

LOCAL GOVERNMENT (No. 2).

No. 83 of 1966.

AN ACT to amend the Local Government Act, 1960-1965; and to repeal section eleven of the City of Perth Superannuation Fund Act, 1934.

[Assented to 12th December, 1966.]

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:—

Short title
and citation.

1. (1) This Act may be cited as the *Local Government Act Amendment Act (No. 2), 1966.*

(2) In this Act the Local Government Act, 1960-1965, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Local Government Act, 1960-1966.

2. The principal Act is amended by adding a section as follows—

S. 169A added.

169A. (1) In this section—

“Council” means the Council of the City of Perth;

Power of Council to amend The City of Perth Superannuation Fund Scheme.

“existing scheme” means The City of Perth Superannuation Fund Scheme established under the Scheme Act by the City of Perth which scheme is set forth in the Second Schedule to Act No. 35 of 1954 and includes the scheme as amended from time to time up to and including the amendments made pursuant to the City of Perth Scheme for Superannuation (Amendments Authorisation) Act, 1958;

“Scheme Act” means the City of Perth Superannuation Fund Act, 1934.

(2) Subject to the prior approval of the Minister, the existing scheme may from time to time be amended by the Council.

(3) An amendment made to the existing scheme pursuant to this section—

Provisions relating to amendment of scheme.

(a) shall not be inconsistent with the provisions of section two of the Scheme Act;

(b) may with respect to benefits from, and contributions to, the existing scheme operate and take effect and may be deemed to have operated and to have had effect on and from the first day of July, nineteen hundred and sixty-two.

(4) The existing scheme as amended pursuant to this section shall not operate unless and until the provisions of sections five to eight inclusive of the Scheme Act have been complied with as if the existing scheme as so amended were a proposition for a scheme to which section five of the Scheme Act applied.

When scheme operates.

Accrued
rights or
obligations
preserved.

(5) The coming into operation of the existing scheme as amended pursuant to this section does not affect the accrued or accruing rights or obligations of any contributor to the existing scheme or the powers and obligations of the City of Perth under the existing scheme.

Power of
employees
to elect to
contribute
to either
scheme.

(6) A person who becomes an employee of the Council after the coming into operation of this section may elect to become a contributor to the existing scheme as amended from time to time or to a scheme established under the Superannuation, Sick, Death, Insurance, Guarantee and Endowment (Local Governing Bodies' Employees) Funds Act, 1947.

S. 558
amended.

3. Subsection (1) of section five hundred and fifty-eight of the principal Act is amended by adding after the word "proceedings" being the last word in the subsection the passage ", but in hearing an appeal under this Division a valuation appeal court may regulate the procedure for hearing the appeal in such manner as it thinks fit and is not bound by any rules of evidence".

S. 11
Act No. 14
of 1934
repealed.

4. Section eleven of the City of Perth Superannuation Fund Act, 1934, is repealed.
