

**LOCAL GOVERNMENT AND OTHER
AUTHORITIES (SUPERANNUATION)
AMENDMENT ACT, 1977**

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 46, 1977.

An Act to amend the Local Government and Other Authorities (Superannuation) Act, 1927, for the purpose of establishing a new scheme of superannuation under that Act, and for certain other purposes; and to amend the Local Government and Other Authorities (Superannuation) Amendment Act, 1975. [Assented to, 27th April, 1977.]

BE

*Local Government and Other Authorities (Superannuation)
Amendment.*

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Local Government and Other Authorities (Superannuation) Amendment Act, 1977".

**Commence-
ment.** **2.** (1) Except as provided in this section, this Act shall commence on the date of assent to this Act.

(2) Section 5 shall, in its application to a provision of Schedules 1–7, commence or be deemed to have commenced on the day on which that provision commences or is deemed to have commenced, as the case may require.

(3) Sections 6 and 7 and Schedules 1 and 3 shall be deemed to have commenced on 1st April, 1977.

(4) Schedule 5 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

(5) Schedule 7 shall be deemed to have commenced on 18th December, 1975.

**Principal
Act** **3.** The Local Government and Other Authorities (Superannuation) Act, 1927, is referred to in this Act as the Principal Act.

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4. This Act contains the following Schedules :— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE INTRODUCTION OF THE LOCAL GOVERNMENT PENSION FUND SCHEME.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE INVESTMENT OF FUNDS OF THE BOARD.

SCHEDULE 3.—AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING SCHEMES.

SCHEDULE 4.—AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO VOLUNTARY SAVINGS.

SCHEDULE 5.—AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE DEFINITION OF "SALARY".

SCHEDULE 6.—AMENDMENTS TO THE PRINCIPAL ACT, BY WAY OF STATUTE LAW REVISION.

SCHEDULE 7.—AMENDMENTS TO THE LOCAL GOVERNMENT AND OTHER AUTHORITIES (SUPERANNUATION) AMENDMENT ACT, 1975.

5. (1) The Principal Act is amended in the manner set forth in Schedules 1-6. Amendment of Act No. 35, 1977.

(2) The Local Government and Other Authorities (Superannuation) Amendment Act, 1975, is amended in the manner set forth in Schedule 7. Amendment of Act No. 101, 1975.

6. An election may be made under section 15AN of the Principal Act, as amended by this Act, before, as well as on or after, 1st April, 1977, but if made before that date shall, notwithstanding section 15AN of that Act, as so amended, take effect on the first day of a month (as defined in section 15AL of that Act, as so amended) to be determined by the board. Elections to come under Part III of the Principal Act.

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Payment of
premiums
and contri-
butions.

7. The Principal Act applies to and in respect of any period before 1st April, 1977, as if Schedule 3 had not been enacted.

Sec. 5 (1).

SCHEDULE 1.

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME.

(1) Section 1 (4)—

After the matter relating to Part IIIc, insert:—

PART III d.—PENSION FUND PROVISIONS—ss.
15AL–15CF.

DIVISION 1.—*Preliminary*—ss. 15AL, 15AM.

DIVISION 2.—*Coming under the provisions of
this Part*—ss. 15AN–15AT.

DIVISION 3.—*Contributions*—ss. 15AU–15AY.

DIVISION 4.—*Local Government Pension Fund*
—ss. 15AZ–15BD.

DIVISION 5.—*Benefits*—ss. 15BE–15BV.

DIVISION 6.—*Miscellaneous*—ss. 15BW–15CD.

DIVISION 7.—*Alternative benefits*—ss. 15CE,
15CF.

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SCHEDULE 1.—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(2) Section 2 (5)—

After section 2 (4), insert :—

(5) Without affecting the operation of the foregoing provisions of this section, the Governor may by proclamation published in the Gazette declare any body or association of persons, corporate or unincorporate, to be an employing authority for the purposes of the definition of “employer” in section 15AL (1).

(3) Section 3, definition of “Pension Fund”—

After the definition of “Past service factor”, insert :—

“Pension Fund” means the Local Government Pension Fund established under section 15AZ.

(4) Part III D—

After Part III C, insert :—

PART III D.

PENSION FUND PROVISIONS.

DIVISION 1.—*Preliminary.*

15AL. (1) In this Part and Schedule C, unless Interpre-
inconsistent with the context or subject-matter— tation.

“accrued pension point” means pension points accrued or deemed to have been accrued under section 15BE;

“approved service”, in relation to a person, means service with an employer by that person, while he was a contributor, or while

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

he was the holder of a current insurance policy, or while contributions to the Provident Fund or the Benefits Fund were being paid in respect of him;

“contributor” means a person who, under section 15AN, 15AO, 15AP, 15AQ or 15AR, has become a contributor and continues to be a servant who has not attained the age of 65 years;

“current insurance policy”, in relation to a person, means an insurance policy in force in respect of that person that was effected by that person or accepted by the board under Part II and that is kept in force by the payment of the premiums thereon under section 6;

“dependent child”, in relation to a deceased former contributor, means—

- (a) a child of the former contributor, who has not attained the age of 16 years; or
- (b) a child of the former contributor, who has attained the age of 16 years but not the age of 25 years and who is, in the opinion of the board, receiving full-time education at a school, college or university and not ordinarily employed or engaged in working for a salary,

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

and who was, in the opinion of the board,
wholly or substantially dependent on the
former contributor immediately before his
death;

“employer” means—

- (a) a council as defined in section 3; or
- (b) a body or association of persons,
corporate or unincorporate, to
which a proclamation under section
2 (4) or (5) relates;

“final average salary”, in relation to a person who
ceases to be a servant, means the average of
the annual rates of salary actually paid to
him on the 31st day of December in each of
the 3 years immediately preceding that in
which he so ceased to be a servant, but
disregarding any such day if on that day he
was not a servant;

“general employer” means an employer other
than a special employer;

“general reserve” means the general reserve in
the Pension Fund, as referred to in section
15BC;

“month” means January, February, March,
April, May, June, July, August, September,
October, November or December;

“pension” means a pension under this Part;

“pensioner” means a person receiving or entitled
to receive a pension;

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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“potential pension points”, in relation to a person who has ceased to be a contributor before attaining the age of 65 years, means the pension points that he would have, but has not, accrued had he continued to contribute to the Pension Fund, until he attained that age, at the average rate (including any average additional rate) at which he was contributing under section 15AU since becoming a contributor;

“servant” means a servant employed by an employer otherwise than on a part-time or casual basis;

“special employer” means a prescribed employer or an employer of a prescribed class;

“special reserve” means the special reserve in the Pension Fund, as referred to in section 15BC;

“superannuation year” means the period that commences on 1st April in any year and ends on 31st March in the next following year.

(2) For the purposes of this Part, a person is, subject to subsection (3), retrenched by an employer if, and only if, his service with the employer was terminated by the employer on the ground of a lack or reduction of work available for him to perform (no other position in the service of the employer or another employer having been found for him at not less than two-thirds of his annual salary at the date of

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that termination), and the employer, or a person duly authorised to do so on behalf of the employer, makes a statutory declaration to the board to that effect and also to the effect that it is not proposed at that time that his position with the employer be filled by another person.

(3) For the purposes of this Part, a person is not retrenched by an employer if his service with the employer was terminated—

- (a) by reason of the expiration of the term of service for which the person was engaged; or
- (b) where the person was engaged until certain work ceased to be available—by reason of that work ceasing to be available.

15AM. Parts II, III and IIIB do not apply to or in respect of—

- (a) a person to whom section 15AN applies (not being a person whose application to be exempted from coming under the provisions of this Part has been approved under section 15AN (11)); or
- (b) a contributor.

Non-applica-
tion of Parts
II, III and
IIIB.

DIVISION 2.—*Coming under the provisions of this Part.*

15AN. (1) This section applies to a person who—

- (a) on 31st March, 1977, was not but subsequently becomes a servant;

Application
of this Part
to new and
certain
existing
servants.

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SCHEDULE 1—*continued.*

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- (b) on 31st March, 1977, was a servant and on or after that date ceased or ceases to be a servant, but after that date becomes a servant (whether of the same or a different employer); or
- (c) on 31st March, 1977, was a servant but not a permanent servant.

(2) A servant who is a person to whom this section applies may, in a form approved by the board, elect to come under the provisions of this Part.

(3) A servant who is a person to whom this section applies, and who is not already a contributor, becomes a contributor on—

- (a) if he makes an election under subsection (2)—the first day of the second month after that in which his election is received by the board; or
- (b) if he has, since last becoming a servant, completed a period of 3 years' continuous service with one or more employers—the first day of the second month after that in which he completed that period of service.

(4) Subsection (3) (b) does not apply to—

- (a) a person who had, when he last became a servant, attained the age of 55 years; or
- (b) a person exempted from the operation of that paragraph under subsection (13).

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SCHEDULE 1—*continued.*

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(5) A person who makes an election under subsection (2) shall furnish to the board with his election such details of his medical and personal history as are provided for in the form on which he makes the election.

(6) A person who becomes a contributor under this section, otherwise than by reason of his making an election under subsection (2), shall furnish to the board, in a form approved by the board, such details of his medical and personal history as are provided for in that form.

(7) The board may by notice in writing require any person to whom this section applies to submit himself for such medical examination or examinations as the board may determine.

(8) The board shall consider any details of the medical and personal history of the servant submitted by him and the results of any medical examination referred to in subsection (7) and shall determine, as it thinks fit, that the servant is—

- (a) qualified for full additional benefits;
- (b) qualified for partial, but not full, additional benefits; or
- (c) not qualified for either such benefits.

(9) Until the board has made a determination under subsection (8) that a servant is qualified for full or partial additional benefits, that servant shall not be qualified for either such benefits.

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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(10) A determination under subsection (8) that an applicant is qualified for full or partial additional benefits shall take effect—

- (a) where the applicant is not already a contributor—from the date when he becomes a contributor; or
- (b) where the applicant is already a contributor—from such date, not being earlier than the date of the determination, as may be specified by the board in the determination.

(11) A person to whom this section applies may, if—

- (a) he is the holder of a current insurance policy; or
- (b) there is any amount standing to his credit in the Provident Fund or the Benefits Fund,

apply to the board, before the expiration of the prescribed period, to be exempted from coming under the provisions of this Part.

(12) The board may, if it thinks fit, approve of the application, and where the applicant is the holder of a current insurance policy, may so approve subject to such conditions (which shall have effect notwithstanding any other provision of this Act and shall be binding on the employer concerned and the applicant) with respect to the apportionment of premiums payable in respect of the policy and the acceptance of the policy by the board for the purposes of Part II as the board thinks fit.

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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(13) The board may, on application made by a person to whom this section applies, exempt that person from the operation of subsection (3) (b) if the board is of the opinion that, having regard to the special circumstances of the case, it is proper to do so and if he is not already a contributor.

15AO. (1) Within the period commencing on and including the date of commencement of this Part and ending on and including 31st December, 1977, or within such further period as the Governor may, by proclamation published in the Gazette before 1st January, 1978, allow, a permanent servant who is the holder of a current insurance policy may, in a form approved by the board—

Election
by policy
holders to
come under
this Part.

- (a) apply to surrender or to have cancelled all current insurance policies in his name and direct payment to the board of any money payable in respect of the surrender or cancellation;
- (b) if he has any amount standing to his credit in the Provident Fund, apply to have that amount transferred to the Pension Fund; and
- (c) elect to come under the provisions of this Part.

(2) Subsection (1) does not apply to a permanent servant who has at any time been exempted from the obligation to effect insurance under section 4 by virtue of section 7 (1) (c), unless he has subsequently been informed that an insurance company will accept the risk of that insurance as mentioned in section 7A (1).

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

(3) Where a person referred to in subsection (1) becomes a contributor, the board, upon his becoming a contributor, shall—

- (a) cause the insurance policies to be surrendered or cancelled;
- (b) pay the proceeds of the surrender or cancellation to the Pension Fund;
- (c) transfer any amount standing to his credit in the Provident Fund to the Pension Fund;
and
- (d) of the amounts paid or transferred under paragraph (b) or (c)—
 - (i) credit 50 per centum to his servant's account in the Pension Fund; and
 - (ii) credit 50 per centum to the general reserve (if he is in the service of a general employer) or to the special reserve (if he is in the service of a special employer).

(4) A person who makes an application and election under subsection (1) becomes a contributor on the first day of a month to be determined by the board, and shall upon that day be qualified for full additional benefits.

Applications by contributors to Provident Fund to come under this Part.

15AP. (1) Within the period commencing on and including the date of commencement of this Part and ending on and including 31st December, 1977, or within such further period as the Governor may, by

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FUND SCHEME—*continued.*

proclamation published in the Gazette before 1st January, 1978, allow, a permanent servant (not being a permanent servant entitled to make an application and election under section 15AO), in respect of whom contributions are, when he makes the application referred to in this subsection, being made under Part III to the Provident Fund, may, in a form approved by the board—

- (a) apply to have transferred to the Pension Fund the amount standing to his credit in the Provident Fund;
- (b) if he is the holder of any current insurance policies, apply to surrender or to have cancelled those insurance policies and direct payment to the board of any money payable in respect of the surrender or cancellation; and
- (c) apply to come under the provisions of this Part.

(2) An applicant under subsection (1) shall furnish to the board with his application such details of his medical and personal history as are provided for in the form on which he makes the application.

(3) The board may, by notice in writing, require any such applicant to submit himself for such medical examination or examinations as the board may determine.

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

(4) The board shall consider any details of the medical and personal history of the applicant submitted by him and the results of any medical examination referred to in subsection (3) and shall, as it thinks fit—

- (a) decide that the applicant shall be qualified for full additional benefits;
- (b) approve of the application subject to the condition that the applicant shall be qualified for partial, but not full, additional benefits; or
- (c) approve of the application subject to the condition that the applicant shall not be qualified for either such benefits.

(5) Where it approves of the application subject to the condition—

- (a) that the applicant shall be qualified for partial, but not full, additional benefits; or
- (b) that the applicant shall not be qualified for either such benefits,

the board shall, by notice in writing, inform the applicant of its decision, and if the applicant does not, in writing, and within 21 days after the date of the notice, or such further period not exceeding one month as the board may, whether before or after the expiration of that period of 21 days, determine, lodge with the board notice of his agreement to that condition, his application to come under the provisions of this Part shall be deemed to have lapsed.

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

(6) A person in respect of whom a decision is made under subsection (4) (a) becomes a contributor on the first day of a month to be determined by the board, and shall upon that day be qualified for full additional benefits.

(7) A person whose application was approved under subsection (4) (b) and who has lodged with the board notice of his agreement referred to in subsection (5) becomes a contributor on the first day of a month to be determined by the board, and shall upon that day be qualified for partial, but not full, additional benefits.

(8) A person whose application was approved under subsection (4) (c) and who has lodged with the board notice of his agreement referred to in subsection (5) becomes a contributor on the first day of a month to be determined by the board, and shall not be qualified for full or partial additional benefits.

(9) Where a person referred to in subsection (1) becomes a contributor, the board, upon his becoming a contributor, shall—

- (a) transfer the amount standing to that person's credit in the Provident Fund to the Pension Fund;
- (b) cause any insurance policies referred to in subsection (1) (b) to be surrendered or cancelled;

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SCHEDULE 1—*continued.*

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- (c) pay the proceeds of the surrender or cancellation to the Pension Fund; and
- (d) of the amounts transferred or paid under paragraph (a) or (c)—
 - (i) credit 50 per centum to his servant's account in the Pension Fund; and
 - (ii) credit 50 per centum to the general reserve (if he is in the service of a general employer) or to the special reserve (if he is in the service of a special employer).

(10) A servant shall not, except with the approval of the board, be entitled to make more than one application under this section.

Elections and applications by contributors to Benefits Fund to come under this Part.

15AQ. (1) Within the period commencing on and including the date of commencement of this Part and ending on and including 31st December, 1977, or within such further period as the Governor may, by proclamation published in the Gazette before 1st January, 1978, allow, a permanent servant, in respect of whom contributions are, when he makes the application referred to in this subsection, being made under Part IIIB to the Benefits Fund, may, in a form approved by the board—

- (a) apply to have transferred to the Pension Fund the amount standing to his credit in the Benefits Fund; and

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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- (b) if, when he makes the application under paragraph (a)—
- (i) qualified for additional death benefits and additional disablement benefits under Part IIIB—elect to come under the provisions of this Part; or
 - (ii) not so qualified—apply to come under the provisions of this Part.

(2) A person who makes an election under subsection (1) (b) (i), and who was, when he made the election, qualified for additional death benefits and additional disablement benefits under Part IIIB, becomes a contributor on the first day of a month to be determined by the board, and shall upon that day be qualified for full additional benefits.

(3) An applicant under subsection (1) (b) (ii) shall furnish to the board with his application such details of his medical and personal history as are provided for in the form on which he makes the application.

(4) The board may, by notice in writing, require an applicant referred to in subsection (3) to submit himself for such medical examination or examinations as the board may determine.

(5) The board shall consider any details of the medical and personal history of an applicant referred to in subsection (3) submitted by him and the results of any medical examination referred to in subsection (4) and shall, as it thinks fit—

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

- (a) decide that the applicant shall be qualified for full additional benefits;
- (b) approve of the application subject to the condition that the applicant shall be qualified for partial, but not full, additional benefits; or
- (c) approve of the application subject to the condition that the applicant shall not be qualified for either such benefits.

(6) Where it approves of an application referred to in subsection (5) subject to the condition—

- (a) that the applicant shall be qualified for partial, but not full, additional benefits; or
- (b) that the applicant shall not be qualified for either such benefits,

the board shall, by notice in writing, inform the applicant of its decision, and if the applicant does not, in writing, and within 21 days after the date of the notice, or such further period not exceeding one month as the board may, whether before or after the expiration of that period of 21 days, determine, lodge with the board notice of his agreement to that condition, his application to come under the provisions of this Part shall be deemed to have lapsed.

(7) A person in respect of whom a decision is made under subsection (5) (a) becomes a contributor on the first day of a month to be determined by the board, and shall upon that day be qualified for full additional benefits.

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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(8) A person whose application has been approved under subsection (5) (b) and who has lodged with the board notice of his agreement referred to in subsection (6) becomes a contributor on the first day of a month to be determined by the board, and shall upon that day be qualified for partial, but not full, additional benefits.

(9) A person whose application has been approved under subsection (5) (c) and who has lodged with the board notice of his agreement referred to in subsection (6) becomes a contributor on the first day of a month to be determined by the board, and shall not be qualified for full or partial additional benefits.

(10) Where a person referred to in subsection (1) becomes a contributor, the board, upon his becoming a contributor, shall—

- (a) transfer the amount standing to that person's credit in the Benefits Fund to the Pension Fund;
- (b) of an amount equal to the amounts (if any) transferred or paid to that person's servant's account in the Benefits Fund under section 15K (3) (b) or (c) or section 15L (9) (a) or (c)—
 - (i) credit 50 per centum to his servant's account in the Pension Fund; and

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- (ii) credit 50 per centum to the general reserve (if he is in the service of a general employer) or to the special reserve (if he is in the service of a special employer); and
- (c) of the amount transferred under paragraph (a), other than so much thereof as is dealt with under paragraph (b)—
 - (i) credit 40 per centum to his servant's account in the Pension Fund; and
 - (ii) credit 60 per centum to the general reserve (if he is in the service of a general employer) or to the special reserve (if he is in the service of a special employer).

(11) A servant shall not, except with the approval of the board, be entitled to make more than one application under this section.

Applications
by certain
permanent
servants to
come under
this Part.

15AR. (1) A servant who, on 31st March, 1977, was, and has since continued to be, a permanent servant may, in a form approved by the board, apply, on or after 1st April, 1977, to come under the provisions of this Part if, when he makes the application, he is not a person in respect of whom contributions to the Benefits Fund are being paid.

(2) An applicant under subsection (1) shall furnish to the board with his application such details of his medical and personal history as are provided for in the form on which he makes the application.

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SCHEDULE 1—*continued.*

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(3) The board may, by notice in writing, require any such applicant to submit himself for such medical examination or examinations as the board may determine.

(4) The board shall consider any details of the medical and personal history of the applicant submitted by him and the results of any medical examination referred to in subsection (3) and shall, as it thinks fit—

- (a) decide that the applicant shall be qualified for full additional benefits;
- (b) approve of the application subject to the condition that the applicant shall be qualified for partial, but not full, additional benefits; or
- (c) approve of the application subject to the condition that the applicant shall not be qualified for either such benefits.

(5) Where it approves of the application subject to the condition—

- (a) that the applicant shall be qualified for partial, but not full, additional benefits; or
- (b) that the applicant shall not be qualified for either such benefits,

the board shall, by notice in writing, inform the applicant of its decision, and if the applicant does not, in writing, and within 21 days after the date of the notice, or such further period not exceeding one

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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month as the board may, whether before or after the expiration of that period of 21 days, determine, lodge with the board notice of his agreement to that condition, his application to come under the provisions of this Part shall be deemed to have lapsed.

(6) A person in respect of whom a decision is made under subsection (4) (a) becomes a contributor on the first day of a month to be determined by the board, and shall upon that day be qualified for full additional benefits.

(7) A person whose application was approved under subsection (4) (b) and who has lodged with the board notice of his agreement referred to in subsection (5) becomes a contributor on the first day of a month to be determined by the board, and shall upon that day be qualified for partial, but not full, additional benefits.

(8) A person whose application was approved under subsection (4) (c) and who has lodged with the board notice of his agreement referred to in subsection (5) becomes a contributor on the first day of a month to be determined by the board, and shall not be qualified for full or partial additional benefits.

(9) Where an application is made by a servant under subsection (1), the operation of the provisions of Part III B in relation to that servant is suspended—

- (a) where the board makes a decision referred to in subsection (4) (a) in relation to that servant, until he becomes a contributor; or

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

- (b) where the board approves his application under subsection (4) (b) or (c), until—
- (i) he becomes a contributor;
 - (ii) he lodges with the board notice of his refusal to agree to the condition imposed by the board; or
 - (iii) the expiration of one month after the period of 21 days referred to in subsection (5),

whichever first occurs.

(10) A servant shall not, except with the approval of the board, be entitled to make more than one application under this section.

15AS. (1) A servant who has attained the age of 65 years may not become a contributor. Restrictions on becoming contributors.

(2) A servant may not become a contributor before 1st April, 1977.

15AT. (1) A contributor who is qualified for partial, but not full, benefits or who is qualified for neither such benefits may, in a form approved by the board, apply to the board to have his case reviewed under this section. Applications for additional benefits by contributors.

(2) An applicant under subsection (1) shall furnish to the board with his application such details of his medical and personal history as are provided for in the form on which he makes the application.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

(3) The board may, by notice in writing, require any such applicant to submit himself for such medical examination or examinations as the board may determine.

(4) The board shall consider any details of the medical and personal history of the applicant submitted by him and the results of any medical examination referred to in subsection (3) and shall, as it thinks fit—

- (a) refuse the application;
- (b) where the applicant is qualified for partial, but not full, additional benefits—determine that he is qualified for full additional benefits; or
- (c) where the applicant is qualified for neither such benefits—determine that he is—
 - (i) qualified for partial, but not full, additional benefits; or
 - (ii) qualified for full additional benefits.

(5) A determination under subsection (4) (b) or (c) shall take effect from such date, not being earlier than the date of the determination, as may be specified by the board in the determination.

(6) A contributor is not entitled to make more than one application under this section in any period of 3 years.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

DIVISION 3.—*Contributions.*

15AU. (1) A contributor—

Servant's
contribu-
tions.

(a) shall contribute to the Pension Fund at such rate, being an approved rate (as referred to in subsection (2) (a)); and

(b) may, if he became a contributor under section 15AO, 15AP or 15AQ, contribute to the Pension Fund at such additional rate, being an approved rate (as referred to in subsection (2) (b)),

as he specifies in an election for the time being in force under this section.

(2) For the purposes of—

(a) subsection (1) (a)—an approved rate is 2, 3, 4, 5 or 6 per centum of the contributor's salary; and

(b) subsection (1) (b)—an approved rate is 1, 2 or 3 per centum of the contributor's salary.

(3) A servant who elects or applies to come under the provisions of this Part may furnish to the board with that election or application, or within such period thereafter as is acceptable to the board, an election, in a form approved by the board, specifying the rate (including, where relevant, any additional rate) at which he desires to commence contributing to the Pension Fund.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(4) A servant (other than a servant who elects or applies to come under the provisions of this Part) who is not a contributor may furnish to the board an election, in a form approved by the board, specifying the rate at which he desires to commence contributing to the Pension Fund as on and from the date on which, by virtue of the operation of section 15AN (3), he becomes a contributor, but such an election shall be deemed not to have been furnished to the board if it does not take effect within one year after it has been received by the board.

(5) A servant who does not furnish an election in accordance with subsection (3) or (4) shall be deemed to have elected thereunder to contribute to the Pension Fund at the rate of 2 per centum of his salary.

(6) A servant's election under subsection (3) or (4) that has taken effect remains in force until an election made by him under subsection (7) takes effect.

(7) A contributor may, between 1st April and 31st December (both inclusive) in any year, furnish to the board an election, in a form approved by the board, specifying the rate (including, where relevant, any additional rate) at which he desires to contribute to the Pension Fund as on and from 1st April in the next year.

(8) A contributor's election under subsection (7) that has taken effect remains in force until another election made by him under that subsection takes effect.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

(9) A servant's election under subsection (3) or (4) takes effect on and from the date on which he becomes a contributor.

(10) A contributor's election under subsection (7) takes effect on and from 1st April in the year following that in which it was made.

(11) If the board so approves, a person may vary an election made by him under this section before the election takes effect.

15AV. (1) Except as provided in this section, a contributor's contributions to the Pension Fund during a superannuation year shall be based on the rate of salary being paid to him, by the employer by whom he is employed, at the preceding 31st December or at the date on which he last became a servant of that employer (whichever is the later). Salary basis on which servant's contributions calculated.

(2) A contributor's contributions to the Pension Fund during the superannuation year in which he becomes a contributor shall be based on the rate of salary being paid to him, by the employer by whom he is employed, at the date on which he becomes a contributor, at the preceding 31st December or at the date on which he last became a servant of that employer (whichever is the latest).

(3) Where a person becomes a contributor between 1st January and the next following 31st March (both inclusive), his contributions to the Pension Fund during the next superannuation year

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

shall be based on the rate of salary being paid to him, by the employer by whom he is employed, at the date on which he becomes a contributor, at the preceding 31st December or at the date on which he last became a servant of that employer (whichever is the latest).

Employer's
contri-
butions.

15AW. (1) Where a servant of a general employer is a contributor, the employer shall contribute to the Pension Fund—

- (a) an amount equal to one and one-half times the contributions payable by the contributor while he is a servant of the employer; and
- (b) an additional amount equal to 2 per centum per annum of the contributor's salary.

(2) Where a servant of a special employer is a contributor, the employer shall contribute to the Pension Fund at the rate of $5\frac{1}{4}$ per centum per annum (or at such other rate as the Treasurer may from time to time determine) of the contributor's salary.

(3) The contributions of an additional amount under subsection (1) and the contributions payable under subsection (2) shall be based on the rate of salary on which the contributions of the contributor concerned are based under section 15AV.

Payment of
contri-
butions.

15AX. (1) Contributions to the Pension Fund shall be calculated on a monthly basis, and the contributions payable in respect of a month shall be paid to the board within 7 days after the last day of the month to which they relate.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

(2) Contributions to the Pension Fund—

- (a) by a person who was a servant for a part, but not the whole, of a month are payable only for that part of the month during which he was a servant; or
- (b) by an employer in respect of a person who was a servant of that employer for a part, but not the whole, of a month are payable only for that part of the month during which he was a servant of that employer,

and, for the purposes of this subsection, contributions to the Pension Fund shall be calculated on a daily basis.

(3) A contributor's contributions to the Pension Fund are payable to the board by the employer by whom he is employed, and the employer is entitled to deduct the contributor's contributions from any amount or amounts that may become due to him by way of salary or otherwise.

15AY. (1) The board may, in any particular case, charge interest calculated on a daily basis, at a rate to be prescribed, in respect of any contribution to the Pension Fund which is not paid within the period prescribed by section 15AX. ^{Interest payable.}

(2) Any interest so charged shall be paid to the board by the employer by whom the unpaid amount was payable and shall not be chargeable by the employer against any servant.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

DIVISION 4.—*Local Government Pension Fund.*

**Local
Government
Pension
Fund.**

15AZ. There shall be established a Local Government Pension Fund which shall consist of—

- (a) all amounts received by the board or transferred to the Pension Fund pursuant to section 15AO (3);
- (b) all amounts transferred to the Pension Fund or received by the board pursuant to section 15AP (9);
- (c) all amounts transferred to the Pension Fund pursuant to section 15AQ (10);
- (d) all contributions received or receivable by the board in respect of a contributor;
- (e) all income received on any investments belonging to the Pension Fund; and
- (f) profits derived from the sale of any investments belonging to the Pension Fund.

**Application
of Pension
Fund.**

15BA. (1) The Pension Fund shall be applied by the board to the following purposes, that is to say—

- (a) the transfer to the Management Account of such amounts as the board thinks fit towards the management expenses of the board;
- (b) the payment of any amounts payable by the board pursuant to this Part; and
- (c) the transfer to the Contingent Account of such amounts as the board may determine.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(2) Moneys in the Pension Fund held uninvested by the board may be lodged either at call or on fixed deposit, or partly at call and partly on fixed deposit, with the Treasurer, or with any bank, and while so lodged in a bank shall be deemed to be moneys of the Crown.

15BB. (1) There shall be maintained, in the Pension Fund, a separate account in respect of each contributor to which shall be credited any moneys to be credited to that contributor's servant's account in accordance with section 15AO (3), 15AP (9) or 15AQ (10), and all contributions paid or payable by the contributor pursuant to this Part. ^{Servant's} _{account.}

(2) At the end of each superannuation year, or as soon thereafter as practicable, the board shall credit each servant's account with interest at a rate determined in respect of that year by the board, calculated on the total amount at credit in each such account at the end of that year, and shall debit each such account with—

- (a) where the servant is qualified for full or partial additional benefits, the amount assessed by the board as the contribution payable in respect of that year by that servant for those benefits; and
- (b) any amount paid to or in respect of that contributor under this Part.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

General
and
special
reserves.

15BC. (1) There shall be maintained in the Pension Fund a separate account (to be called the "general reserve") in respect of the moneys to be credited to the general reserve in accordance with section 15AO (3), 15AP (9) or 15AQ (10), and all contributions paid or payable by general employers pursuant to section 15AW (1).

(2) There shall be maintained in the Pension Fund a separate account (to be called the "special reserve") in respect of the moneys to be credited to the special reserve in accordance with section 15AO (3), 15AP (9) or 15AQ (10), and all contributions paid or payable by special employers pursuant to section 15AW (2).

(3) At the end of each superannuation year, or as soon thereafter as practicable, the board shall credit the general reserve and the special reserve with interest at the rate determined in respect of that year for the purposes of section 15BB (2), calculated on the total amount at credit in each such reserve at the end of that year, and shall debit each such reserve with an amount calculated in such manner as the board may determine to cover the amounts referred to in section 15BA (1) (a) and (b).

(4) Where a servant of a general employer becomes a servant of a special employer, there shall be transferred from the general reserve to the special reserve an amount equal to the amounts credited to the general reserve in respect of the servant.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(5) Where a servant of a special employer becomes a servant of a general employer, there shall be transferred from the special reserve to the general reserve an amount equal to the amount that would have been credited to the general reserve in respect of the servant had his service with any employers always been service with general employers.

(6) Where a servant of a special employer is paid, or is entitled to be paid, the total amount standing to his credit in his servant's account in the Pension Fund under section 15BL (2), the board shall pay to the special employer the amount credited to the special reserve in respect of the servant.

(7) Where an amount is to be transferred or paid from the general reserve or the special reserve under subsection (4), (5) or (6), the amount shall be—

- (a) increased by such amount as the board thinks fit in respect of interest credited or to be credited under subsection (3) to the reserve; and
- (b) reduced by such amount as the board thinks fit in respect of amounts by which the reserve was or is to be debited under subsection (3).

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

Payment of
benefits
from the
reserves.

15BD. (1) Where a benefit is payable to or in respect of a former contributor, the benefit is payable from—

- (a) if the former contributor was, immediately before he ceased to be a contributor, a servant of a general employer—the general reserve; or
- (b) if the former contributor was, immediately before he ceased to be a contributor, a servant of a special employer—the special reserve,

but nothing in this subsection applies in relation to the payment required by this Part of the total amount standing to the credit of the former contributor in his servant's account in the Pension Fund.

(2) If the amount standing to the credit of the special reserve is insufficient to meet the amounts payable under this Part from the special reserve, the deficiency shall be recouped from the Consolidated Revenue Fund, which is, to the necessary extent, hereby accordingly appropriated.

DIVISION 5.—*Benefits.*

Accrued
pension
points.

15BE. (1) For the purposes of this Division, a contributor accrues one-twelfth of a pension point for each one per centum of his salary contributed by him under section 15AU for a whole month.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(2) Notwithstanding subsection (1), where a contributor contributes to the Pension Fund at an additional rate or additional rates referred to in section 15AU, the maximum number of pension points that he may accrue in respect of that rate or those rates shall be the number ascertained in accordance with the following formula:—

$$N = \frac{6M}{12} - A$$

where—

N represents the maximum number of pension points that he may so accrue;

M represents the number of whole months during which he was the holder of one or more current insurance policies or for which contributions were being paid in respect of him to the Provident Fund or the Benefits Fund; and

A represents the additional number (if any) of pension points that he has under subsection (3).

(3) For the purposes of this Division, a person who becomes a contributor under section 15AO, 15AP or 15AQ shall be deemed to have accrued such additional number of pension points as the board, having regard to the information available to it, determines that he has accrued in accordance with one or more of the clauses of Schedule C.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(4) The maximum number of accrued pension points that a contributor may have is 240.

(5) The board may round off the number of a contributor's accrued pension points to one or more decimal places, as it thinks fit.

(6) For the purposes of this Division and Schedule C, no regard shall, in relation to a contributor, be had to—

- (a) any insurance policy if the moneys payable in respect of its surrender or cancellation under section 15AO, 15AP or 15AQ are not credited to the contributor's servant's account in the Benefits Fund or Pension Fund, as the case may require; or
- (b) any contributions to the Provident Fund or Benefits Fund if they have been paid to the contributor or refunded.

Attaining
age of 65.

15BF. (1) In this section, "the former contributor" means a person who attains the age of 65 years and who was a contributor immediately before he attained that age.

(2) Subject to section 15BW, the board shall pay to the former contributor the total amount standing to his credit in his servant's account in the Pension Fund.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(3) The board shall also pay to the former contributor a pension, calculated in accordance with the following formula :—

$$B = \frac{0.14 \times F}{100} \times A$$

where—

B represents the pension, expressed at an annual rate;

F represents the former contributor's final average salary; and

A represents the former contributor's accrued pension points.

15BG. (1) In this section, "the former contributor" means a person—

- (a) who ceases (otherwise than by reason of his death) to be a servant on or after the day on which he attains the age of 60 years but before the day on which he attains the age of 65 years;
- (b) who was a contributor immediately before he so ceased to be a servant; and
- (c) who is not entitled to any benefits under section 15H.

Retirement at or over age 60, but under age 65.

(2) Subject to section 15BW, the board shall pay to the former contributor the total amount standing to his credit in his servant's account in the Pension Fund.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(3) The board shall also pay to the former contributor a pension calculated in the manner set out in section 15BF (3), but the pension shall be reduced—

- (a) if, on or before the day on which he ceased to be a servant, he had not attained the age of 61 years—by $12\frac{1}{2}$ per centum;
- (b) if, on or before that day, he had attained the age of 61 years but not 62 years—by 10 per centum;
- (c) if, on or before that day, he had attained the age of 62 years but not 63 years—by $7\frac{1}{2}$ per centum;
- (d) if, on or before that day, he had attained the age of 63 years but not 64 years—by 5 per centum; or
- (e) if, on or before that day, he had attained the age of 64 years—by $2\frac{1}{2}$ per centum.

Total and permanent disablement.

15BH. (1) In this section, “the former contributor” means a person—

- (a) who resigns or is dismissed from the service of an employer;
- (b) who had not attained the age of 65 years on or before the date of his resignation or dismissal;

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

- (c) whose resignation or dismissal was, in the opinion of the board, due directly or indirectly to his total and permanent disablement (physical or mental), not caused by his act or default intended by him to produce that disablement; and
- (d) who was a contributor immediately before his resignation or dismissal.

(2) Subject to section 15BW, the board shall pay to the former contributor—

- (a) the total amount standing to his credit in his servant's account in the Pension Fund; and
- (b) if he was qualified for full or partial additional benefits—a lump sum calculated in accordance with the following formula :—

$$L = \frac{S \times P}{100}$$

where—

L represents the lump sum so payable;

S represents the annual rate of salary actually payable to the former contributor at the time of his resignation or dismissal; and

P represents the number of the former contributor's potential pension points (reduced by one-half if he was qualified for partial, but not full, additional benefits).

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(3) The board shall also pay to the former contributor a pension at the annual rate determined in accordance with the following formula :—

$$B = \frac{0.14 \times S}{100} \times (A + P)$$

where—

B represents the annual rate of pension;

S represents the annual rate of salary actually payable to the former contributor at the date of his resignation or dismissal;

A represents the number of the former contributor's accrued pension points; and

P represents—

- (a) if the former contributor was qualified for full additional benefits—the number of his potential pension points;
- (b) if the former contributor was qualified for partial, but not full, additional benefits—the number of his potential pension points, reduced by one-half;
or
- (c) if the former contributor was qualified for neither full nor partial additional benefits—nil.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

15BI. (1) In this section, “the former contributor” means a person—

Partial and
permanent
disable-
ment.

- (a) who resigns or is dismissed from the service of an employer;
- (b) who had not attained the age of 60 years on or before the date of his resignation or dismissal;
- (c) whose resignation or dismissal was, in the opinion of the board, due directly or indirectly to his partial (but not total) and permanent disablement (physical or mental), not caused by his act or default intended by him to produce that disablement; and
- (d) who was a contributor immediately before his resignation or dismissal.

(2) Subject to section 15BW, the board shall pay to the former contributor—

- (a) the total amount standing to his credit in his servant’s account in the Pension Fund; and
- (b) a lump sum calculated in accordance with the following formula :—

$$L = \frac{1.26 \times S}{100} \times A$$

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

where—

L represents the lump sum so payable;

S represents the annual rate of salary actually payable to the former contributor at the time of his resignation or dismissal; and

A represents the number of the former contributor's accrued pension points.

Retrenchment after 10 years as a contributor.

15BJ. (1) In this section, "the former contributor" means a person—

- (a) who is retrenched by an employer after 10 or more years' approved service;
- (b) who had not attained the age of 60 years on or before the date of his retrenchment;
- (c) who was a contributor immediately before his retrenchment; and
- (d) who is not entitled to any benefits under section 15BH or 15BI.

(2) Subject to section 15BW, the board shall pay to the former contributor—

- (a) the total amount standing to his credit in his servant's account in the Pension Fund; and
- (b) a lump sum calculated in accordance with the following formula :—

$$L = \frac{1.26 \times S}{100} \times A$$

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

where—

L represents the lump sum so payable;

S represents the annual rate of salary
actually payable to the former con-
tributor at the time of his retrench-
ment; and

A represents the number of the former
contributor's accrued pension points.

15BK. (1) In this section, "the former contributor"
means a person—

- (a) who ceases (otherwise than by reason of his death or retrenchment) to be a servant after 10 or more years' approved service;
- (b) who had not attained the age of 60 years on or before the date on which he ceased to be a servant;
- (c) who was a contributor immediately before he ceased to be a servant; and
- (d) who is not entitled to any benefits under section 15BH or 15BI.

Resignation
or dismissal
after 10
years as a
contributor.

(2) Subject to section 15BW, the board shall
pay to the former contributor—

- (a) the total amount standing to his credit in his servant's account in the Pension Fund; and

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

- (b) a lump sum calculated in accordance with the following formula :—

$$L = \frac{2.5 \times T}{100} \times Y$$

where—

L represents the lump sum so payable;

T represents the total amount referred to in paragraph (a); and

Y represents the number of the former contributor's completed periods of 12 months of approved service.

Resignation,
dismissal or
retrenchment
with less
than 10
years
as a con-
tributor.

15BL. (1) In this section, "the former contributor" means a person—

- (a) who ceases (otherwise than by reason of his death) to be a servant after less than 10 years' approved service;
- (b) who had not attained the age of 60 years on or before the date on which he ceased to be a servant;
- (c) who was a contributor immediately before he ceased to be a servant; and
- (d) who is not entitled to any benefits under section 15BH or 15BI.

(2) Subject to section 15BW, the board shall pay to the former contributor the total amount standing to his credit in his servant's account in the Pension Fund.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

- 15BM. (1) In this section, “the former contributor” means a person—
- Death
during
service,
leaving
widow.
- (a) who dies while he is a servant;
 - (b) who was a contributor immediately before his death; and
 - (c) who leaves a widow.

(2) Subject to section 15BW, the board shall, on application in writing in a form approved by the board made to the board by the widow of the former contributor, pay to that widow—

- (a) the total amount standing to the former contributor’s credit in his servant’s account in the Pension Fund; and
- (b) if the former contributor was qualified for full or partial additional benefits—a lump sum calculated in accordance with the following formula :—

$$L = \frac{S \times P}{100}$$

where—

- L represents the lump sum so payable;
- S represents the annual rate of salary actually payable to the former contributor at the date of his death;
- and

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

P represents the number of the former contributor's potential pension points (reduced by one-half if the contributor was qualified for partial, but not full, additional benefits).

(3) The board shall also, on application in writing in a form approved by the board made to the board by the widow of the former contributor, pay to the widow a pension at the annual rate determined in accordance with the following formula :—

$$B = \frac{62.5 \times 0.14 \times S}{100} \times (A + P)$$

where—

B represents the annual rate of pension ;

S represents the annual rate of salary actually payable to the former contributor at the date of his death ;

A represents the number of the former contributor's accrued pension points ; and

P represents—

- (a) if the former contributor was qualified for full additional benefits—the number of his potential pension points ;
- (b) if the former contributor was qualified for partial, but not full, additional benefits—the number of his potential pension points, reduced by one-half ; or

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

- (c) if the former contributor was qualified for neither full nor partial additional benefits—nil.

15BN. (1) In this section, “the former contributor” means a person—

- (a) who dies while he is a servant;
- (b) who was a contributor immediately before his death; and
- (c) who was a woman or (at the time of his death) an unmarried man.

Death during service of woman, or man not leaving widow.

(2) Subject to sections 15BW and 17BA, the board shall, on application in writing in a form approved by the board made to the board by the personal representative of the former contributor, pay to that personal representative—

- (a) the total amount standing to the former contributor’s credit in his servant’s account in the Pension Fund; and
- (b) if the former contributor had completed 10 or more years’ approved service—a lump sum calculated in accordance with the following formula :—

$$L = \frac{2.5 \times T}{100} \times Y$$

where—

L represents the lump sum so payable;

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

T represents the total amount referred to
in paragraph (a); and

Y represents the number of the former
contributor's completed periods of
12 months of approved service.

Widow of
pensioner
entitled
to pension.

15BO. (1) Subject to subsection (2) and section 15BR, if a pensioner dies leaving a widow, the board shall pay to the widow a pension at the rate of 62½ per centum of the rate at which her late husband was receiving or entitled to receive a pension at the time of his death.

(2) Where a pensioner under section 15BF, 15BG or 15BH marries after becoming entitled to a pension, a pension is not, upon his death, payable to his widow.

(3) Subsection (2) does not apply to or in respect of the widow if the pensioner, after marrying her, again became a servant and a contributor.

Children's
pensions.

15BP. (1) Where a male contributor or a male pensioner dies leaving dependent children, the board shall pay a pension in respect of each such child to the deceased's widow or the child's guardian or may expend the pension for the benefit of the child in such manner as is determined by the board.

(2) Where a pension is payable under section 15BM or 15BO to the widow of a former contributor, she is entitled to so much only of any

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

pensions under this section as will, when added to her pension, not exceed the pension that would have been payable to her husband had he not died and, if a pension is payable under section 15BM, had he been entitled to a pension calculated in accordance with section 15BH (3) (b).

(3) A pension under this section payable to the widow of a former contributor shall continue to be payable notwithstanding the widow's remarriage, but upon her remarriage subsection (2) ceases to apply to the pension.

(4) A pension under this section in respect of a child is payable only while he is a dependent child.

(5) Where a pensioner under section 15BF, 15BG or 15BH marries after becoming entitled to the pension, a pension is not, upon his death, payable in respect of his widow's children who are not children of that marriage.

(6) Subsection (5) does not apply to the children of a widow if the pensioner, after marrying her, again became a servant and a contributor.

15BQ. The pension payable under section 15BP in respect of a dependent child shall be paid at the rate of— Rate of children's pensions.

- (a) in the case of a child whose mother is alive—\$4 per week or, where some greater amount is prescribed, that greater amount per week; or

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*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

- (b) in the case of a child whose mother is dead—\$10 per week or, where some greater amount is prescribed, that greater amount per week.

Conversion
of lump
sum to
pension.

15BR. (1) A person may, in a form approved by the board, elect to convert to pension the whole or part of an amount payable, on or after attaining the age of 60 years, to him under section 15BF (2), 15BG (2) or 15BH (2).

(2) An election under this section must—

- (a) in the case of an amount payable to a person under section 15BF (2) or 15BG (2)—be received in the office of the board before the person concerned ceases to be a servant; or
- (b) in the case of an amount payable to a person under section 15BH (2)—be received in the office of the board within 3 calendar months (or within such further period as the board may in special circumstances allow) after he became totally and permanently disabled.

(3) A male contributor may elect to convert an amount to pension at the appropriate rate in Column 2 or 3 of Schedule D, and the rate at which an amount may be converted to pension by a woman contributor is the appropriate rate in Column 4 of that Schedule.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(4) As from the time when a pension becomes payable to a person who makes an election in accordance with this section, the board shall pay him an additional pension, calculated in accordance with the following formula :—

$$B = \frac{L}{C}$$

where—

B represents the pension, expressed at an annual rate;

L represents the amount to be converted to pension;
and

C represents the appropriate number in Column 2, 3 or 4 of Schedule D, having regard to the person's age as from when the pension becomes payable, and to whether the person is a man or a woman.

(5) An additional pension payable to a male contributor who elects to convert at the appropriate rate in Column 2 of Schedule D shall be disregarded for the purposes of section 15BO.

(6) A person may, with the consent of the board, withdraw an election under this section, if additional pension has not been paid pursuant to the election

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

(7) An election under this section shall be deemed to have lapsed if additional pension has not been paid pursuant to the election within one year after the election was received in the office of the board.

Payment of pensions.

15BS. (1) Except where otherwise expressly provided, a pension under this Part is payable during the life of the person entitled thereto.

(2) A pension payable under section 15BM or 15BO to a widow is not payable in respect of any period during which she is married.

Pensions payable fortnightly.

15BT. Pensions are payable by equal fortnightly instalments.

Adjustment of pensions.

15BU. (1) A regulation may, in the manner or manners specified therein, increase or decrease pensions payable to persons under this Act when the regulation takes effect.

(2) Notwithstanding subsection (1), a pension shall not be reduced below the fortnightly amount that would, if this section had not been enacted, have been payable.

(3) Without affecting the operation of section 15BQ, subsection (1) does not apply to a pension payable under section 15BP in respect of a dependent child.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

15BV. (1) A person who became a contributor under section 15AO, 15AP, 15AQ or 15AR may elect to commute his pension to a lump sum in accordance with this section. Commu-
tation
of certain
pensions.

(2) The former contributor may commute so much of the annual rate of his pension (payable to him upon his ceasing to be a contributor) as, when multiplied by—

- (a) except in the case of a person referred to in paragraph (b)—the appropriate multiplier in Schedule E; or
- (b) in the case of a person entitled to a pension under section 15BH—9.00,

does not exceed the amount referred to in subsection (3).

(3) For the purposes of subsection (2), the amount which a lump sum is not to exceed is the sum of the following amounts :—

- (a) the amount credited to the general reserve or the special reserve under section 15AO (3), 15AP (9) or 15AQ (10) in respect of the former contributor; and
- (b) an amount, in respect of each superannuation year since he became a contributor, equal to—
 - (i) $5\frac{1}{4}$ per centum of his salary, based on the rate of salary on which his contributions were based under section 15AV in respect of that year;
 or

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Amendment.*

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

- (ii) one and one-half times the contributions paid or payable by him in respect of that year,

whichever is the lesser.

(4) Where the former contributor ceases to be a contributor on or before 31st March, 1984, he may also commute a percentage of the annual rate of his pension (as reduced by an amount equal to that commuted under subsection (2)), that percentage being the percentage specified in Column 2 of Schedule F opposite the superannuation year, specified in Column 1 of that Schedule, in which he ceased to be a contributor.

(5) Where, but for this subsection, the amount of pension payable to the former contributor would not exceed \$20 per week immediately after the commutation takes effect, he may also commute the remaining portion of his pension.

(6) Where a pension or part of a pension is to be commuted under this section, the lump sum payable on the commutation is the amount obtained by multiplying the annual rate of the pension or part by the appropriate multiplier in Schedule E.

(7) The lump sum referred to in subsection (6) shall be reduced by so much of the amount of pension payments already made as is referable to the commuted pension.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(8) An election to commute a pension must be made on a form approved by the board and must be received in the office of the board within 3 months before or within 3 months after the former contributor ceases to be a contributor.

(9) The former contributor may elect to commute less than the amount of pension which he is entitled to commute in accordance with this section.

(10) An election under this section does not take effect until the expiration of such period as the board determines after the election is received in the office of the board, but in no case before the person making the election ceases to be a contributor.

(11) Where an election under this section takes effect and the former contributor dies before the lump sum payable pursuant to the election has been paid to him, the board shall pay the lump sum to his personal representatives.

(12) A person may not make more than one election under this section unless the board, in special circumstances, approves.

(13) To the extent that a pension is commuted, the pension is thereafter not payable.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(14) Where, had a pension not been commuted by a former contributor, a pension would be payable to his widow—

- (a) a pension is payable to the widow in all respects as if he had not commuted his pension; and
- (b) the former contributor shall, for the purposes of this Part, be deemed to have been receiving or entitled to receive a pension at the time of his death at the rate at which it would have been payable but for the commutation.

(15) A reference in this section to—

- (a) the commutation of a pension includes a reference to the commutation of part of a pension; and
- (b) the appropriate multiplier in Schedule E is a reference to the multiplier specified in Column 2 (in the case of a man) or Column 3 (in the case of a woman) of that Schedule that is opposite the age in years specified in Column 1 of that Schedule of the former contributor when the former contributor ceased to be a contributor.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

DIVISION 6.—*Miscellaneous.*

15BW. (1) Where a person becomes entitled under this Part to the payment of the amount standing to the credit of a former contributor's servant's account in the Pension Fund, the board shall before making the payment—

Board to
certify
amount of
lump sum
due.

- (a) make such adjustments to the servant's account from which the payment or any part of the payment is to be made as it considers necessary by reason of any unpaid liability to the board of the employer or the former contributor concerned, by reason of any transfers to or from the servant's account concerned required to be made but not made or by reason of the payment in advance of any amounts paid by an employer or for any other reason that the board thinks fit;
- (b) credit to that servant's account such amount as the board thinks fit in respect of interest for the period from the commencement of the superannuation year in which the payment is to be made to the proposed date of payment; and
- (c) certify the amount payable as a lump sum under this Part, after any such adjustments have been made or the servant's account has been so credited.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(2) The amount certified by the board under subsection (1) (c) shall be the amount payable as the amount standing to the credit of a former contributor's servant's account in the Pension Fund.

**Benefits
not to be
assignable,
etc.**

15BX. Benefits under this Part and other payments from the Pension Fund shall not be in any way assigned or charged or passed by operation of law to any person other than the person who is entitled thereto under this Act or his personal representative, nor shall any such benefits or payments be assets for the payment of the debts or liabilities of the first-mentioned person.

**Payment
where
beneficiary
incapable.**

15BY. (1) Where a person to whom a benefit under this Part is payable is, in the opinion of the board, incapable of administering his own affairs by reason of his illness, imprisonment or any other cause, the board may pay the benefit to some other person to be applied wholly for the care, maintenance, benefit and support of the person to whom, but for the provisions of this section, the benefit would be payable, or of any person dependent on him.

(2) Any payment made under subsection (1) shall be deemed to have been made to the person entitled to the benefit.

Applications

15BZ. Unless the board otherwise determines, a benefit (other than a benefit payable on an election) is not payable under this Part except on application made to the board on a form approved by the board.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

15CA. (1) Where the board is satisfied, on an application in writing made to the board by a contributor on a form approved by the board, that he has ceased, or is to cease, to be employed in the service of an employer (in this section referred to as "the first employer") and proposes to enter, within a reasonable time, the service of the same or any other employer (in this section referred to, in either case, as "a second employer"), the board may approve of the retention in that contributor's servant's account, for such period as may be specified in the approval, of the moneys standing to his credit in that account.

Broken
service.

(2) An application under subsection (1) may be made by the contributor at any time before he ceases to be employed in the service of the first employer or within 21 days after he so ceases to be employed.

(3) An approval under subsection (1) may be given subject to such terms and conditions relating to the payment by the contributor—

(a) of the contributions that would, had he not ceased to be employed in the service of the first employer, have been payable under this Part in respect of him during the period; or

(b) of the contributions paid in respect of him for the period,

commencing on the date on which he ceased to be employed and ending on the date on which he commences service with a second employer.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(4) The approval under subsection (1) shall cease to be in force if—

- (a) the contributor fails to comply with any of the terms and conditions referred to in subsection (3);
- (b) the contributor dies; or
- (c) the board cancels the approval (which the board is hereby authorised to do).

(5) From the date on which the approval under subsection (1) is given until the approval ceases to be in force or until the contributor enters the service of a second employer, whichever first occurs, no benefits are payable to the contributor under Division 5.

(6) Where the contributor has ceased to be employed in the service of the first employer and the approval under subsection (1) has ceased to be in force without his being employed in the service of a second employer, he shall, for the purposes of Division 5, be deemed to have continued (at the annual rate of salary payable to him immediately before he ceased to be employed) in the service of the first employer and to have left the service of the first employer when the approval ceased to be in force.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(7) Where the contributor has left the service of the first employer and, while the approval was in force, enters the service of a second employer—

- (a) no benefits are payable to the contributor under Division 5 by reason of his having left the service of the first employer;
- (b) the provisions of section 15AN do not apply to or in respect of the contributor upon his entering the service of the second employer; and
- (c) the board may make such determinations and give such directions as the board thinks fit with respect to such matters as the board considers necessary for the purpose of equitably adjusting the rights and liabilities of the contributor and of the employers concerned.

(8) Any determination or direction made by the board under subsection (6) has effect according to its tenor notwithstanding any other provision of this Act and shall be binding on the contributor and the employers concerned.

(9) Without affecting the generality of the foregoing provisions of this section, where a person has ceased to be a servant for a period and at the expiration of that period he has again become a servant, the board may, if it considers it proper to do so, and subject to such terms and conditions (if any)

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

as it thinks fit, treat, for the purposes of this Part, the period as a period during which that person was a servant, provided the period did not exceed 7 days.

**Fractions
of cents.**

15CB. Where the board is required to pay to a person as a benefit under this Part an amount that includes a fraction of a cent, the fraction shall be ignored and, where the fraction is one-half or more, the amount payable after ignoring the fraction shall be increased by one cent.

**Report to
Minister.**

15CC. At the end of each superannuation year or as soon thereafter as practicable, the board shall furnish a report to the Minister on such matters relating to the operation of this Part as the Minister may specify in a notice given by him to the board or as may be prescribed by the regulations.

**Actuarial
examination
of Pension
Fund.**

15CD. (1) An investigation of the Pension Fund shall be made as at 31st March, 1978, and thereafter as at the expiration of such periods (not exceeding 3 years) as the board thinks fit.

(2) Each investigation under subsection (1) shall be made by an actuary or actuaries appointed by the board for the purpose.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(3) An actuary who makes, or actuaries who make, an investigation referred to in subsection (1) shall report to the board the result of the investigation and shall state whether or not in his or their opinion any reduction or increase should be made in the levels of contributions payable to the Pension Fund.

(4) The board shall, not later than 2 months after it receives a report under subsection (3), forward the report to the Minister together with such comments thereon as it deems appropriate.

DIVISION 7.—*Alternative benefits.*

15CE. A council may not grant a gratuity under section 97 of the Principal Act to, or to the dependants of, a person who—

Gratuities
under sec.
97 of
Principal
Act.

- (a) on 31st March, 1977, was not but subsequently becomes a servant; or
- (b) on 31st March, 1977, was a servant and on or after that date ceased or ceases to be a servant, but after that date becomes a servant (whether of the same or a different employer).

15CF. (1) In this section—

“employer-financed benefits” means—

- (a) a pension payable under section 15BF (3), 15BG (3), 15BH (3) or 15BM (3); or

Where
gratuities
or untaken
sick leave
payable.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
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FUND SCHEME—*continued.*

- (b) a lump sum payable under section 15BI (2) (b), 15BJ (2) (b), 15BK (2) (b) or 15BN (2) (b);

“special sum” means the aggregate of—

- (a) the amount (if any) of a gratuity payable under section 97 of the Principal Act; and
- (b) the amount (if any) payable in respect of untaken sick leave.

(2) Where a person, being a former contributor or his widow, is paid or is or would, but for this section, be entitled to payment of employer-financed benefits, and also a special sum, in prescribed circumstances—

- (a) subsection (3) applies to the person unless he elects to take the benefit of subsection (5); or
- (b) if he elects, in accordance with the regulations, to take the benefit of subsection (5)—subsection (5) applies to him.

(3) Where this subsection applies to a person, the employer-financed benefits payable to him shall be reduced by the amount (if any) by which those benefits, together with the special sum, exceed the employer-financed benefits that would have been payable to him had the former contributor accrued or been deemed to have accrued pension points on the basis only of one-half of a pension point for each whole month for which he was the holder of a current insurance policy, a person in respect of whom contributions were being made under Part III to the Provident Fund or a contributor within the meaning of section 15H or 15AL.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(4) For the purposes of subsection (3)—

(a) the employer-financed benefits payable to a person shall, in the case of a pension, be deemed to be the amount obtained by multiplying the annual rate of his pension by—

(i) except in the case of a person referred to in subparagraph (ii)—the appropriate multiplier in Schedule E; or

(ii) in the case of a person entitled to a pension under section 15BH or 15BM—9.00; and

(b) the employer-financed benefits payable to a person shall, in the case of a lump sum, be deemed to be the amount of the lump sum.

(5) Where this subsection applies to a person, he shall not be entitled to any employer-financed benefits, but he shall be entitled to receive—

(a) an amount equal to the amount (if any) credited to the general reserve or special reserve under section 15AO (3), 15AP (9) or 15AQ (10) in respect of the former contributor; and

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(b) an amount, in respect of each superannuation year since the former contributor became a contributor, equal to—

(i) 5½ per centum of his salary, based on the rate of salary on which his contributions were based under section 15AV in respect of that year; or

(ii) one and one-half times the contributions paid or payable by him in respect of that year,

whichever is the lesser (but reduced by an amount or amounts calculated in such manner as the board may determine in respect of amounts referred to in section 15BA (1) (a) and (c)),

together with—

(c) interest at a rate or rates determined by the board; and

(d) an amount equal to the supplementary benefit that would have been payable in accordance with Part IIIc had he continued to be a person referred to in section 15AE.

(6) The regulations may make provision for or with respect to—

(a) enabling a person to whom subsection (3) or (5) applies to elect to convert to pension a special sum paid or payable to him, and, in particular, for or with respect to—

(i) the terms and conditions subject to which the conversion may be made;

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

- (ii) providing that the whole of the special sum, or a portion only of the special sum, may only be so converted; and
 - (iii) limiting the classes of person who may so elect;
 - (b) the payment to councils of money from the Pension Fund in respect of persons to whom subsection (3) or (5) applies; and
 - (c) requiring councils to notify the board as to payments, or proposed payments, of special sums to contributors, former contributors or widows of former contributors or pensioners.
- (5) Section 17B (2)—
After “Part IIIB”, insert “or IIID”.
- (6) Section 17BA (1)—
After “Part IIIB”, insert “or IIID”.
- (7) Section 17F (3)—
After section 17F (2), insert :—
(3) Nothing in subsection (1) applies to a person referred to in section 15AM.
- (8) Section 17I—
After “Part IIIB”, insert “or IIID”.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(9) Section 17K (2) (c)—

After “Part IIIB”, insert “or IIID”.

(10) Section 17M (c)—

Omit “or IIIC”, insert instead “, IIIC or IIID”.

(11) Section 17P (4) (b)—

After “Part IIIB”, insert “or IIID”.

(12) Section 17PA—

After section 17P, insert :—

17PA. A reference in this Part to—

Extension
of this
Part.

(a) a council includes a reference to an employer, as defined in section 15AL; and

(b) a permanent servant includes a reference to a contributor, as defined in section 15AL, or a person who was such a contributor immediately before he attained the age of 65 years.

(13) Section 20 (2A)—

After section 20 (2), insert :—

(2A) The regulations may be made so as to differ according to specified factors.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(14) Schedules C–F—

After Schedule B, insert :—

SCHEDULE C.

Sec. 15BE.

ADDITIONAL PENSION POINTS ACCRUING TO PERSONS
TRANSFERRING TO THE PENSION FUND.

1. In this Schedule—

“Column” means a Column of the Table to this
Schedule;

“the contributor” means the contributor referred
to in section 15BE (3).

2. (1) This clause applies to the contributor if
he has at any time been the holder of a current
insurance policy.

(2) The contributor shall be deemed to have
accrued one-twelfth of the number of pension points
shown in Column 2, 3, 4 or 5 for each whole month
in the period mentioned in the heading to the Column,
if during that month the total sum assured in respect
of him under Part II was that set out in Column 1
opposite thereto.

3. (1) This clause applies to the contributor if
any amounts have at any time been contributed to
the Provident Fund in respect of him otherwise than
pursuant to a request under section 7c (1) or (3).

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(2) Clause 2 applies to the contributor as if he had been insured under Part II for the sums or additional sums and for the periods for which he would have been so insured had the amounts referred to in subclause (1) been paid as premiums under Part II.

4. (1) This clause applies to the contributor if any amounts have at any time been contributed to the Provident Fund in respect of him pursuant to a request under section 7C (1) or (3).

(2) The contributor shall be deemed to have accrued one-twelfth of a pension point for each one per centum of his salary contributed by him to the Provident Fund for a whole month.

(3) For the purposes of this clause—

- (a) the contributor shall be deemed to have contributed one-third of the contributions referred to in subclause (1);
- (b) those contributions to the Provident Fund in respect of a year (or part of a year) shall be deemed to have been made by him at monthly intervals; and
- (c) his salary shall be deemed to have remained the same throughout that year (or part).

5. (1) This clause applies to the contributor if he has been a contributor to the Benefits Fund.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

(2) The contributor shall be deemed to have accrued one-twelfth of three and one-half pension points for each whole month during which he was a contributor to the Benefits Fund.

TABLE.

Column 1.	Column 2.	Column 3.	Column 4.	Column 5.
Total sum assured.	Pension points re period to 31st December, 1954 (inclusive).	Pension points re period from 1st January, 1955, to 31st December, 1959 (both inclusive).	Pension points re period from 1st January, 1960, to 31st March, 1969 (both inclusive).	Pension points re period from 1st April, 1969 (inclusive).
\$				
400	1.3	1.3	1.3	1.3
600	1.5	1.3	1.3	1.3
800	2.0	1.3	1.3	1.3
1,000	2.5	1.3	1.3	1.3
1,200	3.0	1.5	1.3	1.3
1,400	3.5	1.8	1.3	1.3
1,600	4.0	2.0	1.3	1.3
1,800	4.5	2.3	1.3	1.3
2,000	5.0	2.5	1.3	1.3
2,200		2.8	1.3	1.3
2,400		3.0	1.3	1.3
2,600		3.3	1.3	1.3
2,800		3.5	1.3	1.3
3,000		3.8	1.3	1.3
3,200		4.0	1.3	1.3
3,400		4.3	1.4	1.3
3,600		4.5	1.5	1.3
3,800		4.8	1.6	1.3
4,000		5.0	1.7	1.3
4,200			1.8	1.3
4,400			1.8	1.3
4,600			1.9	1.3
4,800			2.0	1.4
5,000			2.1	1.5
5,200			2.2	1.5

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

TABLE—*continued.*

Column 1.	Column 2.	Column 3.	Column 4.	Column 5.
Total sum assured.	Pension points re period to 31st December, 1954 (inclusive).	Pension points re period from 1st January, 1955, to 31st December, 1959 (both inclusive).	Pension points re period from 1st January, 1960, to 31st March, 1969 (both inclusive).	Pension points re period from 1st April, 1969 (inclusive).
\$				
5,400			2.3	1.6
5,600			2.3	1.6
5,800			2.4	1.7
6,000			2.5	1.8
6,200			2.6	1.8
6,400			2.7	1.9
6,600			2.8	1.9
6,800			2.8	2.0
7,000			2.9	2.0
7,200			3.0	2.1
7,400			3.1	2.2
7,600			3.2	2.2
7,800			3.3	2.3
8,000			3.3	2.3
8,200			3.4	2.4
8,400			3.5	2.5
8,600			3.6	2.5
8,800			3.7	2.6
9,000			3.8	2.6
9,200			3.8	2.7
9,400			3.9	2.7
9,600			4.0	2.8
9,800			4.1	2.9
10,000			4.2	2.9
10,200			4.3	3.0
10,400			4.3	3.0
10,600			4.4	3.1
10,800			4.5	3.2
11,000			4.6	3.2
11,200			4.7	3.3
11,400			4.8	3.3
11,600			4.8	3.4
11,800			4.9	3.4
12,000			5.0	3.5

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

SCHEDULE D.

Sec. 15BR.

DIVISION FACTOR FOR CONVERTING LUMP SUM TO ANNUAL PENSION.

Column 1.	Column 2.	Column 3.	Column 4.
Age.	Male. (No pension to widow.)	Male. (With pension to widow.)	Female.
Person who attained age of 60 but not 61.	11.4	14.0	13.3
Person who attained age of 61 but not 62.	11.1	13.7	13.0
Person who attained age of 62 but not 63.	10.8	13.4	12.6
Person who attained age of 63 but not 64.	10.6	13.1	12.3
Person who attained age of 64 but not 65.	10.3	12.8	11.9
Person who attained age of 65.	10.0	12.5	11.5

SCHEDULE E.

Sec. 15BV.

MULTIPLIER FACTOR FOR COMMUTING PENSION TO LUMP SUM.

Column 1.	Column 2.	Column 3.
Age when ceasing to be contributor.	Multiplier (Males).	Multiplier (Females).
60	10.29	11.88
61	10.00	11.56
62	9.73	11.24
63	9.47	10.95
64	9.23	10.67
65	9.00	10.40

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INTRODUCTION OF THE LOCAL GOVERNMENT PENSION
FUND SCHEME—*continued.*

Sec. 15BV.

SCHEDULE F.

PERCENTAGE OF REMAINING PENSION THAT MAY BE COMMUTED.

Column 1.	Column 2.
Superannuation year during which he ceases to be contributor.	Percentage.
Year ending on 31st March, 1978	100
Year ending on 31st March, 1979	86
Year ending on 31st March, 1980	72
Year ending on 31st March, 1981	58
Year ending on 31st March, 1982	44
Year ending on 31st March, 1983	30
Year ending on 31st March, 1984	16

Sec. 5 (1).

SCHEDULE 2.

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INVESTMENT OF FUNDS OF THE BOARD.

(1) Section 3, definition of "Fund of the board"—

Before the definition of "Future service factor",
insert :—

"Fund of the board" means the Provident Fund,
the Benefits Fund, the Pension Fund, the
Management Account, the Contingent
Account, the reserve account under section
4A or the reserve account under section 13A.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INVESTMENT OF FUNDS OF THE BOARD—*continued.*

(2) Section 15T (1) (e)—

Omit “, or pursuant to any agreement entered into
by the board under section 16D”.

(3) (a) Section 16C (1)—

Omit the subsection.

(b) Section 16C (2), (3)—

Omit “prescribed fund” wherever occurring,
insert instead “fund of the board”.

(4) (a) Section 16D (1) (a)—

Omit “the Benefits Fund”, insert instead “any
or all of the funds of the board”.

(b) Section 16D (1) (b)—

Omit “the Benefits Fund” wherever occurring,
insert instead “any such fund”.

(c) Section 16D (4), (5)—

After section 16D (3), insert :—

(4) All amounts received by the board
pursuant to an agreement under subsection (1)
in respect of a fund of the board shall form part
of the fund.

(5) A fund of the board may be applied by
the board to the payment of all amounts payable
in respect of the fund by the board pursuant to
any agreement under subsection (1).

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
INVESTMENT OF FUNDS OF THE BOARD—*continued.*

(5) (a) Section 16E (1)—

Omit “fund or account (other than the Benefits Fund)”, insert instead “fund of the board (other than a fund in respect of which an agreement under section 16D is in force)”.

(b) Section 16E (1)—

Omit “or account” where secondly, thirdly and fourthly occurring.

(c) Section 16E (2)—

After “force”, insert “in respect of a fund of the board”.

(d) Section 16E (2)—

Omit “Benefits Fund” wherever occurring, insert instead “fund”.

Sec. 5 (1).

SCHEDULE 3.

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING
SCHEMES.

(1) (a) Section 4 (4) (b)—

Omit “by the council” where firstly occurring.

(b) Section 4 (4) (b)—

Omit “other” wherever occurring.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING
SCHEMES—*continued.*

- (c) Section 4 (4) (b)—
Omit “by the council” where secondly occurring,
insert instead “by the board”.
- (d) Section 4 (4) (c)—
After “moneys”, insert “payable to the council”.
- (e) Section 4 (4) (e)—
Omit “council in whose employ he was at his
death”, insert instead “board”.
- (f) Section 4 (4) (e)—
Omit “council” where secondly occurring, insert
instead “board”.
- (g) Section 4 (4) (e)—
Omit “and pay the same when received to the
council”.
- (h) Section 4 (4) (f) (i) (b)—
Omit “by the council”.
- (i) Section 4 (4) (f) (i) (b)—
Omit “other”.
- (j) Section 4 (4) (f) (i)—
After “premium or premiums” wherever occur-
ring, insert “, or contribution or contributions.”.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING
SCHEMES—*continued.*

(k) Section 4 (4) (f) (ii)—

After “premium or premiums” wherever occurring, insert “, or contribution or contributions.”.

(2) (a) Section 6 (1) (a)–(c)—

Omit the paragraphs, insert instead :—

- (a) the board shall pay the premiums to the insurance company concerned, and the council for the time being employing him shall make contributions to the board equal to those premiums ;
- (b) contributions payable under paragraph (a) by a council shall, in respect of any period commencing on or after 1st April, 1977, be calculated on a monthly basis, and the contributions payable in respect of a month shall be paid to the board within 7 days after the last day of the month to which they relate ;
- (c) contributions payable under paragraph (a) by a council in respect of a person who was a permanent servant of the council for a part, but not the whole, of a month are payable only for that part of the month during which he was a permanent servant of the council, and, for the purposes of this paragraph, contributions shall be calculated on a daily basis ;

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING
SCHEMES—*continued.*

(b) Section 6 (1) (d)—

Omit “premium not paid on the date or dates fixed by the board”, insert instead “contribution not paid within the period prescribed by this Part”.

(c) Section 6 (1) (e)—

Omit “include all moneys”, insert instead “include any moneys”.

(d) Section 6 (1) (e)—

Omit “in any of the ways provided by subsection (4A) of this section”.

(e) Section 6 (1) (e)—

Omit “premium”, insert instead “contribution”.

(f) Section 6 (2)—

Omit “premium”, insert instead “contribution”.

(g) Section 6 (2)—

Omit “premiums”, insert instead “contributions”.

(h) Section 6 (3)—

Omit the subsection.

(i) Section 6 (4)—

Omit “premium” wherever occurring, insert instead “contribution”.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING
SCHEMES—*continued.*

(j) Section 6 (4A)—

Omit the subsection.

(k) Section 6 (6)—

After section 6 (5), insert :—

(6) In subsection (1), “month” has the meaning ascribed to that expression by section 15AL.

(3) (a) Section 13 (1)—

Omit “Provided that if a servant ceases to be employed by a council before the expiration of a year from the due date of such contribution there shall be refunded to such council such proportion of the total contribution as shall be attributable to the unexpired portion of the year :”.

(b) Section 13 (1)—

Omit “further”.

(c) Section 13 (1A)—

Omit “on the date or dates fixed by the board”, insert instead “at or within the time or times at or within which it is required by this Act to be paid”.

(d) Section 13 (5)—

Omit the subsection.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING
SCHEMES—*continued.*

(e) Section 13 (6)—

At the end of section 13, insert :—

(6) This section has effect subject to section
13AA.

(4) Section 13AA—

After section 13, insert :—

13AA. (1) Notwithstanding anything in section 13—

(a) contributions payable under that section shall, in respect of any period commencing on or after 1st April, 1977, be calculated on a monthly basis, and the contributions payable in respect of a month shall be paid to the board within 7 days after the last day of the month to which they relate; and

Payment of
contribu-
tions
after 1st
April, 1977.

(b) contributions payable under that section by a council in respect of a person who was a permanent servant of that council for a part, but not the whole, of a month are payable only for that part of the month during which he was a permanent servant of that council, and, for the purposes of this paragraph, contributions shall be calculated on a daily basis.

(2) In this section, “month” has the meaning ascribed to that expression by section 15AL.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING
SCHEMES—*continued.*

(5) (a) Section 15N (5)—

Omit the subsection.

(b) Section 15N (6)—

At the end of section 15N, insert :—

(6) This section has effect subject to section 150A.

(6) (a) Section 15o (2)—

Omit the subsection.

(b) Section 15o (3)—

At the end of section 15o, insert :—

(3) This section has effect subject to section 150A.

(7) Section 150A—

After section 15o, insert :—

150A. (1) Notwithstanding anything in section 15N or 15o—

(a) contributions payable under those sections shall, in respect of the superannuation year commencing on 1st April, 1977, and each succeeding superannuation year, be calculated on a monthly basis, and the contributions payable in respect of a month

Payment of
contribu-
tions
after 1st
April, 1977.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
MONTHLY PAYMENT OF CONTRIBUTIONS FOR EXISTING
SCHEMES—*continued.*

shall be paid to the board within 7 days
after the last day of the month to which
they relate; and

- (b) contributions payable under those sections
by a council in respect of a person who was
a permanent servant of that council for a
part, but not the whole, of a month of any
such superannuation year are payable only
for that part of the month during which he
was a permanent servant of that council,
and, for the purposes of this paragraph,
contributions shall be calculated on a daily
basis.

(2) In this section, “month” has the
meaning ascribed to that expression by section 15AL.

(8) Section 15P (1)—

Omit “prescribed by subsection five of section 15N,
or subsection two of section 15O, of this Act”, insert
instead “within which it is required by this Part to be
paid”.

*Local Government and Other Authorities (Superannuation)
Amendment.*

Sec. 5 (1).

SCHEDULE 4.

AMENDMENTS TO THE PRINCIPAL ACT, RELATING
TO VOLUNTARY SAVINGS.

(1) Section 15B—

After “servant” wherever occurring, insert “or contributor to the Pension Fund”.

(2) (a) Section 15C—

After “servant”, insert “(other than a contributor to the Pension Fund)”.

(b) Section 15C (2), (3)—

At the end of section 15C, insert :—

(2) Any moneys paid to the board by or on the authorisation of a contributor to the Pension Fund under this Part shall be paid into the Pension Fund and shall, subject to the provisions of this Part, be deemed to be moneys payable into the Pension Fund under Part III D and shall be dealt with by the board accordingly.

(3) Any moneys paid to the Pension Fund under this Part shall be disregarded in determining benefits payable under Part III D.

(3) (a) Section 15D—

After “Provident Fund”, insert “or the Pension Fund”.

(b) Section 15D—

Omit “permanent servant” where firstly occurring, insert instead “person”.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 4—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING
TO VOLUNTARY SAVINGS—*continued.*

- (c) Section 15D—
Omit “the permanent servant”, insert instead
“that person”.
- (4) (a) Section 15E—
Omit “permanent servant”, insert instead
“person”.
- (b) Section 15E—
Omit “at any time after the expiration of three
months’ notice”, insert instead “on notice
satisfactory to the board”.
- (c) Section 15E—
After “Provident Fund”, insert “or Pension Fund”.
- (5) (a) Section 15F—
Omit “permanent servant” wherever occurring,
insert instead “person”.
- (b) Section 15F—
After “Provident Fund”, insert “or Pension
Fund”.
- (6) (a) Section 15G—
Omit “permanent servant of a council”, insert
instead “person”.

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 4—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING
TO VOLUNTARY SAVINGS—*continued.*

(b) Section 15G—

After “Provident Fund” wherever occurring,
insert “or Pension Fund”.

(c) Section 15G—

Omit “such permanent servant” wherever
occurring, insert instead “that person”.

Sec. 5 (1).

SCHEDULE 5.

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
DEFINITION OF “SALARY”.

(1) (a) Section 3, definition of “Relieving allowance”—

After the definition of “Permanent servant”,
insert :—

“Relieving allowance” means an allowance
paid to the holder of an office or position
for performing any or all of the duties of
another office or position, without his
being appointed to that other office or
position on a permanent basis.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 5—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
DEFINITION OF "SALARY"—*continued.*

(b) Section 3, definition of "Salary"—

Omit the definition, insert instead :—

"Salary" means salary, wages or allowance payable in money at an annual rate to a servant of a council in his capacity as such a servant, but does not include—

- (a) an amount paid for overtime or as a bonus;
- (b) subject to section 17R, a relieving allowance;
- (c) an expense allowance or an allowance for travelling, subsistence or other expenses;
- (d) an amount paid for rent or as a residence, housing or quarters allowance;
- (e) a climatic allowance or an allowance for equipment; or
- (f) an allowance of a kind prescribed for the purposes of this paragraph.

(2) Section 17R—

After section 17Q, insert :—

17R. (1) Where—

- (a) a relieving allowance is to be or is being paid to a servant of a council in his capacity as such a servant; and

Relieving
allowances.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 5—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT, RELATING TO THE
DEFINITION OF "SALARY"—*continued.*

- (b) the council, or a person duly authorised to do so on behalf of the council, certifies in writing to the board that it is likely that the allowance will be payable for a continuous period of at least 12 months (whether or not that period is partly before the date of the certificate),

then, for the purposes of this Act, the board may, as from the date when the certificate is received in the office of the board or the date when the allowance becomes payable, whichever is the later, treat the allowance as part of the servant's salary, so long as he continues to be paid the allowance.

(2) Where—

- (a) a relieving allowance has been paid to a servant of a council in his capacity as such a servant for a continuous period of 12 months; and
- (b) the allowance is not being treated as part of the servant's salary under subsection (1),

then, for the purposes of this Act, the allowance shall, as from the expiration of that period of 12 months or the commencement of this section, whichever is the later, be treated as part of the servant's salary, so long as he continues to be paid the allowance.

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 6.

Sec. 5 (1).

AMENDMENTS TO THE PRINCIPAL ACT, BY WAY OF STATUTE
LAW REVISION.

(1) Section 3, definition of "Council"—

Omit "and the Grafton and South Grafton Water Board constituted under the Grafton and South Grafton Water Supply Administration Act, 1915,".

(2) (a) Section 15T (1) (b)—

Omit "Local Government (Superannuation) Management Account referred to in subsection one of section 16A of this Act", insert instead "Management Account".

(b) Section 15T (1) (d)—

Omit "established under section 17P of this Act".

SCHEDULE 7.

Sec. 5 (2).

AMENDMENTS TO THE LOCAL GOVERNMENT AND OTHER
AUTHORITIES (SUPERANNUATION) AMENDMENT ACT,
1975.

(1) Schedule 2 (3) (f)—

After "one of this section", insert "where firstly occurring".

SCHEDULE

*Local Government and Other Authorities (Superannuation)
Amendment.*

SCHEDULE 7—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT AND OTHER
AUTHORITIES (SUPERANNUATION) AMENDMENT ACT,
1975—*continued.*

(2) Schedule 2 (3) (f1)—

After Schedule 2 (3) (f), insert :—

(f1) Section 15L (9) (b)—

Omit “paragraph (b) of subsection one of
this section”, insert instead “subsection
(1) (b) or (2A) (b)”.
