

CITY OF PERTH SCHEME FOR SUPERANNUATION (AMENDMENTS AUTHORISATION).

5° GEO. VI., No. XVIII.

No. 18 of 1941.

AN ACT to authorise certain amendments of a scheme for superannuation established by the city of Perth under the City of Perth Superannuation Fund Act, 1934.

[Assented to 11th November, 1941.]

Preamble.

WHEREAS the city of Perth did on the first day of March, one thousand nine hundred and thirty-seven, by virtue and in pursuance of section eight of the City of Perth Superannuation Fund Act, 1934, adopt a scheme for the establishment of a superannuation fund for the purpose of providing superannuation benefits for salaried officers and wages employees of the council: And whereas it is desired that superannuation benefits should be granted to the widows of salaried officers and wages employees of the Council: Be it therefore 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:—

Short title.

1. This Act may be cited as the *City of Perth Scheme for Superannuation (Amendments Authorisation) Act, 1941.*

Scheme may
be amended.

2. The scheme for superannuation established by the city of Perth as set forth in the First Schedule to this Act may be amended in such manner that the said scheme

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for superannuation when so amended shall be as set forth in the Second Schedule to this Act.

3. The scheme for superannuation as amended in the manner authorised by this Act shall only be brought into operation if and when the provisions of sections five to eight inclusive of the City of Perth Superannuation Fund Act, 1934, shall have been complied with as if such amended scheme were a proposition for a scheme within the meaning of section five of the said Act.

When
scheme shall
be brought
in
operation.

FIRST SCHEDULE.

THE CITY OF PERTH.

SUPERANNUATION FUND SCHEME.

A scheme for the establishment of a superannuation fund for the purpose of providing superannuation for benefits for officers and wages employees of the city of Perth, made pursuant to the powers conferred upon the city of Perth by the City of Perth Superannuation Fund Act, 1934.

1. In this scheme and the by-laws made under the City of Perth Superannuation Fund Act, 1934—

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

“Actuary” means a Fellow of the Institute of Actuaries or a Fellow of the Faculty of Actuaries.

“Board” means any person or persons appointed by the council under section three of the Act.

“By-laws” means the by-laws for the time being made under section nine of the Act.

“The council” means the city of Perth.

“Contributor” means every officer and/or wages employee of the council who contributes to the superannuation fund.

“Date of commencement” means the date when the scheme is adopted under section eight of the Act.

“Officer” means a member of the Council’s staff whose name appears (under instructions in writing from the town clerk, or, in case of the Electricity and Gas Department, from the general manager) on the monthly salary sheet or in the staff salaries book.

“Wages employee” means a person who is engaged by the head of a department duly authorised by the council to engage employees and/or an employee whose name appears in the wages book of any department.

“Service” means continuous whole-time service in the employment of the council after an officer or wages employee has attained the age of eighteen years, whether such service is

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rendered before or after the date of commencement: Provided that the board may at any time in respect of any officer or wages employee resolve that any part-time service, whether already rendered or to be rendered by such officer or wages employee, shall rank as whole-time service, and thereupon such part-time service shall be deemed for all purposes under this scheme to be whole-time service.

“Contributing service” means service rendered by an officer or wages employee in respect of which he is a contributor to the superannuation fund.

“Non-contributing service” means service rendered to the council before the date of commencement by an officer or a wages employee.

“Salary” means all salary, wages, fees, poundage, and other payments paid or made to any officer as such for his own use, also the money value of any residence or other allowances in kind appertaining to his office or employment, but does not include payment for overtime or forage or motor car allowance.

“Superannuation fund” means the fund to be established in the manner prescribed and provided under clause two of this scheme.

2.—ESTABLISHMENT OF SUPERANNUATION FUND.

(1) The council shall establish the superannuation fund, to which shall be carried and credited in each year—

- (a) the amounts deducted in such year from the salaries and/or wages of contributors under the provisions of the by-laws;
- (b) a contribution by the council of a sum equal to the amount which during such year has been contributed to the superannuation fund by contributors;
- (c) all dividends and interest arising in such year out of the investment of the superannuation fund or any part thereof;
- (d) a contribution by the Electricity and Gas Department of the council of an annual sum not exceeding eight hundred and sixty pounds and a contribution by the other departments of the council of an annual sum not exceeding nine hundred and seventy pounds for a period of thirty years, and such respective annual sums, to be assessed by an actuary, as soon as possible after the date of commencement, and from time to time thereafter, as may be necessary in the opinion of the actuary.

3.—ACTUARIAL INVESTIGATION.

(1) Once at least in every five years the condition of the superannuation fund shall be submitted by the board to an actuary, who shall consider the same, and shall make an actuarial valuation of the assets and liabilities of the superannuation fund.

(2) Where on any such valuation the actuary certifies that a deficiency is disclosed, the council shall make good the deficiency by means of payments by the council into the superannuation fund.

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(3) Where on any such valuation the actuary certifies that a disposable surplus is disclosed, the Board may dispose thereof by increasing or extending the superannuation allowances, or by reducing the contributions of contributors in the manner recommended and certified by the actuary.

(4) Where on any such valuation the actuary certifies that in order to maintain an equality of value, as respects persons becoming contributors after the date of commencement between the amounts to be contributed by or in respect of such persons and the amounts of benefit to which such persons will become entitled, it is expedient to increase or decrease the contribution as provided by the scheme in respect of such persons, provision may be made by the by-laws for such increase or decrease, as the case may require, to be applied in equal proportions as between the council and such persons.

4.—CONTROL OF SUPERANNUATION FUND.

The superannuation fund shall be controlled, managed, and administered by a board consisting of the lord mayor of the city of Perth for the time being, who shall be the chairman, a member of the finance committee of the council, a member of the electricity and gas committee of the council, the town clerk for the time being of the council, the general manager of the Electricity and Gas Department of the council for the time being, and a wages employee.

If the member of the finance committee, or the member of the electricity and gas committee shall at any time die or resign or cease to be a member of the committee, the council shall forthwith appoint another member of the same committee in his place.

In case any member of the board shall for any reason whatever be unable to attend four consecutive meetings of the board, the council may appoint some person to act as the deputy of such member.

The certificate of the lord mayor of the city of Perth for the time being shall be conclusive evidence that the persons named in such certificate are members of the board.

Any three members of the board shall be entitled to sign and indorse cheques and other negotiable instruments and all deeds and other documents (including all instruments and other documents under the Transfer of Land Act, 1893) for and on behalf of the Board.

All investments of the contributions to the superannuation fund shall be made by the board in the name of "The City of Perth" and/or in the name of the board.

5.—CONTRIBUTORS AND CONTRIBUTIONS.

Officers:

(a) Every officer in the service of the council at the date of commencement shall have the option of becoming a contributor to the superannuation fund, on the terms and conditions set out herein and in the by-laws, and such option shall be exercised not later than thirty-one days after the date of commencement.

(b) Every officer who shall join the service of the council after the date of commencement shall become a contributor, on the terms and conditions set out herein and/or in the by-laws.

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(c) Every officer who shall be in the service of the council at the date of commencement and elects to become a contributor, and every officer who joins the service of the council after the date of commencement, shall make an annual contribution to the superannuation fund of a sum not exceeding six pounds per cent. of his annual salary, provided that no officer shall make any contribution on that part of his salary which exceeds eight hundred and thirty-two pounds per annum. And such amount shall be deducted from the salary payable to him by the council by the officer of the council authorised to pay the same, in the manner and at the times mentioned in the by-laws and shall be paid to the credit of and form part of the superannuation fund.

Wages Employees:

(d) Every wages employee who shall be in the service of the council at the date of commencement, and being under the age of fifty years, shall have the option of becoming a contributor to the superannuation fund, on the terms and conditions set out herein and/or in the by-laws, and such option shall be exercised not later than thirty-one days after the date of commencement.

(e) Every wages employee who shall be engaged after the date of commencement, and being under the age of fifty years, shall become a contributor to the superannuation fund, on the terms and conditions set out herein and/or in the by-laws.

(f) Every wages employee who becomes a contributor shall contribute to the superannuation fund weekly sums not exceeding the rates shown in the table hereunder:—

Present Age last Birthday.	Contributions Payable per Week.	
	s.	d.
Up to 29	1	0
30 to 39	1	6
40 to 44	2	0
45 to 49	2	6

which sums shall be deducted from the wages payable to him by the council by the officer of the council authorised to pay the same, at the times mentioned in the by-laws, and shall be paid to the credit of and form part of the superannuation fund.

6. No contributor shall be required to make any contribution for the purposes of this scheme in respect of any period of service previous to the date of commencement.

7.—TITLE TO SUPERANNUATION ALLOWANCES.

(1) Every contributor:—

- (a) who shall have completed ten years' total service, and shall become incapable of discharging the duties of his office or employment with efficiency by reason of permanent ill-health or infirmity of mind or body; or
- (b) who shall have attained any age between sixty-five and seventy years and have completed ten years' service, shall be entitled, on resigning or otherwise ceasing to hold his office or

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employment, to receive during life a superannuation allowance according to the scale provided by paragraph 8 (1) hereof, in the case of officers, and by paragraph 8 (2) hereof, in the case of wages employees.

(2) Every such superannuation allowance shall be paid out of the superannuation fund.

(3) Where a contributor has attained the age of seventy years, he shall cease to hold his office or employment:

Provided that the council, or the person duly authorised by the council to appoint or engage another officer or wages employee (as the case may be) in the place of any such contributor, may extend the period of service or employment of such contributor for one year, or any less period, and so from time to time as it or he may deem expedient:

Provided also, that no contribution shall be made by the council or by any officer or wages employee to the superannuation fund in respect of any such extended period, and any such extended period shall be disregarded in calculating any superannuation allowance out of the superannuation fund.

8.—SUPERANNUATION ALLOWANCES.

Officers:

(1) The superannuation allowance to be made to an officer who is a contributor under this scheme shall be made out of the superannuation fund, and shall be at the following rates, viz.:—

- (a) For officers who became contributors under paragraph 5 (a), one-sixtieth of the average amount of his salary during each year of his contributing service and one-hundredth-and-twentieth of the average amount of his salary during each year of his non-contributing service.
- (b) For officers who became contributors under paragraph 5 (b), one-sixtieth of the average amount of his salary during each year of his contributing service.
- (c) The maximum superannuation allowance shall be forty-sixtieths but shall not exceed eight pounds per week.

Wages Employees:

(2) The superannuation allowance to be made to a wages employee who is a contributor under this scheme shall be made out of the superannuation fund at the rate of ten shillings per week.

9. The council, or any person duly authorised in that behalf by the council, may request any officer or wages employee, who shall have attained any age between sixty-five and seventy years to resign, and upon such request being made such officer or wages employee shall resign.

10. Where an officer receives allowances in kind as part of his salary, the value of such allowances shall be fixed by the board for the purpose of assessing the amount of such officer's contribution to the superannuation fund under paragraph 5 (c) and the amount of superannuation allowance to which such officer shall be entitled under paragraph 8 (1) (a) and (b) hereof, and the board's decision shall be final.

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11. A contributor who is dismissed or resigns, or otherwise ceases to hold his office or employment in consequence of any offence of a fraudulent character, or of grave misconduct, shall forfeit all claim to any superannuation allowance under this scheme:

Provided that, in the case of any such contributor, the board may, if it sees fit, return to him out of the superannuation fund, or pay to his wife or family out of that fund, a sum equal to the amount of all his contributions thereto under this scheme, or to such part thereof as the board shall think fit.

12. A contributor who has not become entitled to a superannuation allowance, and who loses his office or employment by reason of a reduction of staff or the abolition of his office, or ceases to hold his office or employment by reason of ill health, mental infirmity, or bodily injury, or is required to retire on marriage, or is requested to resign, shall be entitled to receive out of the superannuation fund a sum equal to the amount of all his contributions to such fund, but without interest.

13. In the event of a contributor voluntarily resigning his office or employment, or being dismissed for any reason whatsoever (except for fraud or misconduct) before he has, under the provisions of this scheme, become entitled to a superannuation allowance, the board shall pay to him out of the superannuation fund a sum equal to the amount of the contributions made by such contributor to such fund, but without interest.

14. (1) In the event of an officer, who is a contributor, dying before becoming entitled to or receiving a superannuation allowance under this scheme, the board shall pay to his legal personal representative out of the superannuation fund a sum equal to the amount of contributions made by such contributor to such fund, but without interest.

(2) In the event of a contributor, other than an officer, dying before becoming entitled to or receiving a superannuation allowance under this scheme, the board shall pay to his legal personal representative out of the superannuation fund a sum equal to the amount of contributions made by such contributor to such fund, and also a sum equal to the amount of contributions made by the council to such fund on account of such contributor, both of such sums to be paid without interest.

(3) In any case in which any contributor shall die after he has become entitled to a superannuation allowance under this scheme, and before he shall have received by way of superannuation allowance an amount equal in the aggregate to the amount of his contributions under this scheme, the board shall pay to his legal personal representative out of the superannuation fund the difference between the total amount which such contributor has received by way of superannuation allowance and the aggregate amount of his contributions under this scheme, but without interest.

15. Every superannuation allowance granted under this Act shall be payable to or in trust for the contributor, and shall not be assigned or chargeable with his debts or other liabilities.

16. The council shall bear all expenses of and incidental to the management and administration of the superannuation fund and the carrying out of the by-laws.

17. The city auditors shall annually audit the accounts of the board and/or the superannuation fund.

SECOND SCHEDULE.

THE CITY OF PERTH.

SUPERANNUATION FUND SCHEME.

A scheme for the establishment of a superannuation fund for the purpose of providing superannuation for benefits for officers and wages employees of the city of Perth, made pursuant to the powers conferred upon the city of Perth by the City of Perth Superannuation Fund Act, 1934.

1. In this scheme, and the by-laws made under the City of Perth Superannuation Fund Act, 1934:—

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

“Actuary” means a Fellow of the Institute of Actuaries or a Fellow of the Faculty of Actuaries.

“Board” means any person or persons appointed by the council under section three of the Act.

“By-laws” means the by-laws for the time being made under section nine of the Act.

“The Council” means the City of Perth.

“Contributor” means every officer and/or wages employee of the council who contributes to the superannuation fund.

“Date of commencement” means the date when the scheme is adopted under section eight of the Act.

“Officer” means a member of the council’s staff whose name appears (under instructions in writing from the town clerk, or, in the case of the Electricity and Gas Department, from the general manager) on the monthly salary sheet or in the staff salaries book.

“Wages employee” means a person who is engaged by the head of a department duly authorised by the council to engage employees and/or an employee whose name appears in the wages book of any department.

“Service” means continuous whole-time service in the employment of the council after an officer or wages employee has attained the age of eighteen years, whether such service is rendered before or after the date of commencement: Provided that the board may at any time in respect of any officer or wages employee resolve that any part-time service, whether already rendered or to be rendered by such officer or wages employee, shall rank as whole-time service and thereupon such part-time service shall be deemed for all purposes under this scheme to be whole-time service.

“Contributing service” means service rendered by an officer or wages employee in respect of which he is a contributor to the superannuation fund.

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"Non-contributing service" means service rendered to the council before the date of commencement by an officer or a wages employee.

"Salary" means all salary, wages, fees, poundage, and other payments paid or made to any officer as such for his own use, also the money value of any residence or other allowances in kind appertaining to his office or employment, but does not include payment for overtime or forage or motor car allowance.

"Superannuation fund" means the fund to be established in the manner prescribed and provided under clause two of this scheme.

2.—ESTABLISHMENT OF SUPERANNUATION FUND.

(1) The council shall establish the superannuation fund, to which shall be carried and credited in each year—

- (a) the amounts deducted in such year from the salaries and/or wages of contributors under the provisions of the by-laws;
- (b) a contribution by the council of a sum equal to the amount which during such year has been contributed to the superannuation fund by contributors;
- (c) all dividends and interest arising in such year out of the investment of the superannuation fund or any part thereof;
- (d) a contribution by the Electricity and Gas Department of the council of an annual sum not exceeding **one thousand one hundred and ninety pounds** and a contribution by the other departments of the council of an annual sum not exceeding **one thousand two hundred and forty pounds** for a period of thirty years, and such respective annual sums, to be assessed by an actuary, as soon as possible after the date of commencement, and from time to time thereafter, as may be necessary in the opinion of the actuary.

3.—ACTUARIAL INVESTIGATION.

(1) Once at least in every five years the condition of the superannuation fund shall be submitted by the board to an actuary, who shall consider the same, and shall make an actuarial valuation of the assets and liabilities of the superannuation fund.

(2) Where on any such valuation the actuary certifies that a deficiency is disclosed, the council shall make good the deficiency by means of payments by the council into the superannuation fund.

(3) Where on any such valuation the actuary certifies that a disposable surplus is disclosed, the board may dispose thereof by increasing or extending the superannuation allowances, or by reducing the contributions of contributors in the manner recommended and certified by the actuary.

(4) Where on any such valuation the actuary certifies that in order to maintain an equality of value, as respects persons becoming

contributors after the date of commencement between the amounts to be contributed by or in respect of such persons and the amounts of benefit to which such persons will become entitled, it is expedient to increase or decrease the contribution as provided by the scheme in respect of such persons, provision may be made by the by-laws for such increase or decrease, as the case may require, to be applied in equal proportions as between the council and such persons.

4.—CONTROL OF SUPERANNUATION FUND.

The superannuation fund shall be controlled, managed, and administered by a board, consisting of the lord mayor of the city of Perth for the time being, who shall be the chairman, a member of the finance committee of the council, a member of the electricity and gas committee of the council, the town clerk for the time being of the council, the general manager of the Electricity and Gas Department of the council for the time being, and a wages employee.

If the member of the finance committee or the member of the electricity and gas committee shall at any time die or resign, or cease to be a member of the committee, the council shall forthwith appoint another member of the same committee in his place.

In case any member of the board shall for any reason whatever be unable to attend four consecutive meetings of the board, the council may appoint some person to act as the deputy of such member.

The certificate of the lord mayor of the city of Perth for the time being shall be conclusive evidence that the persons named in such certificate are members of the board.

Any three members of the board shall be entitled to sign and indorse cheques and other negotiable instruments and all deeds and other documents (including all instruments and other documents under the Transfer of Land Act, 1893) for and on behalf of the board.

All investments of the contributions to the superannuation fund shall be made by the board, in the name of "The City of Perth" and/or in the name of the board.

5.—CONTRIBUTORS AND CONTRIBUTIONS.

Officers:

(a) Every officer in the service of the council at the date of commencement shall have the option of becoming a contributor to the superannuation fund, on the terms and conditions set out herein and in the by-laws, and such option shall be exercised not later than thirty-one days after the date of commencement.

(b) Every officer who shall join the service of the council after the date of commencement shall become a contributor, on the terms and conditions set out herein and/or in the by-laws.

(c) Every officer who shall be in the service of the council at the date of commencement and elects to become a contributor, and every officer who joins the service of the council after the date of commencement, shall make an annual contribution to the superannuation fund of a sum not exceeding six pounds per cent. of his annual salary: Provided that no officer shall make any contribution on that part of his salary which exceeds eight hundred and thirty-two pounds per

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annum. And such amount shall be deducted from the salary payable to him by the council by the officer of the council authorised to pay the same, in the manner and at the times mentioned in the by-laws, and shall be paid to the credit of and form part of the superannuation fund.

Wages Employees:

(d) Every wages employee who shall be in the service of the council at the date of commencement, and being under the age of fifty years, shall have the option of becoming a contributor to the superannuation fund, on the terms and conditions set out herein and/or in the by-laws, and such option shall be exercised not later than thirty-one days after the date of commencement.

(e) Every wages employee who shall be engaged after the date of commencement, and being under the age of fifty years, shall become a contributor to the superannuation fund, on the terms and conditions set out herein and/or in the by-laws.

(f) Every wages employee who becomes a contributor shall contribute to the superannuation fund weekly sums not exceeding the rates shown in the table hereunder:—

Present Age last Birthday.					Contributions Payable per Week.	
					s.	d.
Up to 29	....	....	....	....	1	3
30 to 39	....	....	....	....	1	9
40 to 44	....	....	....	....	2	6
45 to 49	....	....	....	....	3	0

all of which respective sums shall be deducted from the wages payable to each respective contributor by the council, by the officer of the council authorised to pay the same, at the times mentioned in the by-laws and shall be paid to the credit of and form part of the superannuation fund.

6. No contributor shall be required to make any contribution for the purposes of this scheme in respect of any period of service previous to the date of commencement.

7.—TITLE TO SUPERANNUATION ALLOWANCES.

(1) Every contributor:—

(a) who shall have completed ten years' total service and shall become incapable of discharging the duties of his office or employment with efficiency by reason of permanent ill-health or infirmity of mind or body; or

(b) who shall have attained any age between sixty-five and seventy years and have completed ten years' service,

shall be entitled, on resigning or otherwise ceasing to hold his office or employment, to receive during life a superannuation allowance according to the scale provided by paragraph 8 (1) hereof in the case of officers and by paragraph 8 (2) hereof in the case of wages employees.

(2) On the death of any contributor his widow shall be entitled to receive during her life and widowhood a superannuation allowance—

(a) if at the time of his death the contributor was in receipt of a superannuation allowance under the scheme; or

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- (b) if at the time of his death the contributor had completed ten years' total service and was still in the employ of the council:

Provided that no widow shall be entitled to a superannuation allowance under subclause (a) hereof unless she was married to the contributor prior to the date on which he became entitled to receive a superannuation allowance.

(3) Every such superannuation allowance shall be paid out of the superannuation fund.

(4) Where a contributor has attained the age of seventy years, he shall cease to hold his office or employment:

Provided that the council, or the person duly authorised by the council to appoint or engage another officer or wages employee (as the case may be) in the place of any such contributor, may extend the period of service or employment of such contributor for one year, or any less period, and so from time to time, as it or he may deem expedient:

Provided also that no contribution shall be made by the council or by any officer or wages employee to the superannuation fund in respect of any such extended period shall be disregarded in calculating any superannuation allowance out of the superannuation fund.

S.—SUPERANNUATION ALLOWANCES.

Officers:

(1) The superannuation allowance to be made to an officer who is a contributor under this scheme shall be made out of the superannuation fund, and shall be at the following rates, viz.:—

- (a) For officers who became contributors under paragraph 5 (a), one-sixtieth of the average amount of his salary during each year of his contributing service and one one-hundred-and-twentieth of the average amount of his salary during each year of his non-contributing service.
- (b) For officers who became contributors under paragraph 5 (b), one-sixtieth of the average amount of his salary during each year of his contributing service.
- (c) The maximum superannuation allowance shall be forty-sixtieths but shall not exceed eight pounds per week.

Wages Employees:

(2) The superannuation allowance to be made to a wages employee who is a contributor under this scheme shall be made out of the superannuation fund at the rate of ten shillings per week.

Widows of Officers:

(3) (A) The superannuation allowance to be made to a widow of a contributor under subclause (2) (a) of the last preceding clause shall be at the rate of one half the allowance which was being paid to her husband at the time of his death.

(B) The superannuation allowance to be made to the widow of a contributor under subclause (2) (b) of the last preceding clause

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shall be one half of the allowance which would have been payable to her husband if he had commenced to receive a superannuation allowance under subclause (1) of this clause on the day of his death.

Widows of Wages Employees:

(4) The superannuation allowance to be made to the widow of a wages employee shall be at the rate of 5s. per week.

9. The council, or any person duly authorised in that behalf by the council, may request any officer or wages employee, who shall have attained any age between sixty-five and seventy years, to resign, and upon such request being made such officer or wages employee shall resign.

10. Where an officer receives allowances in kind as part of his salary, the value of such allowances shall be fixed by the board for the purpose of assessing the amount of such officer's contribution to the superannuation fund under paragraph 5 (c) and the amount of superannuation allowance to which such officer shall be entitled under paragraph 8 (1) (a) and (b) hereof, and the board's decision shall be final.

11. A contributor who is dismissed or resigns or otherwise ceases to hold his office or employment in consequence of any offence of a fraudulent character, or of grave misconduct, shall forfeit all claim to any superannuation allowance under this scheme:

Provided that, in the case of any such contributor, the board may, if it sees fit, return to him out of the superannuation fund, or pay to his wife or family out of that fund, a sum equal to the amount of all his contributions thereto under this scheme, or to such part thereof as the board shall think fit.

12. A contributor who has not become entitled to a superannuation allowance, and who loses his office or employment by reason of a reduction of staff, or the abolition of his office, or ceases to hold his office or employment by reason of ill-health, mental infirmity, or bodily injury, or is required to retire on marriage, or is requested to resign, shall be entitled to receive out of the superannuation fund a sum equal to the amount of all his contributions to such fund, but without interest.

13. In the event of a contributor voluntarily resigning his office or employment, or being dismissed for any reason whatsoever (except for fraud or misconduct) before he has, under the provisions of this scheme, become entitled to a superannuation allowance, the board shall pay to him out of the superannuation fund a sum equal to the amount of the contributions made by such contributor to such fund, but without interest.

14. (1) In the event of an officer who is a contributor dying before becoming entitled to or receiving a superannuation allowance under this scheme, the board shall pay to his legal personal representative out of the superannuation fund, a sum equal to the amount of contributions made by such contributor to such fund, but without interest.

(2) In the event of a contributor other than an officer dying before becoming entitled to or receiving a superannuation allowance under

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this scheme, the board shall pay to his legal personal representative out of the superannuation fund a sum equal to the amount of contributions made by such contributor to such fund, and also a sum equal to the amount of contributions made by the council to such fund on account of such contributor, both of such sums to be paid without interest.

(3) In any case in which any contributor shall die after he has become entitled to a superannuation allowance under this scheme, and before he shall have received by way of superannuation allowance an amount equal in the aggregate to the amount of his contributions under this scheme, the board shall pay to his legal personal representative out of the superannuation fund the difference between the total amount which such contributor has received by way of superannuation allowance and the aggregate amount of his contributions under this scheme, but without interest:

Provided that the provisions of this clause shall not apply in any case where the widow of a contributor is entitled to receive any superannuation allowance under the scheme.

Provided also, that in any case in which the widow shall die after she has become entitled to a superannuation allowance and before she shall have received by way of such allowance an amount equal in the aggregate to the amount of contributions paid to the scheme by the contributor, the Board shall, out of the superannuation fund, pay to her legal personal representative for the sole use of any children dependent upon her at the time of her death the difference between the total amount which such contributor and/or his widow has received by way of superannuation allowance and the aggregate amount of his contributions under the scheme, but without interest.

15. (1) Subject to the next succeeding subclause, every contributor shall make contributions to the superannuation fund under this scheme at the respective rates prescribed by the by-laws for the time being in force.

(2) Any male contributor who is contributing to the superannuation fund at the date on which this scheme comes into operation shall be entitled to give to the board written notice that he does not wish his widow to receive any superannuation allowance under this scheme, and thereafter he shall not be required to make any contributions to the superannuation fund in excess of the contributions prescribed by the by-laws in force at the date on which this scheme comes into operation, and his widow shall not be entitled to receive any superannuation allowance.

(3) The written notice referred to in subsection (2) shall be given to the board within one month from the coming into operation of this scheme: Provided that, if at the time of the coming into operation of this scheme any male contributor shall be serving with His Majesty's naval, military or air forces, the time for giving the aforesaid notice shall be extended to the expiration of three months after he shall have returned to Western Australia or ceased so to serve, whichever shall be the later.

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16. Every superannuation allowance granted under this Act shall be payable to or in trust for the contributor, and shall not be assigned or chargeable with his debts or other liabilities.

17. The council shall bear all expenses of and incidental to the management and administration of the superannuation fund and the carrying out of the by-laws.

18. The city auditors shall annually audit the accounts of the board and/or the superannuation fund, and a statement of such accounts, together with a report on the previous year's operations prepared under the direction of the chairman and signed by him, shall be available to the contributors.
