

**STATE ELECTRICITY COMMISSION.**

4° Elizabeth II., No. XLI.

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No. 41 of 1955.

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**AN ACT to amend the State Electricity  
Commission Act, 1945-1954.**

[Assented to 5th December, 1955.]

**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 *State Electricity Commission Act Amendment Act, 1955.*

Short title  
and citation.

(2) In this Act the State Electricity Commission Act, 1945-1954,

Act No. 60 of 1945 as amended by Acts Nos. 33 of 1948, 4 of 1952, 23 of 1954 and 73 of 1954,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the State Electricity Commission Act, 1945-1955.

S. 29A  
amended.  
(Cf. No. 33 of  
1948, s. 9.)

2. Section twenty-nine A of the principal Act is amended by adding after the word "section" in line two of subsection (2) the passage "and in sections twenty-nine B and twenty-nine C of this Act,".

3. The principal Act is amended by adding after section twenty-nine A new sections as follow:—

Supple-  
mentary  
allowance  
payable to  
persons  
entitled to  
Super-  
annuation  
allowance  
under s. 29A.

29B. (1) Where an officer, not being a wages employee of the Commission was, on the eighth day of March, 1955, or after that day was or becomes, entitled to receive a superannuation allowance payable out of the superannuation scheme constituted under the provisions of section twenty-nine A of this Act, he is entitled

if the rate of superannuation allowance does not exceed four pounds per week

to receive from the scheme a supplementary allowance of fifty per centum of such superannuation allowance as he was or becomes entitled to receive from and after that day; or

if the rate of superannuation allowance exceeds four pounds per week

to receive from the scheme a supplementary allowance calculated on a weekly basis, which is equivalent to

- (a) fifty per centum of such portion of the superannuation allowance, which he was or becomes so entitled to receive, as does not exceed four pounds per week, and
- (b) twenty-five per centum of such portion of that superannuation allowance as exceeds four pounds per week.

(2) Where a wages employee of the Commission was, on the eighth day of March, 1955, or after that day was or becomes, entitled to receive a superannuation allowance payable out of the superannuation scheme constituted under the provisions of section twenty-nine A of this Act he is entitled to receive from the scheme a supplementary allowance at the rate of six shillings and three pence per week for the period from and after that day, for which he was or becomes entitled to receive a superannuation allowance.

(3) The widow of an officer or of a wages employee of the Commission is entitled to receive from the scheme a supplementary allowance of one-half of the supplementary allowance which her husband would have been entitled to receive under the provisions of subsection (1) or subsection (2) of this section had he been living and in receipt of a superannuation allowance, but no supplementary allowance is payable to the widow in respect of a period which is prior to the death of her husband and prior to the eighth day of March, 1955, nor unless she is entitled to receive a superannuation allowance from the scheme.

(4) The provisions of this section are subject to those of section twenty-nine C of this Act.

29C. (1) Notwithstanding the provisions of section twenty-nine B of this Act, where a person is entitled to a superannuation allowance payable out of the superannuation scheme constituted under section twenty-nine A of this Act and to a pension under the Superannuation and Family Benefits Act, 1938,

Rate of supplementary allowance affected if person is also entitled to pension under Superannuation and Family Benefits Act, 1938.

if the rate of pension, calculated on a weekly basis, is not less than six pounds per week,

the person is entitled to receive, as the supplementary allowance payable out of the superannuation scheme, twenty-five per centum of the

superannuation allowance to which he is entitled, but

if the rate of pension, calculated on a weekly basis, is less than six pounds per week,

the person is entitled to receive, as the supplementary allowance calculated on a weekly basis and payable out of the superannuation scheme, an amount which is equivalent to—

(i) either

one-third of the difference between the sum of six pounds and the amount which he is entitled to receive per week as pension under the Superannuation and Family Benefits Act, 1938,

or

one-half of the amount which he is entitled to receive per week as superannuation allowance from the superannuation scheme,

whichever is the lesser amount,

and

(ii) one-fourth of so much of the superannuation allowance, calculated on a weekly basis, as exceeds two-thirds of the difference between the sum of six pounds and the amount which he is entitled to receive per week as pension under the Superannuation and Family Benefits Act, 1938.

(2) Notwithstanding the provisions of subsection (3) of section twenty-nine B of this Act, the widow of a person who was a contributor both for a superannuation allowance payable out of the superannuation scheme and to a pension under the Superannuation and Family Benefits Act, 1938, is entitled to receive, as the supplementary allowance payable out of the scheme, one-half of the supplementary allow-

ance which her husband would have been entitled to receive under the provisions of subsection (1) of this section, had he been living and in receipt of a superannuation allowance and a pension, but no supplementary allowance is payable to a widow under this subsection unless she is entitled to receive a superannuation allowance from the scheme.

29D. Notwithstanding anything contained in the Superannuation and Family Benefits Act, 1938, or in this Act which is inconsistent with this section, a person who is a contributor to the superannuation scheme constituted under section twenty-nine A of this Act is not eligible to become a contributor under the Superannuation and Family Benefits Act, 1938, for a pension which

Pension and Superannuation allowance not to exceed maximum of pension under Superannuation and Family Benefits Act, 1938.

together with the superannuation allowance which, in the estimation of the Commission, he would be entitled to receive from the superannuation scheme,

entitles him to a pension and a superannuation allowance which in the aggregate exceeds the maximum amount of pension for which he is eligible to contribute under the provisions of section thirty-seven of the Superannuation and Family Benefits Act, 1938.

29E. When all the liabilities incurred under the superannuation scheme constituted under the provisions of section twenty-nine A of this Act have been paid and discharged and the Chairman and Auditor General have certified to that effect, the balance, if any, standing to the credit of the scheme is to be paid to the credit of the Electricity Commission General Fund Account at the Treasury and shall be regarded as income derived by the Commission from the business carried on by it under the authority of this Act.

When all liabilities under superannuation scheme paid, balance to be credited to Commission. (Cf. s. 44 (1) of this Act)