

**LOCAL GOVERNMENT AND OTHER AUTHORITIES
(SUPERANNUATION) (FUND CLOSURE) AMENDMENT
ACT, 1985, No. 42**

New South Wales



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ELIZABETHÆ II REGINÆ

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Act No. 42, 1985.

An Act to amend the Local Government and Other Authorities (Superannuation) Act, 1927, in order to close to new entrants the superannuation scheme established by Part III D of that Act; and to validate certain matters. [Assented to, 30th April, 1985.]

Local Government and Other Authorities (Superannuation) (Fund Closure) Amendment 1985

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 "Local Government and Other Authorities (Superannuation) (Fund Closure) Amendment Act, 1985".

Commencement.

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

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Public Authorities Superannuation Act, 1985.

Principal Act.

3. The Local Government and Other Authorities (Superannuation) Act, 1927, is referred to in this Act as the Principal Act.

Amendment of Act No. 35, 1927.

4. The Principal Act is amended in the manner set forth in Schedule 1.

Validation.

5. A nurse educator who, on or after 1st January, 1984, transferred from the service of an employer referred to in Part 4 of Schedule 3 to the Public Authorities Superannuation Act, 1985, to employment with a college of advanced education and commenced to contribute under the Principal Act shall be deemed to be and, since commencing so to contribute, shall be deemed always to have been, a contributor under the Principal Act.

SCHEDULE 1.

(Sec. 4.)

AMENDMENT TO THE PRINCIPAL ACT.

Part IIID, Division 1A—

After Division 1 of Part IIID, insert:—

DIVISION 1A.—*Closure of Pension Fund to new entrants.***Closure of Pension Fund.**

15AMA. (1) In this Division—

“commencement day” means the day on which the Public Authorities Superannuation Act, 1985, commences;

“Public Authorities Superannuation Fund” means the Public Authorities Superannuation Fund established under the Public Authorities Superannuation Act, 1985.

(2) Notwithstanding any other provision of this Act—

- (a) a person is not entitled to elect on or after the commencement day to become a contributor;
- (b) a person is not entitled to become a contributor pursuant to an election that was made before, but did not take effect before, the commencement day;
- (c) on and after the commencement day, a person who, but for this paragraph, would be liable to contribute to the Fund (whether as employer or employee) is not so liable;
- (d) a person who, immediately before the commencement day, was contributing to the Fund ceases on and from that day to be entitled or liable to contribute to the Fund; and
- (e) a benefit under this Act is not payable on or after the commencement day to, or in relation to, a contributor unless the benefit was payable before that day.

SCHEDULE 1—*continued.*

AMENDMENT TO THE PRINCIPAL ACT —*continued.*

(3) A benefit under this Act that had become payable before the commencement day but had not been paid, or had not commenced to be paid, before that day shall be paid from the Public Authorities Superannuation Fund.

(4) Any pension under this Act of which payment had commenced before the commencement day shall, on and after that day, be paid from the Public Authorities Superannuation Fund.

(5) Any amount that, before the commencement day, a person was liable to pay, but had not paid, to the Fund is payable to the Public Authorities Superannuation Fund.