be paid.
- (b) Where a member is in active service at the commencement of this Act, and has served with diligence and fidelity, he shall, on retirement, be granted an allowance on the following scale :—
 - (i) If he has so served for fifteen years, and less than twenty years, such allowance shall not exceed one-half of the salary of his office at his retirement, less a deduction of three per centum per annum.
 - (ii) If for twenty years and less than twenty-five years, such allowance shall not exceed two-thirds of such salary, less a deduction of three per centum per annum.
 - (iii) If for twenty-five years and less than thirty years, such allowance shall not exceed three-fourths of such salary, less a deduction of three per centum per annum.
 - (iv) If for thirty years or upwards, such allowance shall not exceed the whole of such salary, less a deduction of three per centum per annum.

(c)

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(c) Where a member has entered the police service after the commencement of this Act, and has served with diligence and fidelity for twenty years or upwards, and retires, such allowance shall not exceed one-fortieth of the salary of his office at his retirement for each complete year of service, less a deduction of three per centum per annum: Provided that such allowance shall not exceed three-quarters of such salary, less three per centum.

8. No superannuation allowance shall be granted under the last preceding section to a member who, at the time of his retirement is under the age of sixty years, unless two legally qualified medical practitioners, duly appointed in that behalf by the Governor, certify that such member is incapable, from infirmity of body or mind, to discharge the duties of his office. Allowances to members under 60 years of age.

9. The age of retirement from the police force shall be sixty years, except in the case of the holder of the office of Inspector-General of Police; but should the public interest render it expedient to retain the services of any officer above the age of sixty years, and should such officer consent to his services being so retained, the Minister, after the prescribed investigation, may authorise such retention until such officer attains the age of sixty-five years. Age of retirement.

10. Where any member of the police force has been disabled by any wound or injury received in the actual execution of the duty of his office, there may be granted to him such gratuity or annual superannuation allowance, not exceeding the salary of his office at the time of his disablement, as, in the opinion of the Governor, is commensurate with the nature of the wound or injury received, and such grant may be made whatever the length of his services. Disablement in execution of duty.

11. Where a member of the police force to whom a superannuation allowance has been granted before or after the commencement of this Act dies after the commencement of this Act, and within five years after the grant of such allowance, the Governor may, in his discretion, cause the amount of the allowance, or any portion of it, to be paid to the widow or to or on behalf of the children of such member, for such time and subject to such conditions as he thinks fit, or cause such sum of money as he thinks fit in lieu of such allowance to be paid to such widow or to or on behalf of such children: Death within five years after grant of allowance.

Provided that the total amount paid in pursuance of this section shall not exceed the amount which would have been paid to such member if he had lived for five years after the grant of the allowance and then died.

12. Where any member of the police force has been killed in the actual execution of the duty of his office, or has died from injuries received in the actual execution of such duty, there may be paid to his widow, Member killed in execution of duty.

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widow, mother, or to or on behalf of his children, such sum by way of annual superannuation allowance, or by way of gratuity, as the Governor thinks fit; and such allowance shall be granted on such conditions and for such time as the Governor thinks reasonable.

Member otherwise dying.

13. Where any such member has died otherwise than as in the last preceding section mentioned, there may be paid to the widow or to or on behalf of the children of such member such gratuity as such member would have been entitled to under the next following section if, at the time of his death, he had under that section been certified to be unfit for service.

Gratuities for members unfit for service.

14. (1) Where any member of the police force has served with diligence and fidelity, there may be paid to such member, if he is duly certified to be unfit for service,—

(a) in the case of a member appointed before the commencement of this Act, who has served for a period less than fifteen years, a gratuity not exceeding one month's pay for each year of service, and a further gratuity of one month's pay for each year of service after the tenth year; and

(b) in the case of a member appointed after the commencement of this Act, who has served for a period less than twenty years, a gratuity not exceeding one month's pay for each year of service.

(2) Such pay shall be calculated at the rate of his salary at his retirement.

Appointment of Transit Commissioners' officers.

15. Where any officer employed by the Transit Commissioners has, in pursuance of section six of the Metropolitan Traffic Act, 1900, been appointed a member of the police force for the purpose of the administration of the last-mentioned Act, this Act shall apply as if the service of such officer under the said commissioners had been service in the police force:

Provided that before any annual superannuation allowance or gratuity is paid in respect of such service, there shall be paid to the Police Superannuation and Reward Fund an amount equivalent to a deduction of three per centum of the salary of such officer while serving under the said commissioners, together with interest at the rate of four per centum per annum from the respective dates when a deduction under the Principal Act would have been made if the officer had been a member of the police force.