

SUPERANNUATION.

1° AND 2° GEO. VI., No. XLVIII.

No. 48 of 1937.

AN ACT to amend the Superannuation Act.

[Assented to 18th January, 1938.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and 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 *Superannuation Act Amendment Act, 1937*, and shall be read as one with the Superannuation Act (35 Vic. No. 7), hereinafter referred to as the principal Act. Short title.

2. A proviso and a subsection are added to section one of the principal Act as follows:—

Provided further, that in this Act (except for the purposes of section eleven) the annual salary and emoluments of the office of any person shall not be construed, taken, or held to include any salary, allowance, or remuneration made or paid to him in respect of his tenure of any of the offices following, that is to say:—

(a) Chairman or member of the Western Australian Transport Board;

(b) Clerk of the Executive Council;

Remuneration for certain subsidiary offices not to be included in calculating annual salary and emoluments.

- (c) Member of the Commissioners of the Agricultural Bank of Western Australia under the Agricultural Bank Act, 1934, *ex officio* the office of Under Treasurer or as the deputy of the Under Treasurer.

Such offices are hereinafter severally referred to by the term "subsidiary office."

Assessment of value of subsidiary office where no specific allowance made.

(2.) When no specific allowance or annual sum by way of remuneration is made to or received by any person in respect of a subsidiary office but the annual salary of such person includes or might be considered to include the remuneration or allowance for the subsidiary office, the Governor may at any time assess the value of the subsidiary office during any period and for the purpose of computing any superannuation allowance under this Act, the value so assessed by the Governor shall be deemed to have been the salary, allowance, or remuneration of the person in respect of the subsidiary office for such period.

Amendment of s. 11 of principal Act.

3. Section eleven of the principal Act is amended by adding the following words:—

or in case the new appointment is a subsidiary office than what with the salary and emoluments thereof is equal to those of his former office less the value (ascertained where necessary in the manner prescribed in subsection (2) of section one) of any subsidiary office formerly held by him.

Act to take effect retrospectively.

4. This Act shall take effect as if it had come into operation on the first day of January, one thousand nine hundred and thirty-four, and where the superannuation allowance of any person who has held a subsidiary office has been computed since that date but before the passing of this Act such allowance shall be again computed in accordance with the provisions of the principal Act as amended by this Act, and shall henceforth be paid and shall be taken to have been granted in accordance with such last-mentioned computation: provided that this Act shall not make recoverable any payments made or received in respect of a superannuation allowance prior to the thirty-first day of December, one thousand nine hundred and thirty-seven.