

**NEW SOUTH WALES RETIREMENT BENEFITS
(AMENDMENT) ACT, 1982, No. 26**

New South Wales



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ELIZABETHÆ II REGINÆ

Act No. 26, 1982.

An Act to amend the New South Wales Retirement Benefits Act, 1972, with respect to the transfer of participants in other statutory superannuation schemes to the New South Wales Retirement Fund, and in other respects. [Assented to, 23rd April, 1982.]

See also Local Government and Other Authorities (Superannuation) Amendment Act, 1982: Electricity Commission (Superannuation) Amendment Act, 1982.

New South Wales Retirement Benefits (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 "New South Wales Retirement Benefits (Amendment) Act, 1982".

Commencement.

2. (1) Except as provided by subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 5, in its application to Schedule 1 (2), and Schedule 1 (2) shall be deemed to have commenced on 1st January, 1981.

Principal Act.

3. The New South Wales Retirement Benefits Act, 1972, 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.

Amendment of Act No. 70, 1972.

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

New South Wales Retirement Benefits (Amendment).

Savings provision.

6. Schedule 1 (1) does not apply to or in respect of a person in relation to whom an order under section 12 of the Principal Act was made at any time before the commencement of this section.

SCHEDULE 1.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT.

(1) Section 3 (6) (b), (b1)—

Omit section 3 (6) (b), insert instead:—

- (b) where he became an employee by reason of his being within a class of persons referred to in section 12 (1) (a) (ii), he shall be deemed to have been an employee during any continuous period immediately before he so became an employee during which he participated in, or, in the opinion of the Board, would with the effluxion of time have participated in, a superannuation scheme by virtue of his employment with—
 - (i) an employer; or
 - (ii) such other public or local authority constituted by an Act as the Minister may approve in respect of him;
- (b1) where he became an employee pursuant to an election under subsection (10), he shall be deemed to have been an employee during any continuous period immediately before he so became an employee during which—
 - (i) for any reason based on non-compliance with a requirement as to medical fitness, he was ineligible to participate in a superannuation scheme in which, but for that reason, he would have been eligible to participate; and
 - (ii) he was employed by an employer or such other public or local authority constituted by an Act as the Minister may approve in respect of him; and

New South Wales Retirement Benefits (Amendment).

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

(2) (a) Schedule 2A, clause 1—

After “person”, insert “(other than a person referred to in clause 1A)”.

(b) Schedule 2A, clause 1A—

After clause 1, insert:—

1A. A person who is employed as part of the ancillary staff in the Department of Education and who, being so employed—

(a) at the one School in more than one of the classifications referred to in clause 1 (b) or (c); or

(b) at more than one School in one or more of those classifications,

has ordinary weekly working hours totalling less than 30.

SCHEDULE 2.

(Sec. 5.)

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

(1) (a) Section 3 (1), paragraph (b) of the definition of “employee”—

Omit “1 or”.

(b) Section 3 (1), paragraph (b) of the definition of “employer”—

Omit “Schedule 1 or”.

(2) Section 63—

Omit “1 or”.

New South Wales Retirement Benefits (Amendment).

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

(3) Schedule 1—

Omit the Schedule.

(4) (a) Schedule 2, First Column—

Omit “Dairy Industry Authority of New South Wales”, insert instead “Dairy Industry Marketing Authority”.

(b) Schedule 2—

Omit the matter relating to the General Manager, Government Insurance Office, insert instead:—

Government Insurance Office of New South Wales.		All persons employed by the Office.
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(c) Schedule 2—

Omit the matter relating to the Public Transport Commission of New South Wales, insert instead:—

State Rail Authority.		All persons employed by the Authority.
Urban Transit Authority.		All persons employed by the Authority.

(d) Schedule 2, First Column—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(e) Schedule 2—

Omit the matter relating to The Grain Elevators Board of New South Wales, insert instead:—

Grain Handling Authority of New South Wales.		All persons employed by the Authority.
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New South Wales Retirement Benefits (Amendment).

SCHEDULE 2—*continued.***AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW
REVISION—*continued.*****(f) Schedule 2—**

Omit the matter relating to **The State Planning Authority of New South Wales.**

(g) Schedule 2, First Column—

Omit **“The Water Conservation and Irrigation Commission”**, insert instead **“Water Resources Commission”**.

(5) Schedule 2A, clauses 7, 8—

Omit **“Public Transport Commission of New South Wales”** wherever occurring, insert instead **“State Rail Authority”**.
