

**SUPERANNUATION  
(AMENDMENT) ACT.**

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Act No. 31, 1930.

**George V.  
No. 31, 1930.**

An Act to provide for the payment of certain sums of money to the State Superannuation Fund by certain employers in lieu of the contributions required to be paid by them under the Superannuation Acts, 1916-1928; for this and other purposes to amend the said Acts; and for purposes connected therewith. [Assented to, 23rd June, 1930.]

**BE**

**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 :—

No. 31, 1930.

**1.** (1) This Act may be cited as the "Superannuation (Amendment) Act, 1930." Short title and citation.

(2) This Act shall be read with the Superannuation Acts, 1916-1928, in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Superannuation Act, 1916-1930.

**2.** (1) The following provisions shall have effect where the Government of New South Wales, or the Sydney Harbour Trust Commissioners, or the Water Conservation and Irrigation Commission is the employer within the meaning of the Principal Act :—

Payments to fund by certain employers.

(a) (i) In respect of each unit or portion of a unit of pension paid from the fund on the basis of a contribution corresponding to the rate prescribed for the age of the employee at the date upon which he commenced to pay the contribution, a sum equal to one-half of the payment so made from the fund shall be paid by the employer to the fund.

(ii) In respect of each unit or portion of a unit of pension paid from the fund on the basis of a contribution corresponding to the rate prescribed for an age younger than that of the employee at the date upon which he commenced to pay the contribution, a sum ascertained in the manner provided in this paragraph shall be paid by the employer to the fund.

(iii) To determine the sum payable in each case by the employer under this paragraph, the rate of contribution actually payable by the employee shall be subtracted from twice the rate prescribed for the age of the employee at the date upon which he commenced to pay the contribution, and the ratio of this difference to twice the rate so prescribed shall be computed. This ratio shall

shall represent the fraction of the pension payment so made from the fund to be paid by the employer to the fund.

(iv) Where a pension calculated in accordance with this Act is less than the prescribed minimum, and where the Act prescribes that the prescribed minimum shall be paid, the amount necessary to bring the pension up to the minimum shall be paid by the employer to the fund in addition to the sums payable by the employer under subparagraphs (i), (ii), (iii) of this paragraph.

(b) Where on retrenchment a contributor chooses a lump sum payment as described in paragraph (a) of section thirty-seven of the Principal Act, the employer shall pay to the fund a sum equal to the amount by which the contributor's contributions to the fund exceed the contributions actually paid to the fund by the employer in respect of such contributor.

(2) In the application of subsection one of section thirty-seven of the Principal Act to an employee of the Government of New South Wales or the Sydney Harbour Trust Commissioners or the Water Conservation and Irrigation Commission, the said subsection shall be read as if paragraph (b) were omitted, and the following paragraph inserted in lieu thereof:—

(b) a pension which shall be the actuarial equivalent of the contributions paid by him, and the contributions which would have been paid in respect of him if the Superannuation (Amendment) Act, 1930, had not been enacted.

(3) Any payment required to be made to the fund under this section shall, where the employer is the Government of New South Wales or the Water Conservation and Irrigation Commission, be paid from Consolidated Revenue, and where the employer is the Sydney Harbour Trust Commissioners, be paid from the Sydney Harbour Trust Fund.

(4) No contribution or other sum shall be payable to the fund in pursuance of section sixteen or section seventeen of the Principal Act by any employer referred to in subsection one of this section.

(5)

(5) The provisions of the Principal Act and of the agreement entered into on the fifteenth day of December, one thousand nine hundred and twenty-five, between the Government of New South Wales and the State Superannuation Board shall, to the extent to which they are inconsistent with the provisions of this section, cease to have effect.

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(6) This section shall be deemed to have commenced on the first day of July, one thousand nine hundred and twenty-nine.

**3.** The Principal Act is amended—

(a) by inserting at the end of subsection one of section eleven the following proviso :

Amendment of Act No. 28, 1916. See 11.

Provided further that if a person of or above the age of fifty years becomes a contributor by reason of the provisions of the Superannuation (Amendment) Act, 1928, or after the commencement of that Act enters the service of an employer as an employee, the Board may, on his application, exempt him from contributing to the fund.

(Exemption from contribution by certain employees.)

In the case of a person who is a contributor at the date upon which His Majesty's Assent to the Superannuation (Amendment) Act, 1930, is signified, the application shall be made within three months after such date; and if the exemption is granted, the applicant shall be entitled to a refund of an amount equal to the contributions (if any) paid by him to the fund.

In the case of a person who at any time after the date upon which His Majesty's Assent to the Superannuation (Amendment) Act, 1930, is signified, becomes a contributor by reason of the provisions of the Superannuation (Amendment) Act, 1928, or enters the service of an employer as an employee, the application shall be made within three months after the date upon which he so becomes a contributor or enters such service, as the case may be.

Where a person is so exempted neither he nor any other person claiming through him shall be entitled to any benefit under this Act, other than the refund, if any, referred to in this subsection.

(b)

**Superannuation (Amendment) Act.**

No. 31, 1930.

New s. 34A.

Certain  
employees  
over sixty.

(b) by inserting next after section thirty-four the following new section:—

34A. (1) An employee of the Government of New South Wales who, at the date upon which His Majesty's Assent is signified to the Superannuation (Amendment) Act, 1930,—

(a) is over the age of sixty years ;

(b) has served in a department or departments for periods aggregating in all twenty years at the least ; and

(c) is not entitled to any pension under the Civil Service Acts or this Act,

shall be entitled on retirement to a pension under this Act in accordance with salary 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.

(2) Every such pension shall carry widows' and children's benefits as elsewhere in this Act provided.

(3) Where an employee becomes eligible under subsection one of this section to receive a pension upon retirement, but dies prior to his retirement, his widow and children shall become entitled to the widows' and children's benefits as elsewhere in this Act provided, as if the employee had retired upon a pension under this Act or upon account of his age, on the day immediately preceding the day of his death.

(4) Any pensions or benefits under this section shall be paid from the Consolidated Revenue Fund, but no pension or benefit shall be payable in respect of any period prior to the date upon which His Majesty's Assent is signified to the Superannuation (Amendment) Act, 1930.