

Queensland



ANNO OCTODECIMO

ELIZABETHAE SECUNDAE REGINAE

No. 19 of 1969

**An Act to Amend the Public Service Superannuation Act
1958–1968 in certain particulars**

[ASSENTED TO 17TH DECEMBER, 1969]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title and citation. (1) This Act may be cited as the *Public Service Superannuation Act Amendment Act 1969*.

(2) The *Public Service Superannuation Act 1958–1968* is in this Act referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Public Service Superannuation Act 1958–1969*.

2. Commencement. Except as in this Act otherwise provided, this Act shall come into operation on the thirtieth day of December, one thousand nine hundred and sixty-nine.

3. Amendment of s. 2—Parts of Act. Section 2 of the Principal Act is amended by inserting after the words "*Division V—Surrender Values and Refunds of Contributions for Annuity and Assurance Benefits,*" the words "*Division VA—Commutation of Annuity Benefit;*".

4. Amendment of s. 18—Fund. (1) Section 18 of the Principal Act is amended by inserting in subsection (5) after the word "five", the words "and one half".

(2) This section shall come into operation on the first day of January, one thousand nine hundred and seventy.

5. Amendment of s. 19A—The Public Service Superannuation Additional Benefits Fund. Section 19A of the Principal Act is amended by inserting after subsection (4) the following subsection:—

"(4A) The Treasurer shall pay into The Public Service Superannuation Additional Benefits Fund in respect of each financial year such sum as when added to the income from investments accrued to that Fund during the year in question will provide an earning rate of not less than five and seven tenths per centum per annum, such rate to be determined by dividing one hundred times the income from investments accrued to The Public Service Superannuation Additional Benefits Fund in that year (plus any sum payable by the Treasurer under this subsection) by the average of investible moneys in that Fund in that year less one half of the income from investments accrued to the Fund in that year (plus any sum payable by the Treasurer under this subsection)."

6. Amendment of s. 22—Scale of units of annuity, incapacity and assurance benefits. Section 22 of the Principal Act is amended by adding after subsection (7) the following subsections:—

"(8) For the purposes of this Division where the salary of an officer falls within the salary group, exceeding four hundred and fifty dollars twenty cents set out in Column 1 of the scale contained in Schedule I to this Act, the number ascertained in accordance with the formula in Column 2 of that scale set opposite that salary group shall, with respect to that officer, be deemed to be the number specified in Column 2 of that scale opposite to the salary group within which his or her salary falls.

(9) For the purposes of the application at any time in relation to a contributor of the formula in Column 2 of the scale contained in Schedule I to this Act opposite to the salary group, exceeding four hundred and fifty dollars twenty cents in Column 1 of that scale—

"A" denotes the number of times (disregarding any fraction less than one) by which the fortnightly salary of the contributor exceeds the sum of four hundred and fifty dollars twenty cents by the sum of six dollars thirty-eight cents.

(10) For the purposes of contributions of officers in accordance with the scale contained in Schedule I to this Act as inserted by the *Public Service Superannuation Act Amendment Act 1969*, the salary of every officer who is a contributor at the commencement of that Act shall be deemed increased on and from the date of that commencement from the maximum salary within the salary group

in Column 1 of the said scale opposite to the number in Column 2 of the said scale that was the number specified in Column 2 of the scale contained in Schedule I to this Act immediately before the commencement of the *Public Service Superannuation Act Amendment Act 1969* opposite to the salary group in which his or her salary fell immediately before the commencement of that Act and this Act shall apply accordingly.”.

7. Amendment of s. 22A—When officer may voluntarily increase contributions. Section 22A of the Principal Act is amended—

(a) by inserting after subsection (2) the following subsection:—

“(2A) An officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine to whom Part V of this Act applies may elect to make an increased contribution under this section in respect of more units only of annuity benefit, or of incapacity benefit, or, in the case of a male contributor, of assurance benefit under this Act save that, as respects incapacity benefit or assurance benefit, a contributor is not entitled to so elect to contribute that the number thereof for which he or she will be contributing as a result of the election is greater than the total number of units of annuity benefit under this Act for which he or she contributes for the time being.”;

(b) by inserting after subsection (4) the following subsections:—

“(4A) Where an officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine to whom Part V of this Act applies elects to increase his or her contribution pursuant to this section in respect of units of annuity benefit only he or she may elect in writing to do so without being medically examined by a medical practitioner in which case subsections (3) and (4) of this section and section 67 of this Act do not apply to that election to increase his or her contribution in respect of units of annuity benefit only.

(4B) Subsection (2) of section 26 of this Act shall not apply to contributions payable by an officer to the Fund pursuant to his or her election under subsection (4A) of this section and accordingly such contribution shall not be suspended during any period of sick leave.

(4C) In the case of any officer who, by reason of incapacity, is retired from employment as an officer before attaining the age of sixty-five years, section 29 of this Act does not apply in respect of units of annuity benefit for which he or she shall have contributed pursuant to an election under subsection (4A) of this section unless the officer continues to contribute to the Fund in accordance with such election, and subject to any arrangement approved by the Board as to the payment of his or her contributions in advance, until he or she attains the age of sixty-five years, it being hereby declared that the officer may so continue.

(4D) If the officer to whom subsection (4C) of this section applies notifies the Board in writing of his or her intention to discontinue, or fails to continue, such contribution, subsection (1) of section 38 of this Act shall apply with respect to the annuity benefit for which he or she shall have contributed pursuant to his or her election under subsection (4A) of this section.”.

8. Amendment of s. 25—Units of benefit to be contributed for in equal parts. Section 25 of the Principal Act is amended by inserting after the words “section twenty-two” the words “, subsections (2A) and (4A) of section 22A”.

9. Amendment of s. 27—Contributions according to scale graduated by age at commencement. Section 27 of the Principal Act is amended—

(a) by omitting all words occurring after the words “contribute for each unit”;

(b) by renumbering that section as so amended as subsection (1); and

(c) by adding at the end thereof the following subsection:—

“(2) The amount of the contributions shall be ascertained—

(a) with respect to units for which the officer commenced to contribute before the commencement of the *Public Service Superannuation Act Amendment Act 1969*, or for which the officer commences to contribute after that commencement by reason of the provisions of subsection (10) of section 22 of this Act, in accordance with, in the case of male officers, the table of contributions contained in Part I of Schedule II of this Act and, in the case of female officers, the table of contributions contained in Part II of that Schedule;

(b) with respect to units for which the officer commences to contribute after the said commencement (save units for which the officer commences to contribute after that commencement by reason of the provisions of subsection (10) of section 22 of this Act), in accordance with the table of contributions contained in Schedule IIA to this Act.”.

10. Amendment of s. 27A—Contribution for reserve units. Section 27A of the Principal Act is amended by omitting paragraph (a) of subsection (4) and inserting in its stead the following paragraph:—

“(a) shall be—

(i) with respect to units for which the officer commenced to contribute before the commencement of the *Public Service Superannuation Act Amendment Act 1969*, in accordance with, in the case of male officers, the table of contributions contained in Part I of Schedule II to this Act and, in the case of female officers, the table of contributions contained in Part II of that Schedule;

(ii) with respect to units for which the officer commences to contribute after the said commencement, in accordance with the table of contributions contained in Schedule IIA to this Act;”.

11. Repeal of s. 27D and new ss. 27D and 27E. The Principal Act is amended by repealing section 27D and inserting in its stead the following sections:—

“**27D. Benefits payable on reserve units.** Where a contributor contributes for reserve units of benefit pursuant to this Division the benefits payable under this Act in respect of all reserve units respectively of annuity benefit, incapacity benefit and assurance

benefit for which the contributor is contributing for the time being (but not including units of such benefit which have ceased pursuant to section 27B of this Act to be reserve units of benefits) shall, whilst they continue to be reserve units, be thirty-five per centum of the rates thereof which would apply under this Act if those reserve units were units of benefit for which the contributor was contributing within the number appropriate to the salary group in which the salary of the contributor falls for the time being.

27E. Payment of lump sum on ceasing to contribute. (1) A contributor who is contributing for one or more reserve units of annuity benefit pursuant to this Division who ceases to be a contributor for that—

- (a) he or she was retired by reason of incapacity from his or her employment as an officer before attaining the age of sixty-five years;
- (b) the contributor voluntarily resigned from his or her employment as an officer after attaining the age of sixty years but before attaining the age of sixty-five years;
- (c) he or she attained the age of sixty-five years,

shall be entitled by notice in writing lodged with the Board to elect to be paid, in respect of all or any of the number of reserve units of annuity benefit and, in the case of a male contributor, assurance benefit and, in the case of a contributor to whom paragraph (a) of this subsection applies, incapacity benefit, in respect of which but for the election he or she would be entitled to receive benefit pursuant to section 27D of this Act, the sum prescribed by this section.

(2) Notice of election under subsection (1) of this section shall be lodged with the Board—

- (a) in the case of a contributor retired by reason of incapacity from his or her employment before attaining the age of sixty-five years, before the expiration of a period of one month commencing on the date of his retirement;
- (b) in the case of an officer who voluntarily resigns from his or her employment after he or she has attained the age of sixty years but before attaining the age of sixty-five years, before the expiration of a period of one month commencing on the date on which his or her resignation takes effect; and
- (c) in any other case before the expiration of a period of one month commencing on the date on which the contributor attains the age of sixty-five years.

(3) Where a contributor who is contributing pursuant to this Division for one or more reserve units respectively of annuity benefit and assurance benefit ceases to be a contributor for a reason other than a reason specified in subsection (1) of this section there shall be paid to him or her, or, if he or she has died, to his or her personal representative or other person approved by the Board from the Fund the sum prescribed by this section in

respect of all reserve units respectively of annuity benefit and, save where the contributor ceases to be a contributor by reason of death before attaining the age of sixty-five years leaving him surviving a widow, assurance benefit for which he or she was contributing to the Fund pursuant to this Division at the time when he or she ceased to be a contributor (but not including units of such benefit which have ceased pursuant to section 27B of this Act to be reserve units of benefits).

(4) The sum to be paid in respect of the number of reserve units of the benefits in question ascertained in accordance with the preceding provisions of this section shall be equal to—

(a) in the case of a contributor who ceased to be a contributor on account of death or retirement by reason of incapacity or voluntary resignation in terms of section 77A of this Act or attainment of the age of sixty-five years, such amount as is determined by the Actuary appointed pursuant to this Act and approved by the Board; and

(b) in any case to which paragraph (a) of this subsection does not apply, the surrender value, if any, of such number of reserve units of annuity benefit and (in the case of a male contributor) assurance benefit.

(5) Upon payment of the sum specified in subsection (4) of this section all reserve units of benefit in respect of which the sum is paid shall be deemed to have been commuted by the contributor.”.

12. Amendment of s. 28—Amount of contribution by the Crown. Section 28 of the Principal Act is amended by adding after subparagraph (c) of the second paragraph the following word and paragraph:—

“; or (d) Any payment of annuity benefit, incapacity benefit or assurance benefit to which section 27D of this Act applies”.

13. Amendment of s. 33—When entitlement to assurance benefit accrues. Section 33 of the Principal Act is amended—

(a) by inserting in subsection (2) after paragraph (ii), the following word and paragraph:—

“ or (iia) a person who dies after attaining the age of sixty-five years and who, pursuant to Division VA of Part IV, or Division XIV of Part V, has commuted for the lump sum payable thereunder the whole of the annuity benefit to which he was entitled under this Act if her marriage to him took place before he attained that age;” and

(b) by adding at the end the following subsections:—

“(4) Subject to subsection (5) of this section where a widow to whom this section applies remarries and subsequently again becomes a widow, she shall be entitled to receive assurance benefit at the same rate as she would be receiving had she not remarried as from the date of the death of the husband of her remarriage until her death or if she again remarries until her further remarriage.

(5) Subsection (4) of this section does not entitle a widow to derive assurance benefit from more than one contributor and where but for this subsection she would be so entitled she shall be deemed

to derive her sole entitlement to assurance benefit from the contributor through whom she would derive the greatest entitlement to assurance benefit.”.

14. Amendment of s. 34—Units of assurance benefit. Section 34 of the Principal Act is amended by inserting in paragraph (b) of subsection (2), after the word “person”, the words “who pursuant to Division VA of Part IV, or Division XIV of Part V, has commuted for the lump sum payable thereunder the whole of the annuity benefit to which he was entitled under this Act or”.

15. New s. 34A. The Principal Act is amended by inserting after section 34 the following section:—

“**34A. Variation of assurance benefit.** (1) Subject to this section a widow who is entitled to receive assurance benefit under this Division, or section 77A, of this Act may make application to the Board to convert that benefit into assurance benefit payable for so long as she remains entitled to receive assurance benefit under this Act—

(a) in respect of the period that expires when the youngest child to whom section 35 of this Act applies in relation to the contributor from whom the assurance benefit is derived attains the age of sixteen years, at a rate per unit of assurance benefit greater than the rate to which she is entitled under the provisions of this Act (other than this section) at the time of the application; and

(b) in respect of any period after the expiration of the period specified in subparagraph (a) of this subsection at a rate per unit of assurance benefit less than the rate to which she is entitled under the provisions of this Act (other than this section) at the time of the application.

(2) The Board shall not proceed with an application under subsection (1) of this section unless the applicant has produced evidence of good health at the time of the application satisfactory to the Board.

(3) A person is not entitled to make more than two applications under subsection (1) of this section.

(4) The new rights to receive assurance benefit shall be such as are agreed upon between the widow and the Board being rights that are the actuarial equivalent of the converted rights as determined by the Actuary appointed pursuant to this Act.

(5) This section does not empower the Board to convert assurance benefit under subsection (1) of this section so that the rate per unit of assurance benefit to which the widow in question would be entitled in respect of any future period is less than one-half of the rate to which she is entitled at the time of the application.”.

16. Amendment of s. 35—Children entitled to additional assurance benefit. Section 35 of the Principal Act is amended—

(a) by omitting from subsection (1) the words “attains the age of sixteen years” and inserting in their stead the words “ceases to be an eligible child”;

(b) by inserting in subsection (2)—

(i) after the words “age of sixty-five years” in paragraph (a), the words “or who died after commuting, pursuant to Division VA of Part IV or Division XIV of Part V of this Act, for the lump sum payable thereunder the whole of the annuity benefit to which he was entitled under this Act”;

(ii) after the words “age of sixty-five years” in paragraph (b), the words “or who died after commuting, pursuant to Division VA of Part IV or Division XIV of Part V of this Act, for the lump sum payable thereunder the whole of the annuity benefit to which he was entitled under this Act”;

(iii) after the words “age of sixty-five years” in paragraph (c), the words “or who died after commuting, pursuant to Division VA of Part IV or Division XIV of Part V of this Act, for the lump sum payable thereunder the whole of the annuity benefit to which he was entitled under this Act”; and

(c) by adding at the end thereof the following subsection:—

“(3) For the purposes of this Division “eligible child” means—

(a) a child to whom this section applies under the age of sixteen years; or

(b) a child to whom this section applies—

(i) who has attained the age of sixteen years but is under the age of twenty-one years; and

(ii) in respect of whom the Board is satisfied that he or she is receiving full time education at a school, college or university.”.

17. Amendment of s. 37—Assurance benefit to unmarried contributors and widowers, etc. Section 37 of the Principal Act is amended by omitting from subparagraph (b) the words “sixty-six dollars” and inserting in their stead the words “one hundred and five dollars sixty cents”.

18. New Division VA, Part IV—Commutation of annuity benefit. The Principal Act is amended by inserting after section 39 the following heading and sections:—

“*Division VA—Commutation of Annuity Benefit*

39A. Application to commute. (1) Subject to this Division, a contributor or other person may apply in writing to the Board to commute for the lump sum ascertained in accordance with this Division the annuity benefit payable in respect of all or any of the units of annuity benefit (including any excess unit to which section 55 of this Act applies but not including any reserve unit of benefit in respect of which he or she may elect to receive payment of the sum prescribed by section 27E of this Act) for which he or she was contributing—

(a) on attaining the age of sixty-five years;

(b) in the case of a contributor retired by reason of incapacity from his or her employment as an officer before attaining the age of sixty-five years, when so retired; or

- (c) in the case of a contributor who voluntarily resigns from his or her employment as an officer after he or she has attained the age of sixty years but before attaining the age of sixty-five years, on the date of his or her resignation.

(2) The application shall be made—

- (a) in the case of a person who immediately before the commencement of the *Public Service Superannuation Act Amendment Act 1969* was entitled to receive annuity benefit under this Act, before the expiration of a period of three months commencing on the date of such commencement;
- (b) in the case of a contributor retired by reason of incapacity from his or her employment before attaining the age of sixty-five years, before the expiration of a period of one month commencing on the date on which he or she attains that age;
- (c) in the case of a contributor who voluntarily resigns from his or her employment after he or she has attained the age of sixty years but before attaining the age of sixty-five years, before the expiration of a period of one month commencing on the date on which his or her resignation takes effect; and
- (d) in any other case, before the expiration of a period of one month commencing on the date on which the contributor attains the age of sixty-five years.

(3) The Board shall not proceed with an application under subsection (1) of this section by a person to whom subparagraph (a) of subsection (2) of this section applies (other than a person who at the date of the application is being continued in his or her employment as an officer) unless the applicant has produced evidence of good health at the time of the application satisfactory to the Board.

(4) A person to whom subparagraph (b) of subsection (1) of this section applies who makes an application under that subsection shall produce evidence of his or her state of health at the time of the application satisfactory to the Board and in determining the lump sum payable under this section due weight shall be given to that evidence.

(5) The provisions of subsection (1) of section 38 of this Act do not apply to a person to whom subparagraph (c) of subsection (1) of this section applies in relation to any units of annuity benefit in respect of which he or she is paid a lump sum pursuant to this section.

39B. Persons not entitled to commute. This Division does not apply to a contributor who—

- (a) having attained the age of fifty-nine years and nine months at the date of commencement of the *Public Service Superannuation Act Amendment Act 1969*, elects, after the expiration of a period of three months commencing on that date, to increase the amount of his or her contribution under section 22A of this Act,

or that section as applied by section 73B of this Act, and is accepted by the Board as a contributor under the section under which the election is made;

- (b) not being a person to whom subparagraph (a) of this subsection applies, elects, after the said date of commencement and after having attained the age of sixty years, to increase his or her contribution under section 22A of this Act, or that section as applied by section 73B of this Act, and is accepted by the Board as a contributor under the section under which the election is made;
- (c) voluntarily resigns from his or her employment after he or she has attained the age of sixty years but before attaining the age of sixty-five years and who—
 - (i) has elected to increase the amount of his or her contributions under section 22A of this Act, or that section as applied by section 73B of this Act, and has been accepted by the Board as a contributor under the section under which the election is made; or
 - (ii) has been permitted under section 40 of this Act to commute the contribution for any benefits under this Act,

after the expiration of the period of three months commencing on the date of commencement of the *Public Service Superannuation Act Amendment Act 1969* and—

- (iii) during the period of five years immediately preceding such resignation;
- (iv) or, where the resignation takes effect within the period of five years and three months after the date of commencement of the *Public Service Superannuation Act Amendment Act 1969*, during such part only of that period of five years as occurs after the expiration of a period of three months commencing on the said date of commencement; or
- (d) being employed on the staff of the Agent-General for Queensland and being liable—
 - (i) to pay tax under the law of the United Kingdom relating to tax on incomes, is not exempted from payment of such tax; or
 - (ii) to contribute for national insurance including graduated pensions under the law of the United Kingdom relating to national insurance, is not exempted therefrom.

39C. Ascertainment of lump sum payable. (1) Subject to this section, the amount of the lump sum that a contributor or other person is entitled to be paid in respect of any application under section 39A of this Act is such amount as is determined by the Actuary appointed pursuant to this Act as the actuarial reserve of the units of annuity benefit to which the application relates and approved by the Board.

(2) In the case of a contributor who is continued in his or her employment as an officer after attaining the age of sixty-five years and who makes an application under section 39A of this Act, the lump sum that is payable is such amount as is determined by the Actuary appointed pursuant to this Act and approved by the Board as the actuarial reserve of the units of annuity benefit to which the application relates no regard being had in determining the lump sum to which the officer is entitled under this Division to any amount or proportion in respect of the units of annuity benefit in question prescribed by this Act to be payable by the Crown.

(3) In addition to the lump sum payable under subsection (2) of this section there is payable to a contributor to whom that subsection applies on retiring or being retired from his or her employment as an officer, a sum of such amount as is determined by the Actuary appointed pursuant to this Act and approved by the Board as being attributable, as at the date on which the retirement takes effect, to the amount or proportion of the units of annuity benefit in respect of which the lump sum was payable under the said subsection (2) that would have become payable by the Crown under this Act if the application under section 39A of this Act had not been made.

(4) In the case of a contributor who voluntarily resigns from employment after he or she has attained the age of sixty years but before attaining the age of sixty-five years, for the purposes of determining the lump sum that is payable under this Division each unit of annuity benefit in respect of which he or she makes an application under section 39A of this Act shall be deemed to provide a benefit at such rate per annum as may be determined by the Actuary appointed pursuant to this Act and approved by the Board.

(5) In determining the lump sum payable under this Division—

- (a) with respect to units the subject of an application under section 39A of this Act for which the contributor commenced to contribute before the commencement of the *Public Service Superannuation Act Amendment Act 1969* or for which the contributor commenced to contribute after that commencement by reason of subsection (10) of section 22 of this Act, no regard shall be had to any increased benefit to which the applicant may have become entitled in relation thereto if the application had not been made;
- (b) with respect to units the subject of an application under section 39A of this Act for which the contributor commenced to contribute after the commencement of the *Public Service Superannuation Act Amendment Act 1969* (save units for which the contributor commenced to contribute after that commencement by reason of subsection (10) of section 22 of this Act), no regard shall be had to any part of the increased benefit to which the applicant may have become entitled in relation thereto if the application had not been made

that the Actuary appointed pursuant to the Act determines, with the approval of the Board, to be attributable to the amount or proportion of those units of annuity benefit that would have become payable by the Crown under this Act if the application had not been made.

(6) In respect of the lump sum payable under this Division which shall be paid from the Fund, the Crown shall pay such sum as the Actuary appointed pursuant to this Act certifies with the approval of the Board as being the part of the lump sum attributable to the amount or proportion of the units of annuity benefit to which the application under section 39A of this Act relates that may have become payable by the Crown under this Act if the application had not been made.

(7) Any right conferred by this Division on any contributor or other person does not derogate from any right conferred by section 71 of this Act, but a person is not entitled to be paid a lump sum under more than one such provision in respect of the same unit of annuity benefit."

19. Amendment of s. 41—Benefits payable for life except in case of children. Section 41 of the Principal Act is amended by omitting from subsection (2) the words "attains the age of sixteen years or dies before attaining that age" and inserting in their stead the words "ceases to be an eligible child or sooner dies".

20. New s. 43A. The Principal Act is amended by inserting after section 43 the following section:—

"43A. Increases in rates of benefits. (1) A person who is entitled to receive annuity benefit, incapacity benefit, assurance benefit or additional assurance benefit, as the case may be, under this Act is entitled to an increase in the rate of that benefit in accordance with this section.

(2) The increased rate of annuity benefit, incapacity benefit, assurance benefit or additional assurance benefit, as the case may be, payable to the person in question at any time after the commencement of the *Public Service Superannuation Act Amendment Act 1969* shall be the rate ascertained in accordance with the formula

$$P(1 + .03T), \text{ where—}$$

P is the rate of benefit prescribed in relation to that person at that time and in the circumstances then obtaining by the provisions of this Act (other than this section); and

T is the number of periods each of one year that have elapsed between—

(a) the date on which occurred the earliest of such of the following events as have occurred prior to the time at which the increased rate is to be ascertained:—

(i) the grant of sick leave without salary to the contributor to whom the benefit in question is payable or through whom the benefit is derived so long as he or she does not resume his or her employment as an officer after such grant;

- (ii) the retirement of the contributor to whom the benefit in question is payable or through whom the benefit is derived from his or her employment by reason of incapacity;
 - (iii) the voluntary resignation of the contributor to whom the benefit in question is payable or through whom the benefit is derived from his or her employment as an officer after attaining the age of sixty years but before attaining the age of sixty-five years;
 - (iv) the death of the contributor through whom the benefit in question is derived; and
 - (v) the attainment of the age of sixty-five years by the contributor to whom the benefit in question is payable or through whom the benefit is derived, or the date of commencement of the *Public Service Superannuation Act Amendment Act 1969*, whichever is later; and
- (b) the date on which occurs the time with respect to which the increased rate is to be ascertained, increased, where in the case in question the date of commencement of the *Public Service Superannuation Act Amendment Act 1969* is later than the date on which occurred the earliest of such of the other events specified in subparagraph (a) of this definition as have occurred prior to the time with respect to which the increased rate is to be ascertained, by one.

(3) A person entitled to receive annuity benefit, incapacity benefit, assurance benefit or additional assurance benefit, as the case may be, under this Act is entitled to receive that benefit at the rate prescribed in relation to that person at the time in question and in the circumstances then obtaining by the provisions of this Act other than this section or at the increased rate as ascertained at that time and in those circumstances in accordance with this section whichever is the greater.”.

21. Amendment of s. 46—Contributions by retired incapacity beneficiaries upon re-employment. Section 46 of the Principal Act is amended by omitting all words after the word “accordingly” and inserting in their stead the words “the officer shall be deemed to be a contributor and contributions to the Fund shall again become payable by him in accordance with this Act”.

22. Amendment of s. 77A—Entitlement to superannuation benefits on voluntary retirement. Section 77A of the Principal Act is amended by inserting after subsection (3) the following subsections:—

“(3A) Subject to subsection (3B) of this section where a widow to whom this section applies remarries and subsequently again becomes a widow, she shall be entitled to receive assurance benefit at the same rate as she would be receiving had she not remarried as from the date of the death of the husband of her remarriage until her death or if she again remarries until her further remarriage.

(3B) Subsection (3A) of this section does not entitle a widow to derive assurance benefit from more than one contributor and where but for this subsection she would be so entitled she shall

be deemed to derive her sole entitlement to assurance benefit from the contributor through whom she would derive the greatest entitlement to assurance benefit.”.

23. **New Schedule I.** The Principal Act is amended by repealing Schedule I and inserting in its stead the following Schedule:—

“SCHEDULE I

[s. 22]

Scale of Units of Benefits

| Column 1 Fortnightly Salary | | Column 2 No. of Units of Annuity, Incapacity, and (Males only) Assurance Benefits Respectively | Column 3 Annual Amount of Benefits | | |
|--------------------------------|------------------|--|---------------------------------------|------------|-----------|
| Exceeding | Not Exceeding | | Annuity | Incapacity | Assurance |
| \$ | \$ | | \$ | \$ | \$ |
| .. | 12.20 | 2 | 200 | 200 | 125.00 |
| 12.20 | 17.00 | 3 | 300 | 300 | 187.50 |
| 17.00 | 21.80 | 4 | 400 | 400 | 250.00 |
| 21.80 | 26.70 | 5 | 500 | 500 | 312.50 |
| 26.70 | 31.50 | 6 | 600 | 600 | 375.00 |
| 31.50 | 36.30 | 7 | 700 | 700 | 437.50 |
| 36.30 | 41.10 | 8 | 800 | 800 | 500.00 |
| 41.10 | 46.00 | 9 | 900 | 900 | 562.50 |
| 46.00 | 50.80 | 10 | 1,000 | 1,000 | 625.00 |
| 50.80 | 55.60 | 11 | 1,100 | 1,100 | 687.50 |
| 55.60 | 60.50 | 12 | 1,200 | 1,200 | 750.00 |
| 60.50 | 65.30 | 13 | 1,300 | 1,300 | 812.50 |
| 65.30 | 70.10 | 14 | 1,400 | 1,400 | 875.00 |
| 70.10 | 74.90 | 15 | 1,500 | 1,500 | 937.50 |
| 74.90 | 79.80 | 16 | 1,600 | 1,600 | 1,000.00 |
| 79.80 | 84.60 | 17 | 1,700 | 1,700 | 1,062.50 |
| 84.60 | 89.40 | 18 | 1,800 | 1,800 | 1,125.00 |
| 89.40 | 94.30 | 19 | 1,900 | 1,900 | 1,187.50 |
| 94.30 | 99.10 | 20 | 2,000 | 2,000 | 1,250.00 |
| 99.10 | 106.30 | 21 | 2,100 | 2,100 | 1,312.50 |
| 106.30 | 113.50 | 22 | 2,200 | 2,200 | 1,375.00 |
| 113.50 | 120.70 | 23 | 2,300 | 2,300 | 1,437.50 |
| 120.70 | 127.90 | 24 | 2,400 | 2,400 | 1,500.00 |
| 127.90 | 135.10 | 25 | 2,500 | 2,500 | 1,562.50 |
| 135.10 | 142.30 | 26 | 2,600 | 2,600 | 1,625.00 |
| 142.30 | 149.50 | 27 | 2,700 | 2,700 | 1,687.50 |
| 149.50 | 156.70 | 28 | 2,800 | 2,800 | 1,750.00 |
| 156.70 | 163.90 | 29 | 2,900 | 2,900 | 1,812.50 |
| 163.90 | 171.10 | 30 | 3,000 | 3,000 | 1,875.00 |
| 171.10 | 178.30 | 31 | 3,100 | 3,100 | 1,937.50 |
| 178.30 | 185.50 | 32 | 3,200 | 3,200 | 2,000.00 |
| 185.50 | 192.70 | 33 | 3,300 | 3,300 | 2,062.50 |

SCHEDULE I—continued

Scale of Units of Benefits—continued

| Column 1 Fortnightly Salary | | Column 2 No. of Units of Annuity, Incapacity, and (Males only) Assurance Benefits Respectively | Column 3 Annual Amount of Benefits | | |
|--------------------------------|------------------|--|---------------------------------------|--------------------------------|----------------------------------|
| Exceeding | Not Exceeding | | Annuity | Incapacity | Assurance |
| \$ | \$ | | \$ | \$ | \$ |
| 192.70 | 199.90 | 34 | 3,400 | 3,400 | 2,125.00 |
| 199.90 | 207.10 | 35 | 3,500 | 3,500 | 2,187.50 |
| 207.10 | 214.30 | 36 | 3,600 | 3,600 | 2,250.00 |
| 214.30 | 221.50 | 37 | 3,700 | 3,700 | 2,312.50 |
| 221.50 | 228.70 | 38 | 3,800 | 3,800 | 2,375.00 |
| 228.70 | 235.90 | 39 | 3,900 | 3,900 | 2,437.50 |
| 235.90 | 243.10 | 40 | 4,000 | 4,000 | 2,500.00 |
| 243.10 | 250.30 | 41 | 4,100 | 4,100 | 2,562.50 |
| 250.30 | 257.50 | 42 | 4,200 | 4,200 | 2,625.00 |
| 257.50 | 264.70 | 43 | 4,300 | 4,300 | 2,687.50 |
| 264.70 | 271.90 | 44 | 4,400 | 4,400 | 2,750.00 |
| 271.90 | 279.10 | 45 | 4,500 | 4,500 | 2,812.50 |
| 279.10 | 286.30 | 46 | 4,600 | 4,600 | 2,875.00 |
| 286.30 | 293.50 | 47 | 4,700 | 4,700 | 2,937.50 |
| 293.50 | 300.70 | 48 | 4,800 | 4,800 | 3,000.00 |
| 300.70 | 307.90 | 49 | 4,900 | 4,900 | 3,062.50 |
| 307.90 | 315.10 | 50 | 5,000 | 5,000 | 3,125.00 |
| 315.10 | 322.30 | 51 | 5,100 | 5,100 | 3,187.50 |
| 322.30 | 329.50 | 52 | 5,200 | 5,200 | 3,250.00 |
| 329.50 | 336.70 | 53 | 5,300 | 5,300 | 3,312.50 |
| 336.70 | 343.90 | 54 | 5,400 | 5,400 | 3,375.00 |
| 343.90 | 351.10 | 55 | 5,500 | 5,500 | 3,437.50 |
| 351.10 | 358.30 | 56 | 5,600 | 5,600 | 3,500.00 |
| 358.30 | 365.50 | 57 | 5,700 | 5,700 | 3,562.50 |
| 365.50 | 372.70 | 58 | 5,800 | 5,800 | 3,625.00 |
| 372.70 | 379.90 | 59 | 5,900 | 5,900 | 3,687.50 |
| 379.90 | 386.40 | 60 | 6,000 | 6,000 | 3,750.00 |
| 386.40 | 392.80 | 61 | 6,100 | 6,100 | 3,812.50 |
| 392.80 | 399.20 | 62 | 6,200 | 6,200 | 3,875.00 |
| 399.20 | 405.60 | 63 | 6,300 | 6,300 | 3,937.50 |
| 405.60 | 412.00 | 64 | 6,400 | 6,400 | 4,000.00 |
| 412.00 | 418.40 | 65 | 6,500 | 6,500 | 4,062.50 |
| 418.40 | 424.80 | 66 | 6,600 | 6,600 | 4,125.00 |
| 424.80 | 431.10 | 67 | 6,700 | 6,700 | 4,187.50 |
| 431.10 | 437.40 | 68 | 6,800 | 6,800 | 4,250.00 |
| 437.40 | 443.80 | 69 | 6,900 | 6,900 | 4,312.50 |
| 443.80 | 450.20 | 70 | 7,000 | 7,000 | 4,375.00 |
| 450.20 | .. | 71 + A* | $\$100 \times$ $(71 + A^*)$ | $\$100 \times$ $(71 + A^*)$ | $\$62.50 \times$ $(71 + A^*)$ |

* A denotes the number of times (disregarding any fraction less than 1) by which the fortnightly salary of the contributor exceeds the sum of \$450.20 by the sum of \$6.38."

24. New Schedule IIA. The Principal Act is amended by inserting after Schedule II the following Schedule:—

“SCHEDULE IIA

[s. 27]

*Part I—Rates of Contribution to be paid Fortnightly for Units of Benefit
Effected at Ages not over 60½ Years*

| Age at Nearest Birthday when Con- tribution for Unit Commences | Males | | | | Females | |
|--|-----------------------------------|--------------------------------------|----------------------------------|------------------------------------|-----------------------------------|--------------------------------------|
| | Per Unit of Annuity Benefit | Per Unit of Incapacity Benefit | Per Unit of Assurance Benefit | | Per Unit of Annuity Benefit | Per Unit of Incapacity Benefit |
| | | | Each of First 4 Units | 5th and Each Subsequent Unit | | |
| 15 | \$ 0.06 | \$ 0.02 | \$ 0.05 | \$ 0.04 | \$ 0.07 | \$ 0.03 |
| 16 | 0.07 | 0.02 | 0.05 | 0.04 | 0.08 | 0.03 |
| 17 | 0.07 | 0.02 | 0.05 | 0.04 | 0.08 | 0.03 |
| 18 | 0.07 | 0.02 | 0.05 | 0.04 | 0.09 | 0.03 |
| 19 | 0.08 | 0.02 | 0.05 | 0.04 | 0.09 | 0.03 |
| 20 | 0.08 | 0.02 | 0.06 | 0.05 | 0.10 | 0.03 |
| 21 | 0.08 | 0.02 | 0.06 | 0.05 | 0.10 | 0.03 |
| 22 | 0.09 | 0.02 | 0.06 | 0.05 | 0.11 | 0.03 |
| 23 | 0.10 | 0.02 | 0.07 | 0.06 | 0.11 | 0.03 |
| 24 | 0.10 | 0.02 | 0.07 | 0.06 | 0.12 | 0.03 |
| 25 | 0.11 | 0.02 | 0.08 | 0.06 | 0.13 | 0.03 |
| 26 | 0.11 | 0.02 | 0.09 | 0.07 | 0.14 | 0.04 |
| 27 | 0.12 | 0.02 | 0.09 | 0.07 | 0.15 | 0.04 |
| 28 | 0.13 | 0.02 | 0.09 | 0.07 | 0.16 | 0.04 |
| 29 | 0.14 | 0.03 | 0.10 | 0.08 | 0.16 | 0.04 |
| 30 | 0.15 | 0.03 | 0.10 | 0.08 | 0.18 | 0.04 |
| 31 | 0.16 | 0.03 | 0.11 | 0.09 | 0.19 | 0.04 |
| 32 | 0.16 | 0.03 | 0.11 | 0.09 | 0.20 | 0.05 |
| 33 | 0.18 | 0.03 | 0.12 | 0.10 | 0.21 | 0.05 |
| 34 | 0.19 | 0.03 | 0.12 | 0.10 | 0.23 | 0.05 |
| 35 | 0.20 | 0.03 | 0.13 | 0.11 | 0.24 | 0.05 |
| 36 | 0.22 | 0.03 | 0.14 | 0.12 | 0.26 | 0.05 |
| 37 | 0.24 | 0.04 | 0.14 | 0.12 | 0.28 | 0.05 |

SCHEDULE IIA—continued

Part I—Rates of Contribution to be paid Fortnightly for Units of Benefit
Effected at Ages not over 60½ Years—continued

| Age at Nearest Birthday when Con- tribution for Unit Commences | Males | | | | Females | |
|--|-----------------------------------|--------------------------------------|----------------------------------|------------------------------------|-----------------------------------|--------------------------------------|
| | Per Unit of Annuity Benefit | Per Unit of Incapacity Benefit | Per Unit of Assurance Benefit | | Per Unit of Annuity Benefit | Per Unit of Incapacity Benefit |
| | | | Each of First 4 Units | 5th and Each Subsequent Unit | | |
| 38 | \$ 0.26 | \$ 0.04 | \$ 0.15 | \$ 0.13 | \$ 0.30 | \$ 0.05 |
| 39 | 0.28 | 0.04 | 0.16 | 0.14 | 0.32 | 0.06 |
| 40 | 0.30 | 0.04 | 0.18 | 0.15 | 0.35 | 0.06 |
| 41 | 0.33 | 0.05 | 0.19 | 0.16 | 0.38 | 0.06 |
| 42 | 0.36 | 0.05 | 0.20 | 0.17 | 0.41 | 0.06 |
| 43 | 0.39 | 0.05 | 0.21 | 0.18 | 0.45 | 0.07 |
| 44 | 0.42 | 0.05 | 0.22 | 0.19 | 0.49 | 0.07 |
| 45 | 0.46 | 0.05 | 0.24 | 0.21 | 0.54 | 0.07 |
| 46 | 0.50 | 0.06 | 0.25 | 0.22 | 0.59 | 0.07 |
| 47 | 0.55 | 0.06 | 0.27 | 0.24 | 0.64 | 0.08 |
| 48 | 0.61 | 0.07 | 0.29 | 0.26 | 0.71 | 0.08 |
| 49 | 0.67 | 0.07 | 0.31 | 0.28 | 0.78 | 0.08 |
| 50 | 0.75 | 0.07 | 0.33 | 0.30 | 0.86 | 0.09 |
| 51 | 0.83 | 0.08 | 0.35 | 0.32 | 0.96 | 0.09 |
| 52 | 0.93 | 0.08 | 0.38 | 0.35 | 1.07 | 0.10 |
| 53 | 1.05 | 0.08 | 0.41 | 0.38 | 1.20 | 0.10 |
| 54 | 1.19 | 0.09 | 0.45 | 0.42 | 1.36 | 0.10 |
| 55 | 1.36 | 0.10 | 0.49 | 0.46 | 1.55 | 0.11 |
| 56 | 1.57 | 0.10 | 0.55 | 0.52 | 1.79 | 0.11 |
| 57 | 1.84 | 0.11 | 0.61 | 0.58 | 2.09 | 0.12 |
| 58 | 2.18 | 0.11 | 0.69 | 0.66 | 2.47 | 0.13 |
| 59 | 2.64 | 0.12 | 0.80 | 0.77 | 2.99 | 0.14 |
| 60 | 3.29 | 0.13 | 0.95 | 0.92 | 3.73 | 0.15 |

SCHEDULE IIA—continued
*Part II—Rates of Contribution to be paid Fortnightly for Units of Benefit
 Effected at Ages over 60½ Years*

| Age to Nearest Month when Contribution for Unit Commences | Maximum Number of Contributions Payable | Males | | | | Females | |
|--|--|--------------------------------------|---|----------------------------------|---------------------------------------|--------------------------------------|---|
| | | Per Unit of Annuity Benefit | Per Unit of Incapacity Benefit | Per Unit of Assurance Benefit | | Per Unit of Annuity Benefit | Per Unit of Incapacity Benefit |
| | | | | Each of First 4 Units | 5th and each Subsequent Unit | | |
| Years M'ths | | \$ | \$ | \$ | \$ | \$ | \$ |
| 60 6 | 117 | 3.72 | 0.13 | 1.05 | 1.02 | 4.22 | 0.15 |
| 7 | 115 | 3.80 | 0.13 | 1.07 | 1.03 | 4.30 | 0.15 |
| 8 | 113 | 3.88 | 0.13 | 1.09 | 1.05 | 4.39 | 0.15 |
| 9 | 110 | 3.99 | 0.14 | 1.12 | 1.08 | 4.53 | 0.15 |
| 10 | 108 | 4.08 | 0.14 | 1.14 | 1.10 | 4.62 | 0.15 |
| 11 | 106 | 4.17 | 0.14 | 1.16 | 1.12 | 4.73 | 0.15 |
| 61 0 | 104 | 4.26 | 0.14 | 1.18 | 1.14 | 4.83 | 0.15 |
| 1 | 102 | 4.36 | 0.14 | 1.20 | 1.16 | 4.94 | 0.15 |
| 2 | 100 | 4.46 | 0.14 | 1.22 | 1.18 | 5.06 | 0.15 |
| 3 | 97 | 4.61 | 0.14 | 1.26 | 1.22 | 5.23 | 0.16 |
| 4 | 95 | 4.72 | 0.14 | 1.28 | 1.24 | 5.36 | 0.16 |
| 5 | 93 | 4.84 | 0.14 | 1.31 | 1.27 | 5.49 | 0.16 |
| 6 | 91 | 4.96 | 0.14 | 1.33 | 1.29 | 5.63 | 0.16 |
| 7 | 89 | 5.09 | 0.14 | 1.36 | 1.32 | 5.77 | 0.16 |
| 8 | 86 | 5.28 | 0.14 | 1.41 | 1.37 | 5.99 | 0.16 |
| 9 | 84 | 5.43 | 0.15 | 1.44 | 1.40 | 6.15 | 0.16 |
| 10 | 82 | 5.58 | 0.15 | 1.47 | 1.43 | 6.32 | 0.16 |
| 11 | 80 | 5.73 | 0.15 | 1.50 | 1.46 | 6.50 | 0.16 |
| 62 0 | 78 | 5.90 | 0.15 | 1.54 | 1.50 | 6.69 | 0.16 |
| 1 | 76 | 6.07 | 0.15 | 1.58 | 1.54 | 6.89 | 0.16 |
| 2 | 73 | 6.34 | 0.15 | 1.64 | 1.60 | 7.19 | 0.17 |
| 3 | 71 | 6.54 | 0.15 | 1.69 | 1.64 | 7.41 | 0.17 |
| 4 | 69 | 6.75 | 0.15 | 1.73 | 1.69 | 7.65 | 0.17 |
| 5 | 67 | 6.98 | 0.15 | 1.78 | 1.74 | 7.90 | 0.17 |
| 6 | 65 | 7.22 | 0.15 | 1.84 | 1.79 | 8.17 | 0.17 |
| 7 | 63 | 7.47 | 0.15 | 1.89 | 1.84 | 8.45 | 0.17 |
| 8 | 60 | 7.87 | 0.16 | 1.98 | 1.93 | 8.90 | 0.17 |
| 9 | 58 | 8.16 | 0.16 | 2.05 | 2.00 | 9.24 | 0.17 |
| 10 | 56 | 8.48 | 0.16 | 2.12 | 2.07 | 9.59 | 0.17 |
| 11 | 54 | 8.82 | 0.16 | 2.20 | 2.14 | 9.98 | 0.17 |
| 63 0 | 52 | 9.19 | 0.16 | 2.28 | 2.22 | 10.39 | 0.17 |
| 1 | 50 | 9.59 | 0.16 | 2.37 | 2.31 | 10.84 | 0.17 |
| 2 | 47 | 10.23 | 0.16 | 2.52 | 2.45 | 11.58 | 0.18 |
| 3 | 45 | 10.72 | 0.16 | 2.62 | 2.56 | 12.13 | 0.18 |
| 4 | 43 | 11.25 | 0.16 | 2.74 | 2.67 | 12.74 | 0.18 |
| 5 | 41 | 11.84 | 0.16 | 2.87 | 2.80 | 13.41 | 0.18 |
| 6 | 39 | 12.48 | 0.17 | 3.01 | 2.94 | 14.15 | 0.18 |
| 7 | 36 | 13.57 | 0.17 | 3.26 | 3.18 | 15.38 | 0.18 |
| 63 8 | 34 | 14.41 | 0.17 | 3.45 | 3.36 | 16.34 | 0.18 |
| 9 | 32 | 15.35 | 0.17 | 3.66 | 3.57 | 17.43 | 0.18 |
| 10 | 30 | 16.43 | 0.17 | 3.89 | 3.80 | 18.65 | 0.19 |
| 11 | 28 | 17.65 | 0.17 | 4.17 | 4.07 | 20.05 | 0.19 |

SCHEDULE IIA—continued

*Part II—Rates of Contribution to be paid Fortnightly for Units of Benefit
Effected at Ages over 60½ Years—continued*

| Age to Nearest Month when Contribution for Unit Commences | Maximum Number of Contributions Payable | Males | | | | Females | |
|--|--|--------------------------------------|---|----------------------------------|---------------------------------------|--------------------------------------|---|
| | | Per Unit of Annuity Benefit | Per Unit of Incapacity Benefit | Per Unit of Assurance Benefit | | Per Unit of Annuity Benefit | Per Unit of Incapacity Benefit |
| | | | | Each of First 4 Units | 5th and each Subsequent Unit | | |
| Years M'ths | | \$ | \$ | \$ | \$ | \$ | \$ |
| 64 0 | 26 | 19.07 | 0.17 | 4.48 | 4.38 | 21.67 | 0.18 |
| 1 | 23 | 21.47 | 0.16 | 5.03 | 4.92 | 24.35 | 0.18 |
| 2 | 21 | 23.42 | 0.15 | 5.48 | 5.36 | 26.51 | 0.16 |
| 3 | 19 | 25.78 | 0.13 | 6.01 | 5.88 | 29.12 | 0.14 |
| 4 | 17 | 28.70 | 0.11 | 6.68 | 6.54 | 32.34 | 0.13 |
| 5 | 15 | 32.39 | 0.10 | 7.52 | 7.36 | 36.43 | 0.11 |
| 6 | 13 | 37.22 | 0.08 | 8.62 | 8.44 | 41.77 | 0.09 |
| 7 | 10 | 48.19 | 0.08 | 11.13 | 10.91 | 53.97 | 0.08 |
| 8 | 8 | 59.99 | 0.06 | 13.82 | 13.55 | 67.03 | 0.07 |
| 9 | 6 | 79.66 | 0.05 | 18.30 | 17.95 | 88.81 | 0.05 |
| 10 | 4 | 118.99 | 0.03 | 27.27 | 26.75 | 132.37 | 0.03 |
| 11 | 2 | 237.00 | 0.02 | 54.17 | 53.15 | 263.05 | 0.02 |
| 65 0 | 1 | 472.00 | .. | 107.60 | 105.60 | 522.70 | .." |