

LEGISLATIVE ASSEMBLY

Read 1° 11 November 1982

(Brought in by Mr. Jolly and Mr. Fordham)

A BILL

To amend the *Superannuation Act 1975* with respect
to certain Railway Service Employés.

BE IT ENACTED by the Queen's Most Excellent Majesty by and
with the advice and consent of the Legislative Council and
the Legislative Assembly of Victoria in this present Parliament
assembled and by the authority of the same as follows (that is to
5 say):

1. (1) This Act may be cited as the *Superannuation (Railway
Service Employés) Act 1982*.

Short title.

(2) In this Act the *Superannuation Act 1975* is called the
Principal Act.

Principal Act
No. 8717.

Amended by
Nos. 9060, 9358,
9460 and 9672.

10 (3) This Act shall come into operation on a day to be fixed by
proclamation of the Governor in Council published in the
Government Gazette.

Commence-
ment.

2. After section 49 of the Principal Act there shall be inserted
the following section:

Amendment of
No. 8717.

15 "49A. The Governor in Council on the recommendation of
the Treasurer of Victoria may from time to time make regulations
not inconsistent with this Act prescribing the maximum number
of units of pension for which a permanent officer in the railway
service referred to in section 49 (1) may elect to contribute."

Governor in
Council may
prescribe units
of contribution.

3. Section 49 (6) of the Principal Act is amended as follows:

(a) In paragraph (a) after the expression "13" there shall be inserted the expression "or no more than the number of units prescribed pursuant to section 49A".

(b) In paragraph (b)—

(i) for the expression "section 50 (b) of the *Superannuation (Lump Sum Benefits) Act 1981*" there shall be substituted the expression "section 3 (b) (i) of the *Superannuation (Railway Service Employés) Act 1982*"; and

(ii) after the expression "shall not exceed 13" there shall be inserted the expression "or the number of units prescribed pursuant to section 49A".

4. (1) When pursuant to section 49A a maximum number of units for which a permanent officer in the railway service may elect to contribute is prescribed then an officer to whom section 49 (6) of the Principal Act applies at the time of each such prescription shall be then deemed to have elected under section 13 (4) (b) of the *Superannuation Act 1958* to contribute for no more than the additional prescribed number of units. But if not later than four months after such prescription he elects not to contribute for any such additional unit or units the contributions paid by him in respect of any such additional unit or units shall be refunded to him out of the fund and he shall be deemed not to have elected to contribute for such unit or units.

(2) The first proviso to section 13 (4) (b) of the *Superannuation Act 1958* does not apply to an election deemed to have been made under sub-section (1).

(3) The provisions of section 13 (4) (c) (ii) of the *Superannuation Act 1958* apply to an election deemed to have been made under sub-section (1) with the modification that the reference in that sub-paragraph to the first pay day after such election shall be read and construed as if it were a reference to the first pay day after a prescription pursuant to section 49A of the Principal Act.