

**POLICE ASSOCIATION EMPLOYEES (SUPERANNUATION)
AMENDMENT ACT, 1981, No. 25**

New South Wales



ANNO TRICESIMO

ELIZABETHÆ II REGINÆ

Act No. 25, 1981.

An Act to amend the Police Association Employees (Superannuation) Act, 1969, to extend the benefits payable under that Act as a consequence of the enactment of the Police Regulation (Superannuation) Amendment Act, 1981, and for other purposes. [Assented to, 14th May, 1981.]

Police Association Employees (Superannuation) Amendment.

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 "Police Association Employees (Superannuation) Amendment Act, 1981".

Commencement.

2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), section 5, in its application to Schedule 1, and Schedule 1 shall commence on the day appointed and notified under section 2 (2) of the Police Regulation (Superannuation) Amendment Act, 1981.

Principal Act.

3. The Police Association Employees (Superannuation) Act, 1969, is referred to in this Act as the Principal Act.

Schedules.

4. This Act contains the following Schedules:—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

Police Association Employees (Superannuation) Amendment.

Amendment of Act No. 33, 1969.

5. The Principal Act is amended in the manner set forth in Schedules 1 and 2.

SCHEDULE 1.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT.

(1) Section 2 (2)—

Omit the subsection.

(2) (a) Section 3 (2) (a) (iii)—

Omit the subparagraph, insert instead:—

(iii) received such promotion (other than promotion beyond the rank of chief superintendent) as the Commissioner of Police may determine having regard to the order of seniority and other relevant criteria; and

(b) Section 3 (2)—

After “section 7”, insert “, 7AA”.

(c) Section 3 (2)—

Omit “such progression”, insert instead “any such promotion”.

(d) Section 3 (2A)—

After “section 7”, insert “or 7AA”.

(e) Section 3 (6) (a)—

After “resigned”, insert “or retired”.

(f) Section 3 (6) (b)—

Omit the paragraph, insert instead:—

(b) has received any amount of payment under subsection (2) or (5); and

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SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(g) Section 3 (8) (a)—

After “superannuation allowance”, insert “that would be payable under section 7 of the Police Regulation (Superannuation) Act, 1906.”.

(h) Section 3 (9), (10), (10A)—

Omit “one-half” wherever occurring, insert instead “62.5 per cent”.

(i) Section 3 (9), (10)—

Omit “subject to subsection (11)” wherever occurring, insert instead “subject to subsections (11)–(11B)”.

(j) Section 3 (11), (11A), (11B)—

Omit section 3 (11), insert instead:—

(11) An annual superannuation allowance payable to a widow under subsection (9) or (10) is suspended during any period she is married.

(11A) Where an annual superannuation allowance which is suspended by reason of subsection (11) would have been increased or reduced, as the case may require, pursuant to this Act but for the enactment of subsection (11), the allowance shall be so increased or reduced, but nothing in this subsection operates so as to authorise or require the payment of the allowance or any part thereof during the period it is so suspended.

(11B) Where, but for this subsection, a widow would be entitled—

(a) to more than 1 annual superannuation allowance under subsection (9) or (10); or

(b) to an annual superannuation allowance under subsection (9) or (10) and to an annual superannuation allowance under section 11A or 12 of the Police Regulation (Superannuation) Act, 1906,

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SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

the widow shall be entitled to only 1 of those allowances, being (where they are not equal) the greater or greatest of them.

(3) (a) Section 4 (1) (c)—

After “police force”, insert “, other than progression beyond the rank of superintendent”.

(b) Section 4 (5)—

Omit “subject to subsection (6)”, insert instead “subject to subsections (6) and (6A)”.

(c) Section 4 (5), (5A)—

Omit “one-half” wherever occurring, insert instead “62.5 per cent”.

(d) Section 4 (6), (6A)—

Omit section 4 (6), insert instead:—

(6) An annual superannuation allowance payable under subsection (5) is suspended during any period the widow is married.

(6A) Where an annual superannuation allowance which is suspended by reason of subsection (6) would have been increased or reduced, as the case may require, pursuant to subsection (5A) but for the enactment of subsection (6), the allowance shall be so increased or reduced, but nothing in this subsection operates so as to authorise or require the payment of the allowance or any part thereof during the period it is so suspended.

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SCHEDULE 2.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW
REVISION.

- (1) (a) Long title—
Omit “and Reward”.
- (b) Long title—
Omit “, as subsequently amended”.
- (2) (a) Section 2 (1), definition of “member of the police force”—
After “Commissioner of Police”, insert “, the Deputy Commissioner of Police, the Senior Assistant Commissioner of Police”.
- (b) Section 2 (1), definition of “Principal Act”—
Omit “, as subsequently amended”.
- (3) (a) Section 3 (2)—
Omit “, as subsequently amended”.
- (b) Section 3 (3)—
Omit “paragraph (a) or (b) of subsection (2)”, insert instead “subsection (2) (a) or (b)”.
- (c) Section 3 (3)—
Omit “that subsection”, insert instead “subsection (2)”.
- (d) Section 3 (5) (a) (ii)—
Omit “paragraph (a) of subsection (2)”, insert instead “subsection (2) (a)”.
- (e) Section 3 (8) (c)—
Omit “, as subsequently amended”.

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW
REVISION—*continued.*

(f) Section 3 (12)—

Omit “paragraph (a) of subsection (2)”, insert instead “subsection (2) (a)”.

(4) Section 4 (1)—

Omit “, as subsequently amended”.
