

**ELECTRICITY COMMISSION (SUPERANNUATION)  
AMENDMENT ACT, 1982, No. 28**

**New South Wales**



ANNO TRICESIMO PRIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 28, 1982.**

An Act to amend the Electricity Commission Act, 1950, as a consequence of the enactment of the Local Government and Other Authorities (Superannuation) Amendment Act, 1982; and for other purposes. [Assented to, 23rd April, 1982.]

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*Electricity Commission (Superannuation) Amendment.*

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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 "Electricity Commission (Superannuation) Amendment Act, 1982".

**Amendment of Act No. 22, 1950.**

2. The Electricity Commission Act, 1950, is amended in the manner set forth in Schedule 1.

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SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE ELECTRICITY COMMISSION ACT, 1950.

- (1) (a) Section 72A, definition of "prescribed superannuation scheme"—  
Omit paragraph (a) of the definition.
- (b) Section 72A, definition of "State Superannuation Board"—  
Omit "80", insert instead "70".
- (2) Section 72D—  
Omit the section.
- (3) Section 72K (1)—  
After "notification" where firstly occurring, insert "from a person referred to in section 72E, 72F, 72G, 72H or 72I,".

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*Electricity Commission (Superannuation) Amendment.*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE ELECTRICITY COMMISSION ACT, 1950—*continued.*

## (4) Section 720A—

After section 720, insert:—

**Application of the New South Wales Retirement Benefits Act, 1972.**

720A. (1) For the purposes of calculating the duration of the period of service of an employee under the New South Wales Retirement Benefits Act, 1972—

- (a) where a prescribed person becomes such an employee by reason of his having made an election under section 720—any period during which, by the operation of paragraph (c) of the definition of “employee” in section 3 (1) of that Act, he was not such an employee shall be reckoned as if he had been an employee during that period; and
- (b) where a prescribed person becomes such an employee by reason of his having made an election under section 720 and, at any time before making that election, he ceased to be employed by an employer within the meaning of that Act and, not having attained the age of 60 years, he was, on or before the expiration of the next succeeding period of 3 months, employed by the same or another such employer—he shall be deemed not to have ceased to be employed by such an employer if he complies with such terms and conditions as the New South Wales Retirement Board may determine in relation to him.

(2) The provisions of section 26 of the New South Wales Retirement Benefits Act, 1972, apply to and in respect of a contributor referred to in those provisions who became such a contributor by reason of his having made an election under section 720 (2)—

- (a) as if, notwithstanding section 720 (4), he had become such a contributor on—
  - (i) 1st August, 1979; or
  - (ii) the date on which he became a prescribed person, whichever is the later; and

*Electricity Commission (Superannuation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE ELECTRICITY COMMISSION ACT, 1950—*continued.*

(b) as if a reference to his election date under section 12 of that Act were a reference to—

(i) 1st August, 1979; or

(ii) the date on which he became a prescribed person, whichever is the later.

(3) The provisions of section 66 of the New South Wales Retirement Benefits Act, 1972, apply to and in respect of the right to make an election under section 72O in the same way as they apply to and in respect of a right to make an election under that Act.

(5) (a) Schedule 1, Tables 1–4—

Omit the Tables.

(b) Schedule 1, Table 8—

Omit “section 72D”, insert instead “section 72H”.

(c) Schedule 1, Table 9—

Omit the Table, insert instead:—

TABLE 9.

(Secs. 72I, 72K.)

*Amount to be credited to prescribed person who, together with the Commission, contributes towards endowment policy of assurance for his benefit.*

The amount calculated in accordance with the formula  $\frac{A}{B} \times C$  where—

“A” represents the total of the premiums paid by the prescribed person in respect of policies of assurance that are to be cancelled pursuant to section 72I in so far as they relate to him;

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*Electricity Commission (Superannuation) Amendment.*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE ELECTRICITY COMMISSION ACT, 1950—*continued.*

“B” represents the total of all premiums paid in respect of those policies of assurance in so far as they relate to the prescribed person;

“C” represents the amount that, by the operation of section 72i, is payable to the Commission upon the cancellation of those policies of assurance.