

## SUPERANNUATION (AMENDMENT) ACT.

Act No. 44, 1918.

An Act to amend and declare the law with respect George V,  
No. 44. to certain superannuation allowances ; to amend the Superannuation Act, 1916, and certain Acts relating to the public service ; and for purposes consequent thereon or incidental thereto. [Assented to, 19th December, 1918.]

**B**E 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 "Superannuation Short title.  
(Amendment) Act, 1918."

*Amendment of the Superannuation Act, 1916.*

**2.** The Superannuation Act, 1916, is amended as Amendment  
of Act No. 28,  
1916. follows :—

(i) Section one, by omitting the words "the Sec. 1.  
Commence-  
ment. financial half-year next after the expiration of a period of six months after the proclamation of peace between Great Britain and Germany and her allies" and inserting in lieu thereof the words "July, one thousand nine hundred and nineteen".

(ii) Section twelve, paragraph (c), by omitting the Sec. 12. roman numeral "(iii)".

(iii) Section sixteen, by the addition of the follow- Sec. 16. ing subsection :—

(4) In the case of a woman employee who at the commencement of this Act is over fifty-four and less than fifty-five years of age, and who

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who elects to contribute at the rate prescribed for retirement at the age of fifty-five years, twenty-four contributions at such rate as may be prescribed shall be paid by the employer and the employee prior to the employee's attaining the age of fifty-five years.

Sec. 34 (1) (b).

(iv) Section thirty-four—

(a) in subsection one, by inserting after the expression "after the passing" each time it occurs in the subsection the words "and before the commencement"; and

(b) by inserting the following subsection next after subsection three:—

Employee  
who has  
served for ten  
years and  
died after the  
passing and  
before com-  
mencement of  
the Act.

(3A) The provisions of this section, conferring benefits on the widow and children of an employee, shall apply in the case of an employee who has served for at least ten years, and who has after the passing and before the commencement of this Act died while in the service of his employer, as if he had been retired on a pension under this section on account of his age on the day immediately preceding the day of his death.

Sec. 35 (1).

(v) Section thirty-five—

(a) in subsection one, by inserting after "has been retired" the words "or permitted by his employer to retire"; and

(b) by inserting the following subsection after subsection one:—

Breakdown.

(1A) An employee who, after the first day of January, one thousand nine hundred and fourteen, and before the commencement of this Act, has been retired or permitted by his employer to retire, or who retires or is so permitted to retire on the ground that owing to ill-health he is unable to continue in his occupation, and who, at the time of such retirement, had served for at least ten years, shall be entitled to a pension under this Act in accordance with salary as

- as set out in section twelve, but not exceeding four units, or one hundred and four pounds per annum, without paying any contribution to the fund.
- (vi) Section fifty-six, subsection one, paragraph (a), by inserting after the words "sixty years" the words "or owing to ill-health is unable to continue in his occupation," and by inserting after the expression "after the passing" the words "and before the commencement".
- (vii) Section fifty-seven—
- (a) by inserting after the word "retired" the words "or permitted by the Governor to retire"; and
- (b) by inserting after the words "sixty years" in paragraph (a) the words "or owing to ill-health was unable to continue in his occupation"; and
- (c) by the addition of the following subsection:—
- (2) This section shall come into operation when this Act receives the Royal assent.
- (viii) By inserting the following section next after section fifty-seven:—
- 57A. (1) Any employee in the Public Service who, before the passing of this Act, had retired or been permitted to retire, and who, at the time of such retirement, had a right vested as aforesaid, which, if this Act had been in force, would have been commutable for new rights in respect of a less number of units than four, and who, at the time of the passing of this Act, is again in such service, and who again retires or is permitted to retire, and who, at the time of such second retirement,—
- (a) is of or over the age of sixty years, or is unable on account of ill-health to continue in his occupation; and
- (b) has served for at least twenty years,
- shall come under this Act for the purpose of the difference without paying any contribution to the fund.

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Sec. 56 (1) (a).  
Breakdown.

Sec. 57.

Employees  
who have  
retired before  
passing of  
Act and who,  
at the time of  
the passing,  
are again  
employed.

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Subsections two and three of section fifty-six, and subsection two of section thirty-five, shall apply to any pension payable under this section.

(2) This section shall be deemed to have come into force when the Act received the Royal assent.

*Superannuation allowance while in employment of State.*

Where  
person  
entitled to  
pension is  
subsequently  
employed in  
Public  
Service.

**3.** A person to whom a superannuation allowance under any Acts relating to the Public Service was or may be at any time payable shall not be deemed to have been or be entitled to be paid such allowance or any part thereof in respect of any period, before or after the commencement of this Act, during which he was or is employed in the service of the State, unless the Governor otherwise authorises by proclamation published in the Gazette:

Provided that nothing herein shall invalidate any payments already made to any such person.