

PARLIAMENTARY SUPERANNUATION.

No. 115 of 1976.

AN ACT to amend the Parliamentary Superannuation Act, 1970-1975.

[Assented to 1st December, 1976.]

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. (1) This Act may be cited as the *Parliamentary Superannuation Act Amendment Act, 1976.* Short title and citation.

(2) In this Act the Parliamentary Superannuation Act, 1970-1975 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Parliamentary Superannuation Act, 1970-1976.

Commence-
ment.

2. This Act shall come into operation on the first day of January, 1977.

Section 18A
added.

3. The principal Act is amended by adding after section 18 the following new section—

Special
adjustment
of certain
widows'
pensions.

18A. Notwithstanding any other provision of this Act, where the rate at which the pension that would, but for this section, be payable to the widow of a member or former member on the first pension pay day in the month of January, 1977, is less than the rate of pension that would have been payable if her husband had died on the day immediately preceding that pension pay day after contributing to the Fund for a period of sixteen years as an ordinary member, her pension shall, on and from that pension pay day, be increased to the second-mentioned rate. .

Section 19
amended.

4. Section 19 of the principal Act is amended—

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

(1) Subject to this section, on the death of a former member receiving pension under this Act, the widow of the former member is entitled to be paid until her death an annual pension at the rate of—

(a) five-eighths of the pension that would from time to time continue to be payable under this Act to her husband if he had not died and, where he made an election under subsection (2) of section 16 of this Act, if he had not made that election; or

- (b) five-eighths of the pension that would from time to time have continued to be payable under this Act to her husband if he had not died and if he had retired after contributing to the Fund for a period of sixteen years as an ordinary member and, where he made an election under subsection (2) of section 16 of this Act, if he had not made that election,

whichever is the greater rate. ;

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

(1a) Subject to this section, on the death of a former member the whole of whose pension entitlement was converted to a lump sum payment under subsection (1) of section 16, the widow of the former member is entitled to be paid until her death an annual pension at the rate of—

- (a) five-eighths of the pension that would from time to time be payable under this Act to her husband if he had not died and if the whole of his pension entitlement had not been so converted; or
- (b) five-eighths of the pension that would from time to time have continued to be payable under this Act to her husband if he had not died and if he had retired after contributing to the Fund for a period of sixteen years as an ordinary member and if the whole of his pension entitlement had not been so converted,

whichever is the greater rate. ;

(c) by deleting the word “seven” in line two of subsection (2) and substituting the word “sixteen”;

(d) by repealing and re-enacting subsection (3) as follows—

(3) Subject to this section, on the death of a member who has contributed to the Fund for less than sixteen years, the widow of the member is entitled to be paid until her death an annual pension at the rate of—

(a) five-eighths of the pension that would from time to time be payable under this Act to her husband if he had not died but had retired on the same day as that on which he died and thereby become entitled to a pension under section 14 of this Act; or

(b) five-eighths of the pension that would from time to time be payable under this Act to her husband if he had not died but had retired on the same day as that on which he died after contributing to the Fund for a period of sixteen years as an ordinary member,

whichever is the greater rate. ;

(e) by adding after the passage “subsection (1)” in lines one and two of paragraph (a) of subsection (4) the passage “or subsection (1a)”;

(f) by adding after the passage “subsection (2)” in paragraph (b) of subsection (4) the passage “or subsection (3)”;

(g) by deleting the word “and” appearing immediately after paragraph (c) of subsection (4);

- (h) by deleting the passage “hardship.” appearing at the end of paragraph (d) of subsection (4) and substituting the passage “hardship; and”;
- (i) by adding at the end of subsection (4) the following paragraph—
 - (e) shall, in any event, again become payable when she attains the age of fifty-five years. ; and
- (j) by adding after the passage “subsection (1)” in lines two and three of subsection (5) the passage “or subsection (1a)”.

5. The principal Act is amended by adding after section 19 the following new section—

Section 19A
added.

19A. Any reference in this Act to a widow of a member or former member shall, by force of this section, be construed as including and extending to a widower of a member or former member. .

Widowers'
pensions, etc
