

SUPERANNUATION AND FAMILY BENEFITS.

12° Elizabeth II., No. XLIII.

No. 43 of 1963.

AN ACT to amend the Superannuation and Family
Benefits Act, 1938-1962.

[Assented to 3rd December, 1963.]

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 *Superannuation and Family Benefits Act Amendment Act, 1963.*

Vol. 16 of the
Reprinted
Acts
approved for
reprint 14th
January,
1963.

(2) In this Act the Superannuation and Family Benefits Act, 1938-1962, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Superannuation and Family Benefits Act, 1938-1963.

2. Section six of the principal Act is amended—

(a) by inserting after the passage, "1930-1937" in line nineteen of the interpretation, "department", the passage, "every hospital board constituted under the Hospitals Act, 1927"; and

(b) by substituting for the words, "under the State in a permanent capacity in any department" in lines one and two of the interpretation, "employee", the passage, "in a permanent capacity under the State in any department, or under a hospital board constituted under the Hospitals Act, 1927".

3. Section thirty-two A of the principal Act is amended by adding after the word, "Act", being the last word in subsection (2), the words, "as if he had become a contributor to the Fund on the date of his initial contribution to the similar fund".

4. Section thirty-seven of the principal Act is amended by substituting for the passage commencing with the word, "payment" in line six of paragraph (b) of subsection (5) down to and including the word, "later" in line nine of that paragraph, the words, "the contributor elects to increase the amount of his contribution".

5. Section fifty-seven of the principal Act is amended by repealing subsection (1a).

6. Section sixty of the principal Act is amended—

(a) by adding after the word, “Kingdom”, being the last word in subsection (2a), the passage, “as amended from time to time or

within the meaning of any Act of the United Kingdom in substitution for the National Insurance Act, 1959, as so amended"; and

- (b) by adding after the word, "allow", being the last word in subsection (3), the passage, "
", but no benefit shall be payable in respect of any unit for which the contributor has not paid the equivalent of twenty-six fortnightly contributions at the rate applicable in respect of that unit".

S. 63
amended.

7. Section sixty-three of the principal Act is amended—

- (a) by substituting for paragraph (a) of subsection (1), the following paragraph—
 - (a) as if the reference in subsection (1) of that section to "pension for which he was contributing at the time of his death", were a reference to "benefit in relation to the number of units for which he contributed"; ;
- (b) by deleting the passage, "after he has attained the maximum age for retirement, or" in lines two and three of subsection (2);
and
- (c) by adding after the word, "marriage", being the last word in subsection (2), the passage, "
", and this subsection as amended by the Superannuation and Family Benefits Act Amendment Act, 1963, shall apply and be deemed to apply in respect of any person who on or after the commencement of that Act is or becomes a male pensioner".

S. 76
amended.

8. Section seventy-six of the principal Act is amended by substituting for the passage, "one-half of the amount so actuarially determined" in lines five and six, the passage, "twenty-two-thirty-fifths of the benefit that but for his death would have been payable to that person".

S. 83AB
amended.

- (a) by inserting after the word, "money" in line six of subsection (1), the words, "in regular fortnightly subscriptions";
- (b) by adding after the word, "fortnight", being the last word in subsection (4), the passage, " and no subscriber shall be entitled to pay into that Account any moneys other than the fortnightly subscriptions referred to in subsection (1) of this section";
- (c) by adding after the word, "section", being the last word in subsection (5), the passage, " but having made such a withdrawal the subscriber shall not be entitled again to withdraw from the Provident Account any moneys subscribed by him thereto and standing to his credit under this section, unless and until he has made regular fortnightly subscriptions to that Account for a further period of not less than five years after that withdrawal"; and
- (d) by adding after subsection (5), the following subsection—

(5a) A subscriber who has prior to the commencement of this subsection withdrawn from the Provident Account any moneys subscribed by him thereto shall within three months after such commencement, by notice in writing to the Board, elect either to withdraw the balance in that Account then standing to his credit or to continue to make regular fortnightly subscriptions thereto, in which latter case the provisions of subsection (5) of this section shall apply as if he were a subscriber who has made a withdrawal from the Provident Account of portion of the moneys subscribed by him thereto.

S. 83B
amended.

10. Section eighty-three B of the principal Act is amended by adding after subsection (4), the following subsections—

(4a) Where pursuant to subsection (4) of this section a female subscriber withdraws from the Provident Account portion of the money standing to her credit therein, she shall not be entitled again to withdraw from that Account any moneys subscribed by her thereto and standing to her credit therein unless and until she has made regular fortnightly subscriptions to that Account for a further period of not less than five years after that withdrawal.

(4b) The provisions of subsection (5a) of section eighty-three AB of this Act shall apply to a female subscriber under this section as if those provisions were repeated in this section.

(4c) Except as provided by subsection (1) of section eighty-three AB of this Act, a female subscriber under this section shall not be entitled to pay into the Provident Account any moneys other than those that under the provisions of subsections (1) and (2) of this section she may pay, or is required to pay, into that Account.
