

**ACTS AMENDMENT
(SUPERANNUATION AND
PENSIONS).**

11° Elizabeth II., No. LXV.

No. 65 of 1962.

AN ACT to amend the Superannuation and Family Benefits Act, 1938-1962, the Superannuation Act, 1871-1960 and the Government Employees' Pensions Act, 1948-1957.

[Assented to 30th November, 1962.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Acts Amendment (Superannuation and Pensions) Act, 1962.*

Commencement.

2. This Act shall come into operation on the twenty-ninth day of December, nineteen hundred and sixty-two.

PART I.

SUPERANNUATION AND FAMILY BENEFITS
ACT, 1938-1962.

3. (1) In this Part of this Act the Superannua-
tion and Family Benefits Act, 1938-1962, is referred
to as the principal Act.

Short title
and citation.

(2) The principal Act as amended by this Act
may be cited as the Superannuation and Family
Benefits Act, 1938-1962.

Reprinted
Acts
approved for
reprint 11th
August, 1958,
as amended
by Acts Nos.
19 of 1958,
61 of 1960,
50 of 1961 and
19 of 1962.

4. Section forty-three of the principal Act is
amended—

S. 43
amended.

(a) by deleting the passage, “, and in addition,
irrespective of the number of units of the
pension, a supplementation at the rate of
fifty-two pounds per annum on or after
that day in respect of each pension pay-
ment of which commenced before that
day” in lines four to nine of paragraph (a)
of subsection (1); and

(b) by adding after the word, “day”, being the
last word in paragraph (b) of subsection
(1), the following passage—

; and

(c) pay to the Fund in addition to the
sum mentioned in paragraph (a) or
(b) of this subsection, the difference
between the amount that was pay-
able from the Fund in respect of each
unit of pension or part thereof
immediately before the date of the
coming into operation of the Acts
Amendment (Superannuation and
Pensions) Act, 1962, less the supple-
mentation at the rate of fifty-two
pounds per annum in the cases in
which it was payable by the State,

No. 65.] *Acts Amendment (Superannua- [1962.
tion and Pensions).*

and the amount that is so payable from the Fund in respect of that unit or part immediately after that date, and for that purpose the Consolidated Revenue Fund is, to the extent necessary, hereby permanently appropriated accordingly.

S. 44
amended.

5. Section forty-four of the principal Act is amended by adding after subsection (3) a subsection as follows—

(4) The State shall pay to the Fund in addition to any sum payable by the State under the foregoing provisions of this section, the difference between the amount that was payable from the Fund in respect of such unit of pension or part thereof immediately before the date of the coming into operation of the Acts Amendment (Superannuation and Pensions) Act, 1962, less the supplementation at the rate of fifty-two pounds per annum in the cases in which it was payable by the State, and the amount that is so payable from the Fund in respect of that unit or part immediately after that date, and for that purpose the Consolidated Revenue Fund is, to the extent necessary, hereby permanently appropriated accordingly. .

S. 46A
repealed.

6. Section forty-six A of the principal Act is repealed.

S. 46C
repealed.

7. Section forty-six C of the principal Act is repealed.

S. 57
amended.

8. Section fifty-seven of the principal Act is amended—

- (a) by adding after the subsection designation, “(1)” in line one of subsection (1), the paragraph designation, “(a)”;
- (b) by substituting for the passage, “one-half” in line twelve of subsection (1), the passage, “twenty-two-thirty-fifths”;

- (c) by deleting the passage, “, but, subject to the provisions of section forty-six A of this Act, on and after the coming into operation of the Acts Amendment (Superannuation and Pensions) Act, 1960, the pension payable under this subsection to the widow of such employee shall be at the rate of eleven shillings per week for each unit of pension in respect of which the deceased employee had so contributed” commencing in line sixteen and ending in the last line of subsection (1); and
- (d) by adding to subsection (1) a paragraph as follows—

(b) In calculating the amount of pension and benefits payable to a widow under paragraph (a) of this subsection, a fraction of a penny shall be regarded as a penny. .

9. Subsection (1) of section fifty-eight of the principal Act is repealed and re-enacted as follows—

S. 58
amended.

58. (1) The unit of pension as from the twenty-ninth day of December, nineteen hundred and sixty-two is—

Unit of
pension.

- (a) seventy-four pounds fifteen shillings per annum for each of the first two units of pension;
- (b) thirty-nine pounds per annum for each of the next five units of pension; and
- (c) forty-five pounds ten shillings per annum for each additional unit of pension over the number of seven units. .

10. Section sixty-two of the principal Act is amended—

S. 62
amended.

- (a) by repealing subsection (1) and re-enacting it as follows—

(1) (a) On the death of a male contributor before his retirement, pension at the rate of twenty-two-thirty-fifths of the

pension for which he was contributing at the time of his death shall be payable to his widow until her death, or if she remarries until her remarriage, unless it appears to the Board that, in the particular circumstances of the case, the termination of her pension because of remarriage will result in hardship, in which case the Board may direct that her pension shall be paid and effect shall be given to the direction.

(b) In calculating the amount of pension payable to a widow under paragraph (a) of this subsection, a fraction of a penny shall be regarded as a penny. ; and

(b) by adding a subsection as follows—

(4) The State shall pay to the Fund in addition to any sum payable by the State under the foregoing provisions of this section, the difference between the amount that was payable from the Fund to a widow under this section and section sixty-three of this Act immediately before the date of the coming into operation of the Acts Amendment (Superannuation and Pensions) Act, 1962, and the amount that is so payable from the Fund to that widow immediately after that date, and for that purpose the Consolidated Revenue Fund is, to the extent necessary, hereby permanently appropriated accordingly. .

S. 63
amended.

11. Subsection (1) of section sixty-three of the principal Act is amended—

- (a) by deleting the passage, “paragraph (a) of” in lines one and two of paragraph (a); and
- (b) by deleting paragraph (b).

PART II.

SUPERANNUATION ACT, 1871-1960.

1. (1) In this Part of this Act the Superannua- Short title
and citation.
tion Act, 1871-1960, is referred to as the principal
Act.

(2) The principal Act as amended by this Act
may be cited as the Superannuation Act, 1871-1962.

2. Section one of the principal Act is amended S. 1
amended.
by adding after subsection (3c) the following sub-
section—

(3d) On and after the first day of January,
nineteen hundred and sixty-three, the amount
of the superannuation allowance payable to a
person entitled thereto under this Act shall be
the amount so payable to him as a superannua-
tion allowance immediately before that date
together with—

- (a) the sum of nineteen pounds ten
shillings per annum where the amount
of his superannuation allowance has
been determined before that date in
relation to a number of units of pension
under the Superannuation and Family
Benefits Act, 1938, being not more than
seven;
- (b) the sum of twenty-six pounds per
annum where the amount of his
superannuation allowance has been
determined before that date in relation
to a number of units of pension under
the Superannuation and Family
Benefits Act, 1938, being eight or more;
or
- (c) the sum of twenty-six pounds per
annum where the amount of his
superannuation allowance before that
date was eleven hundred and eighty-
three pounds per annum or more. .

PART III.

GOVERNMENT EMPLOYEES' PENSIONS
ACT, 1948-1957.

Short title
and citation.

1. (1) In this Part of this Act the Government Employees' Pensions Act, 1948-1957, is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Government Employees' Pensions Act, 1948-1962.

S. 3
amended.

2. Section three of the principal Act is amended by adding after the word, "operation", being the last word in paragraph (b) of the third proviso to the section, the following proviso—

Provided further that on and from the twenty-ninth day of December, nineteen hundred and sixty-two—

- (a) the amount of the pension to which a person was entitled under this Act immediately preceding that day shall be increased by the sum of nineteen pounds ten shillings per annum; and
 - (b) the sum of one hundred and thirty pounds per annum mentioned in the first proviso to this section shall be increased to two hundred and twenty-seven pounds ten shillings instead of two hundred and eight pounds mentioned in the third proviso to this section. .
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