

1958.]

*Acts Amendment
(Superannuation and Pensions).*

[No. 19.]

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

7° Elizabeth II., No. XIX.

No. 19 of 1958.

AN ACT to amend the Superannuation and Family Benefits Act, 1938-1957, and the Superannuation Act, 1871-1957.

[Assented to 22nd October, 1958.]

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:—

1. This Act may be cited as the *Acts Amendment (Superannuation and Pensions) Act, 1958.*

Short title
and citation.

SUPERANNUATION AND FAMILY BENEFITS
ACT, 1938-1957.

Short title
and citation.
Vol. 5
of the
Reprinted
Acts.
Approved for
reprint
3rd April,
1950.

2. (1) In this section the Superannuation and Family Benefits Act, 1938-1957, is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Superannuation and Family Benefits Act, 1938-1958.

S. 43A
added.

(3) The principal Act is amended by adding after section forty-three the following section—

Special
provisions
for certain
contributors.

43A. Where a contributor elected for a number of units less than eight and, on or before the thirty-first day of December, one thousand nine hundred and fifty-seven, attained the retiring age for which he elected, but benefits under this Act became payable after that day, he shall, notwithstanding any of the provisions of this Act to the contrary, but subject to those of section fifty-nine of this Act, be entitled after that day to the rate of benefits which would have been payable to him had entitlement to payment of benefits commenced on or before that day.

SUPERANNUATION ACT, 1871-1957.

Short title
and citation.

3. (1) In this section the Superannuation Act, 1871-1957, is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Superannuation Act, 1871-1958.

S. 1
amended.
Cf. No. 48 of
1937, s. 2;
No. 59 of
1947, s. 4 (b);
No. 25 of
1951, s. 3;
and No. 55 of
1957, s. 3 (3).

(3) Section one of the principal Act is amended—

(a) by adding before the word, “of” in line two of paragraph (b) of subsection (3b), the passage, “and (e)”;

(b) by adding before the word, “prior” in line one of the proviso to paragraph (b) of subsection (3b), the word, “immediately”; and by substituting for the words, “this Act” in

line two of that proviso and again in line six of that proviso, the passage, "the Acts Amendment (Superannuation and Pensions) Act, 1957,"; and by substituting for the passage, "the Superannuation Act, 1871-1951, Act 35 Victoriæ No. 7," in lines three and four of that proviso, the words, "this Act"; and

- (c) by adding after the words, "per annum" being the last words in paragraph (d) of subsection (3b), the following paragraph—

(e) (i) Where a pension as adjusted by the formula exceeds the rate of two hundred and eight pounds per annum but does not exceed the rate of one thousand pounds per annum, and the pension as so adjusted is less than the rate which was in fact payable as at the thirty-first day of December, one thousand nine hundred and fifty-seven, under this Act and the Pensions Supplementation Act, 1953-1956, the pension shall be paid at the rate payable as at that day under both of those Acts but so as not to exceed the rate of one thousand pounds per annum.

(ii) Any increase payable under subparagraph (i) of this paragraph shall be paid from and including the first day of January, one thousand nine hundred and fifty-eight.

(iii) To the extent necessary the Consolidated Revenue Fund is hereby permanently appropriated.
