

No. 25.] *Acts Amendment (Superannuation and Pensions)* [1951.]

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

15° and 16° Geo. VI., No. XXV.

No. 25 of 1951.

AN ACT to amend the Superannuation and Family Benefits Act, 1938-1950; the Superannuation Act, 1871-1947; and the Government Employees' Pensions Act, 1948.

[*Assented to 12th December, 1951.*]

BE it enacted by the King'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, 1951.*

**SUPERANNUATION AND FAMILY BENEFITS
ACT, 1938-1950.**

**Construc-
tion.**

2. (1) This section shall be read as one with the *Superannuation and Family Benefits Act, 1938-1950* (Act No. 34 of 1938, reprinted with amendments to and including Act No. 65 of 1947,

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incorporated pursuant to the provisions of the *Amendments Incorporation Act, 1938*, and as approved for reprint 3rd April, 1950, and further amended by Act No. 39 of 1950), referred to in this section as the principal Act.

(2) The principal Act, as amended by this Act, may be cited as the Superannuation and Family Benefits Act, 1938-1951. Citation of principal Act as amended by this Act.

(3) Paragraph (b) of subsection (5) of section thirty-six of the principal Act is amended by substituting for the words, "cessation of his contributions" in lines two and three the words, "attainment of his elected retiring age". S. 36 amended.

(4) Section thirty-seven of the principal Act is amended by substituting for the scale appearing in subsection (1) the following scale:— S. 37 amended.

Column One.		Column Two.				Cf. No. 65 of 1947, s. 8.	
Where the Annual Salary of the Employee		The Employee may Contribute the Amount necessary to provide Units of Pension as under—				Equivalent to an Annual Pension of	
Exceeds	Does not Exceed						
£	£					£	s. d.
....	130	Two	....	....	....	78	0 0
130	156	Two and a half	....	....	....	97	10 0
156	208	Three	....	....	....	117	0 0
208	260	Four	....	....	....	156	0 0
260	312	Five	....	....	....	195	0 0
312	364	Six	....	....	....	234	0 0
364	416	Seven	....	....	....	273	0 0
416	468	Eight	....	....	....	312	0 0
468	520	Nine	....	....	....	344	10 0
520	572	Ten	....	....	....	377	0 0
572	624	Eleven	....	....	....	409	10 0
624	676	Twelve	....	....	....	442	0 0
676	728	Thirteen	....	....	....	474	10 0
728	780	Fourteen	....	....	....	507	0 0
780	832	Fifteen	....	....	....	539	10 0
832	884	Sixteen	....	....	....	572	0 0
884	936	Seventeen	....	....	....	604	10 0
936	988	Eighteen	....	....	....	637	0 0
988	1,040	Nineteen	....	....	....	669	10 0
1,040	1,144	Twenty	....	....	....	702	0 0
1,144	1,248	Twenty-one	....	....	....	734	10 0
1,248	1,352	Twenty-two	....	....	....	767	0 0
1,352	1,456	Twenty-three	....	....	....	799	10 0
1,456	1,560	Twenty-four	832	0 0
1,560	1,664	Twenty-five	864	10 0
1,664	Twenty-six	897	0 0

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S. 37A
amended.
Cf. No. 65 of
1947, s. 9.

(5) Section thirty-seven A of the principal Act is amended by—

- (a) substituting for the figures, "1947" in line three of subsection (1) the figures, "1951";
- (b) substituting for the words, "six hundred and seventy-six" in lines four and five of subsection (1) the words, "one thousand one hundred and forty-four";
- (c) repealing subsection (2);
- (d) substituting for the figures, "1947" in the last line of subsection (4) the figures, "1951".

S. 43
amended.
Cf. No. 65 of
1947, s. 13.

(6) Section forty-three of the principal Act is amended by—

- (a) substituting for all words in lines one to seven, both inclusive, the following subsections:—

(1) Subject to this Act, where the number of units of pension paid from the fund on the basis of a contribution corresponding to the rate prescribed for the age of the contributor at the date upon which he commenced to pay the contribution does not exceed eight, the State shall, in respect of each unit or part of a unit of pension, pay to the fund a sum equal to two-thirds of the payment so made.

(2) Subject to this Act, where the number of units of pension paid from the fund on the basis of a contribution prescribed for the age of the contributor at the date on which he commenced to pay the contribution exceeds eight, the State shall pay to the fund—

- (a) a sum equal to two-thirds of the payment so made in respect of eight units; and
- (b) a sum equal to three-fifths of the payment so made in respect of the remaining units;

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- (b) substituting for the words, "Provided that" in line one of the first proviso, the figure three in brackets, thus, "(3)";
- (c) substituting for the words, "Provided that" in line one of the second proviso, the figure four in brackets, thus, "(4)".

(7) Subsection (2) of section forty-four of the principal Act is amended by substituting for the words, "two and one-half" appearing firstly in line three and secondly in line six, the word, "three".

S. 44
amended.
Cf. No. 39 of
1950, s. 9.

(8) Subsection (1) of section forty-six A of the principal Act is amended by deleting the words, "or subsequently" in line four.

S. 46A
amended.
Cf. No. 65 of
1947, s. 14,
and No. 39 of
1950, s. 10.

(9) The following section is added to the principal Act:—

S. 46B
added.

46B. (1) The amount of pension payable to a person who is, at the date of commencement of the Acts Amendment (Superannuation and Pensions) Act, 1951, in receipt of a pension under the *Superannuation and Family Benefits Act, 1938-1950*, not being a pension payable in respect of a child, shall be increased as follows:—

- (a) Where the number of units in respect of which pension is payable does not exceed eight, the amount of pension payable shall be increased by one-fifth; or
- (b) where the number of units in respect of which pension is payable exceeds eight, the amount of pension payable shall be increased by one-fifth of the amount paid in respect of eight of those units.

(2) The State shall pay to the Superannuation Fund the amount of the increase and the Consolidated Revenue Fund is, to the necessary extent, hereby permanently appropriated accordingly.

(3) The provisions of this section shall apply in respect of the first fortnightly payment of pension made after the date of commencement

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of the Acts Amendment (Superannuation and Pensions) Act, 1951, and in respect of all subsequent payments.

S. 58
amended.
Cf. No. 65 of
1947, s. 16.

(10) Section fifty-eight of the principal Act is amended by substituting for subsection (1) the following subsection:—

(1) The units of pension is—

- (a) where the number of units of pension does not exceed eight—the sum of thirty-nine pounds per annum;
- (b) where the number of units of pension exceeds eight—the sum of thirty-nine pounds per annum in respect of eight of those units and the sum of thirty-two pounds ten shillings in respect of the remaining units.

S. 63
amended.
Cf. No. 65 of
1947, s. 18
and No. 39 of
1950, s. 15.

(11) Paragraph (a) of subsection (1) of section sixty-three of the principal Act is amended by substituting for the words, “thirty-two pounds ten shillings” in lines three and four, the words, “thirty-nine pounds”.

S. 80A
added.

(12) The following section is added to the principal Act:—

Increases
effected by
*Acts
Amendment
(Superannuation
and Pensions)
Act, 1951.*

80A. The increases effected by the Acts Amendment (Superannuation and Pensions) Act, 1951, in the rates of pensions shall be deemed to have commenced to apply in respect of the payments of pension which fell due on the fifth day of October, one thousand nine hundred and fifty-one.

S. 83A
amended.
Cf. No. 65 of
1947, s. 23.

(13) Subsection (7) of section eighty-three A of the principal Act is amended by adding after the word, “section” in line seven the words, “but the provisions of this subsection shall not apply where an employee is required by the terms of his employment to subscribe to the Provident Account, and such an employee shall continue to make subscriptions while he continues to be an employee”.

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(14) The Schedules to the principal Act are amended by—

(a) substituting for the headings to the second and third columns respectively, in each of the First and Third Schedules, the respective headings—

Contribution for first two units.

Contribution for each subsequent two units.

(b) substituting for the heading to the second column in each of the Second and Fourth Schedules, the heading—

Contribution for two units.

Cf. First, Second, Third and Fourth Schedules to Act No. 34 of 1938, as substituted by Proclamation published in the Gazette of 14th December, 1945, at pp. 1168-1169; and Act No. 65 of 1947, s. 24. Cf. Act No. 34 of 1938, s. 45 (2), re-numbered s. 46 in the 1947 reprint.

SUPERANNUATION ACT, 1871-1947.

3. (1) This section may be read as one with the Superannuation Act, 1871-1947 (35 *Victoriæ*, No. 7, as amended by 49 *Victoriæ*, No. 4 and No. 48 of 1937, and No. 59 of 1947), referred to in this section as the principal Act.

Construction.

(2) The principal Act, as amended by this Act, may be cited as the Superannuation Act, 1871-1951.

Citation of principal Act as amended by this Act.

(3) The following subsection is added to section one of the principal Act:—

S. 1 amended. Cf. No. 59 of 1947, s. 4.

(3a) On and after the first day of October, 1951, the rates per annum of superannuation allowance payable but for this subsection and being rates of less than seven hundred and two pounds per annum, shall be increased by—

one-fifth, if the superannuation allowance is at the rate of two hundred and sixty pounds or less per annum;

fifty-two pounds per annum, if the superannuation allowance is at a rate in excess of two hundred and sixty pounds per annum and not more than six hundred and fifty pounds per annum; and

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such sum per annum as will increase that superannuation allowance to the rate of seven hundred and two pounds, if that superannuation allowance is at a rate of more than six hundred and fifty pounds per annum.

GOVERNMENT EMPLOYEES' PENSIONS
ACT, 1948.

Construc-
tion.

4. (1) This section shall be read as one with the Government Employees' Pensions Act, 1948 (Act No. 56 of 1948), referred to in this section as the principal Act.

Citation of
principal Act
as amended
by this Act.

(2) The principal Act, as amended by this Act, may be cited as the Government Employees' Pensions Act, 1948-1951.

S. 3
amended.

(3) The following proviso is added to section three of the principal Act:—

Provided further that on and after the twenty-ninth day of September, 1951, pensions calculated in accordance with the provisions of paragraphs (a) and (b) of this section shall be increased by one-fifth, and the amount of one hundred and thirty pounds per annum mentioned in the first proviso to this section shall thereupon be increased to one hundred and fifty-six pounds per annum.