

**UNIVERSITY OF SYDNEY (CERTAIN EMPLOYEES)
SUPERANNUATION ACT, 1979, No. 190**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 190, 1979.

An Act with respect to the application of the Local Government and Other Authorities (Superannuation) Act, 1927, to certain employees of the University of Sydney, and with respect to the transfer of certain of those employees from contributory retirement schemes and funds established under that Act to the State Superannuation Fund. [Assented to, 21st December, 1979.]

See also Superannuation (Public Service Superannuation Funds) Amendment Act, 1979.

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BE it enacted by the Queen'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.** **1.** This Act may be cited as the "University of Sydney (Certain Employees) Superannuation Act, 1979".
- Commence-ment.** **2.** (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.
- (2) Section 7 shall be deemed to have commenced on 11th May, 1978.
- Interpre-tation.** **3.** In this Act—
- "Local Government Superannuation Board" means the body corporate constituted by section 16 of the Local Government and Other Authorities (Superannuation) Act, 1927;
- "Pension Fund" means the Local Government Pension Fund established under section 15AZ of the Local Government and Other Authorities (Superannuation) Act, 1927;
- "State Superannuation Fund" means the fund established under section 4 of the Superannuation Act, 1916;
- "University of Sydney" means the body corporate referred to in section 6 of the University and University Colleges Act, 1900.
- Amount payable to University of Sydney.** **4.** Where, for the purpose of complying with the terms and conditions determined pursuant to section 92A of the Superannuation Act, 1916, and signed by the Minister of Justice on 20th June, 1978, or the Minister for Industrial Relations on 1st March, 1979, being terms and conditions applying to the members of the technical and general staff of the University of Sydney, a

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person has, whether before, on or after the date of assent to this Act, withdrawn from the Pension Fund, there shall be payable to the University of Sydney by the Local Government Superannuation Board, out of the general reserve account in the Pension Fund an amount calculated in accordance with the following formula :—

$$T = G - E$$

where—

T is the total amount payable under this section by the Local Government Superannuation Board to the University of Sydney;

G is an amount equal to the amount that would be transferred in respect of the person under section 15BC of the Local Government and Other Authorities (Superannuation) Act, 1927, if section 15AW (1) (b) of that Act had not been enacted and if the person were, within the meaning of Part III D of that Act, a servant of a general employer who, on the day on which he so withdrew, became a servant of a special employer; and

E is the amount by which the benefit payable to, or at the direction of, the person upon his withdrawal from the Pension Fund, exceeded the amount that stood to the credit of that person's servant's account in that Fund on the date of his withdrawal.

5. For the purposes of sections 6 and 7, a person who was between 5th September, 1951, and 11th May, 1978, both days inclusive, employed by the University of Sydney under—

- (a) a Dairying Employees (State) Award;
- (b) a Boarding Houses, &c., Employees (State) Award;
- (c) a Private Hotels, Guest Houses, &c., Employees (State) Award; or

Certain employees not members of technical and general staff.

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- (d) a Private Hotels, Motels, Guest Houses, &c., Employees
(State) Award,

shall not, while he was so employed under that award, be regarded as having been a member of the technical and general staff of the University of Sydney.

Amendment
of procla-
mation.

6. The proclamation of the Lieutenant-Governor dated 5th September, 1951, and published in Gazette No. 148 of 14th September, 1951, being a proclamation with respect to the application to certain employees of the University of Sydney of the Local Government and Other Authorities (Superannuation) Act, 1927, shall be deemed to be and since 5th September, 1951, to have been a proclamation directing that that Act shall apply to and in respect of the members of the technical and general staff of that University who have had service for 1 year, whether continuous or broken, with that University.

Non-
application
of Local
Government
and Other
Authorities
(Superannu-
ation) Act,
1927.

7. (1) The Local Government and Other Authorities (Superannuation) Act, 1927, shall have no application to or in respect of a person employed after but not on 11th May, 1978, as a member of the technical and general staff of the University of Sydney, in his capacity as a member of that staff.

(2) Where a person who is employed on 11th May, 1978, as a member of the technical and general staff of the University of Sydney becomes a contributor within the meaning of the Superannuation Act, 1916, the Local Government and Other Authorities (Superannuation) Act, 1927, if otherwise applicable to him, shall cease to have any further application to or in respect of him in his capacity as a member of that staff on and from the date on which he becomes such a contributor.

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(3) Where a person who is employed on 11th May, 1978, as a member of the technical and general staff of the University of Sydney ceases to be so employed but later becomes a member of that staff again, he shall, in his capacity as a person who has so become a member of that staff again, be regarded as a person referred to in subsection (1).
