

CITY OF PERTH SUPERANNUATION FUND.

25° GEO. V., No. XIII.

No. 14 of 1934.

**AN ACT to empower the City of Perth to establish a
Superannuation Fund for its Employees.**

[Assented to 5th December, 1934.]

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 *City of Perth Superannuation Fund Act, 1934.* Short title.

2. The City of Perth (hereinafter referred to as "the council") is hereby empowered to establish, control, manage, and administer a superannuation fund for the purpose of providing superannuation benefits for all employees of the council, or any of them, or any class or classes of them, and the wives, widows, and children of such employees, or any one or more of such persons, and to make contributions to the said fund out of the ordinary revenue of the council. Power to establish superannuation fund.

3. The council may itself control, manage, and administer the said fund, or it may delegate the control, management, and administration of the said fund to any person or persons or board appointed by it, and any such person or persons or board so appointed may be remunerated for his, their, or its services, out of the said fund: Provided that, on any board so appointed, there shall be one representative of the employees. May delegate powers to a board

4. All contributions to the fund, after deducting any payments made under the preceding section, shall be invested in such investments as trustees are authorised by law for the time being to invest trust moneys. Contributions shall be invested.

No scheme to be adopted until approved by council and gazetted.

5. No proposition for a scheme for superannuation as permitted by this Act, or for the establishment of a superannuation fund in connection therewith, shall be adopted by the council, unless—

- (a) the scheme for the establishment, control, management and administration of the said superannuation fund has been approved by at least two-thirds of the whole number of the members of the council;
- (b) a copy of the proposed scheme has been made available for inspection by ratepayers, and notice thereof has been published in two successive issues of the *Government Gazette*, the second of such issues being dated not less than two months nor more than four months before such proposition is adopted, fixing a place at which a copy of the proposed scheme may be inspected and the hours of week days during which such inspection may be made.

Owners of land may demand poll.

6. Within two months after publication of the second of such notices, any twenty owners of rateable land situated within the city of Perth may, in writing under their hand delivered to the town clerk, demand that the question, whether or not such proposition should be adopted, be submitted to the election of owners of rateable land situated within the city of Perth.

For the purpose of this and the two next following sections the term "owner" means any person entitled to a legal or equitable estate or interest in rateable land in fee simple or for a term of years having at least seven years unexpired.

Poll to be taken under s. 447 of Municipal Corporations Act.

7. When any such demand has been made the votes of such owners shall be taken in manner prescribed in section four hundred and forty-seven of the Municipal Corporations Act, 1906, and the provisions of that section shall, *mutatis mutandis*, apply, the form of the Thirtieth Schedule being altered by deleting the words "loan being obtained" wherever they appear and substituting therefor the words "adoption of the proposition."

Adoption of scheme by council.

8. If no demand is made that the question whether or not such proposition should be adopted be submitted to the election of the owners, or if, on a poll being taken, a majority of

votes polled does not forbid the adoption of such proposition, the council may, subject to the provisions of this Act, proceed to adopt such proposition.

9. The council may make by-laws for all or any of the following purposes, namely:— By-laws.

- (1) for the provision of contributions to such fund by employees of the council, the rates of contributions by respective employees, and the consideration whereby the rates and amounts of contributions by respective employees are to be ascertained;
- (2) for the enforcement of the payment of such contributions, and the retention of the amount of such contributions from salaries or wages of employees;
- (3) for the refund of contributions paid by employees upon conditions and under circumstances provided for;
- (4) for the exemption or partial exemption of employees from contributing to the said fund in certain cases;
- (5) providing for the payment of pensions and allowances from the said fund and the considerations upon which such pensions and allowances are to be fixed;
- (6) providing for the payment of pensions or allowances, or any part thereof, to wives or children of persons otherwise entitled to receive the same, in cases of desertion or neglect of such wives or children by the persons otherwise entitled to receive such pensions or allowances;
- (7) providing for the taking over by the council from any employee who is contributing to a superannuation fund established under this Act of any policy of life insurance, and for the payment of any premiums due or to be due on such policy until maturity, and for the payment to such employee or his personal representative of any moneys received by it in respect of such policy, after deducting the amount of any premiums paid in respect of such policy plus compound interest at a rate not exceeding four per cent. per annum from the respective dates of such payments.

Application of
Interpretation
Act, 1918.

10. In construing section thirty-six of the Interpretation Act, 1918, in connection with this Act, the words "from the expiration of the time permitted for disallowance under subsection (2) hereof" shall be substituted for the words "from the date of such publication" appearing in subdivision (c) of subsection (1) thereof.

No payments to
be made under
Municipal Cor-
porations Act,
1906, s. 155.

11. No payment shall be made to any employee of the City of Perth under section one hundred and fifty-five of the Municipal Corporations Act, 1906, who is entitled to receive any payment under any superannuation scheme established under this Act.
