

7 ELIZ. II. No. 73, 1958. *Public Service Superannuation Act.*

(4.) Section forty-one of **“ The Police Acts, 1937 to 1957,”* shall apply with respect to the reappointment to the Police Force of any person to whom this Act applies.

5. To the extent necessary to give operation and effect to this Act— Interpretation.

(a) †*“ The Public Service Acts, 1922 to 1958 ”* ;

(b) **“ The Police Acts, 1937 to 1957 ”* ;

(c) ‡*“ The Railways Acts, 1914 to 1958 ”* ; and

every other Act, shall be read subject to this Act.

An Act to Consolidate and Amend the Law relating to the Provision of Superannuation Benefits for Officers of the Public Service, to make Provision for Their Families, and for other purposes.

7 ELIZ. II.
NO. 73.
THE PUBLIC
SERVICE
SUPER-
ANNUATION
ACT OF 1958.

[ASSENTED TO 19TH DECEMBER, 1958.]

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:—

PART I.—PRELIMINARY.

PART I.—
PRELIMINARY.

1. (1.) This Act may be cited as *“ The Public Service Superannuation Act of 1958.”* Short title.

(2.) Except as herein otherwise provided, this Act shall come into operation on the first day of April, one thousand nine hundred and fifty-nine. Commence-
ment of Act.

2. This Act is divided into Parts, and Divisions of Parts, as follows:— Parts of
Act.

PART I.—PRELIMINARY ;

PART II.—ADMINISTRATION ;

* 1 G. 6 No. 12 and amending Acts.

† 13 G. 5 No. 31 and amending Acts.

‡ 5 G. 5 No. 24 and amending Acts.

PART III.—CONTRIBUTIONS—

- Division I.—Contributions by Officers ;*
- Division II.—Scale of Units ;*
- Division III.—Scale of Contributions by Officers ;*
- Division IV.—Payments by the Crown ;*

PART IV.—BENEFITS AND PAYMENTS—

- Division I.—Annuity Benefit ;*
- Division II.—Incapacity Benefit ;*
- Division III.—Assurance Benefit ;*
- Division IV.—Additional Assurance Benefit for Children ;*
- Division V.—Surrender Values and Refunds of Contributions for Annuity and Assurance Benefits ;*
- Division VI.—General Provisions respecting Benefits ;*

PART V.—TRANSITIONAL PROVISIONS—

- Division I.—Interpretation ;*
- Division II.—Contributions for Annuity Benefit by Officers ;*
- Division III.—Contributions for Incapacity Benefit by Officers ;*
- Division IV.—Contributions for Assurance Benefit by Officers ;*
- Division V.—Amounts respectively of Annuity Benefits and Incapacity Benefits ;*
- Division VI.—Other Benefits under the repealed Acts ;*
- Division VII.—Persons other than Officers ;*
- Division VIII.—Persons in receipt of Benefits under the repealed Acts ;*
- Division IX.—Incapacitated Officers and Other Persons ;*
- Division X.—Medical Certificates ;*
- Division XI.—Conversion of Benefits ;*
- Division XII.—Payments by the Crown ;*
- Division XIII.—Gratuities for Meritorious Services ;*
- Division XIV.—Commutation of Benefits ;*

PART VI.—MISCELLANEOUS.

1958. *Public Service Superannuation Act.*

3. (1.) **“The Public Service Superannuation Acts, 1912 to 1954,”* are hereby repealed: Repeals
and
savings.

Provided that, but without limiting the operation of †*“The Acts Interpretation Acts, 1954 to 1957,”*—

- (i.) The Public Service Superannuation Board constituted under the repealed Acts shall continue in existence as and under the same name be the Public Service Superannuation Board constituted under and for the purposes of this Act without further or other appointment of the members thereof in office immediately prior to the repeal of the repealed Acts and those members shall, subject to this Act, continue in office for the term for which they were respectively appointed or elected, and the repeal of the repealed Acts shall not affect the continuity or identity of that Board;
- (ii.) The person holding office immediately prior to the repeal of the repealed Acts as the manager of the Public Service Superannuation Fund shall, subject to this Act, continue to hold that office;
- (iii.) The Public Service Superannuation Fund established under the repealed Acts shall continue in existence as and under the same name be the Public Service Superannuation Fund established under and for the purposes of this Act, and the repeal of the repealed Acts shall not affect the continuity or identity of that Fund.

(2.) (a) This subsection shall be deemed to have come into operation on the twenty-fourth day of November, one thousand nine hundred and fifty-eight.

(b) No person shall or may apply to contribute, or to increase the amount of his contribution, for annuity benefit, or incapacity allowance, or assurance benefit under the repealed Acts.

(c) Subject to continuing in employment as such, an officer shall continue to contribute until the first day of April, one thousand nine hundred and fifty-nine, for

* 3 G. 5 No. 28 and amending Acts.

† 3 Eliz. 2 No. 3 and amending Act.

the number of units of annuity benefit under the repealed Acts for which he was contributing immediately prior to the coming into operation of this subsection.

4. In this Act, unless the context otherwise indicates or requires, the following terms shall have the meanings respectively assigned to them, that is to say :—
- Meaning of terms. “ Actuary ”—A Fellow or Associate of the Institute of Actuaries (London), or a Fellow or Associate of the Faculty of Actuaries (Edinburgh), or any other person of whose actuarial knowledge and experience the Governor in Council approves ;
- Actuary. “ Board ”—The Public Service Superannuation Board preserved, continued in existence and constituted by and under this Act ;
- Board. “ Child ”—A child (including a child adopted by a contributor before he ceased to contribute for benefits under this Act) under the age of sixteen years ;
- Child. “ Contributor ”—An officer who contributes under this Act to the Fund ;
- Contributor. “ Crown ”—The Crown in right of the State of Queensland, and without limiting the generality of the meaning thereof, includes any commission, commissioner, corporation, board, instrumentality or person representing the Crown in right of the State of Queensland ;
- Crown. “ Division ”—A Division of a Part of this Act ;
- Division. “ Fund ”—The Public Service Superannuation Fund preserved, continued in existence and established in the Treasury by and under this Act ;
- Fund. “ Incapacity ”—Any mental or bodily infirmity by reason whereof an officer is unfit to discharge or incapable of discharging the duties of his office efficiently ;
- Incapacity. “ Manager ”—The manager of the Fund and the executive officer of the Board for the time being or the person who for the time being occupies the office or performs the duties of the said manager ;
- Manager.

1958.

*Public Service Superannuation Act.*PART I.—
PRELIMINARY.

“Medical practitioner”—A medical practitioner or a specialist within the meaning of section four of **The Medical Acts, 1939 to 1958*”; Medical practitioner.

“Minister”—The Premier and Chief Secretary or other Minister of the Crown for the time being charged with the administration of this Act; Minister.

“Officer”—Any person employed by or under the Crown, in the opinion of the Board, in a permanent capacity: Officer.

The term includes any person employed by the University of Queensland in a permanent capacity—

- (a) Who, pursuant to section seventy-five of this Act, is deemed to be an officer for the purposes of this Act; or
- (b) Who holds on the first day of April, one thousand nine hundred and fifty-nine, any office included in the classes of offices in the employment of the said University to the then holders whereof the repealed Acts were applied by Order in Council thereunder made on the nineteenth day of April, one thousand nine hundred and twenty-eight, and published in the *Gazette* of the twenty-first day of April, one thousand nine hundred and twenty-eight, and who immediately prior to the first day of April, one thousand nine hundred and fifty-nine, was a contributor for annuity benefit under the repealed Acts, or who within three months after that date elects to contribute for benefits under this Act; or
- (c) Who commences to hold any office specified in paragraph (b) of this definition after the first day of April, one thousand nine hundred and fifty-nine, and who, within three months after commencing to hold that office, elects to contribute for benefits under this Act:

The term does not include Judges of the Supreme Court, Judges of the District Courts, members of the Police Force or officers or

* 3 G. 6 No. 10 and amending Acts.

- other employees employed in any capacity in the Railway Department under and within the meaning of **“The Railways Acts, 1914 to 1958,”* or, at any time when any person or any class of persons is excepted by the Governor in Council by Order in Council from this Act, such person or persons included in such class of persons ;
- Part. “Part”—A Part of this Act ;
- Repealed Acts. “Repealed Acts”—†*“The Public Service Superannuation Acts, 1912 to 1954”* ;
- Retired. “Retired”—In relation to employment as an officer, retired or required to retire from that employment by the Public Service Commissioner or by the person or authority other than the Public Service Commissioner thereunto authorised by law ;
- Salary. “Salary”—The payment made to an officer by way of fixed remuneration for his services, unless otherwise determined by the Governor in Council on the recommendation of the Public Service Commissioner: The term does not include any sums paid to an officer by way of fees or allowances, except that in the case of officers employed as teachers the term includes any sum paid to any such officer as an allowance varying with the number of pupils attending the school in which such officer is employed ;
- Surrender value. “Surrender value”—In relation to—
(a) (In the case of a unit of annuity benefit under the repealed Acts, in this paragraph called the “original unit”, for which contribution commenced prior to the first day of March, one thousand nine hundred and twenty-nine, and for which the contributor always continued after that date to make contributions to the Fund at the rate applicable under the repealed Acts immediately prior to that date) each unit of the three units of annuity benefit under this Act to which, as respects the original unit, section

* 5 G. 5 No. 24 and amending Acts.

† 3 G. 5 No. 28 and amending Acts.

1958.

Public Service Superannuation Act.

fifty-one of this Act applies, a sum equal to the aggregate of one-third of all amounts paid into the Fund in respect of the original unit and all amounts paid into the Fund in respect of the unit under this Act ;

- (b) A unit of annuity benefit under this Act to which paragraph (a) of this definition does not apply, a sum equal to the aggregate of all amounts contributed to the Fund in respect of the unit in question (including as respects such a unit to which section fifty-one of this Act applies, the aggregate of one-third of all amounts paid into the Fund in respect of the related unit of annuity benefit under the repealed Acts) together with simple interest thereon at the rate of three pounds per centum per annum to the date when the unit in question is surrendered or deemed to be surrendered ; and
- (c) A unit of assurance benefit under this Act, such sum as may be determined by the actuary and approved by the Board.

PART II.—ADMINISTRATION.

PART II.—
ADMINIS-
TRATION.

5. This Act shall be administered by the Minister and, subject to the Minister, by the Board.

Adminis-
tration.

6. (1.) For the purposes of this Act the Public Service Superannuation Board as comprised by the chairman and four other members thereof in office immediately prior to the passing of this Act is hereby preserved, continued in existence and constituted under this Act.

Public
Service
Super-
annuation
Board.

(2.) (a) The Board shall continue to consist of five members, two of whom shall be appointed by the Governor in Council, and three of whom shall be elected by the prescribed contributors in the prescribed manner.

(b) A person shall not be eligible to be appointed or elected to or hold office as a member of the Board unless he is an officer.

(c) Notice of the appointment or election of any person to be a member of the Board (including to fill any casual vacancy on the Board) shall be published in the *Gazette*.

(d) Successive appointments and elections of persons to be members of the Board shall be made and held when and so often as is necessary by reason of the determination of the office of all or any of the members thereof.

(3.) (a) The Board shall be a body corporate under the name prescribed as aforesaid, and by that name shall have perpetual succession and an official seal, and shall be capable in law of suing and being sued in its corporate name and of acquiring, holding, leasing and disposing of property, real and personal, movable and immovable, and of doing and suffering all such other acts, matters and things, as bodies corporate may by law do and suffer.

(b) All courts, judges, and persons acting judicially shall take judicial notice of all appointments and elections of members of the Board and of their respective signatures as well as of the appointment of the manager of the Fund and of his signature, and of the seal of the Board affixed to any document or other writing whatsoever, and, until the contrary is proved, shall presume that every such signature or such seal, as the case may be, was duly affixed to any document or other writing whatsoever.

Chairman
of Board.

7. (1.) The members of the Board shall, at the first meeting of the Board after any appointment and election of the full number of members thereof, on the occurrence of any casual vacancy in the office of chairman, and as early as conveniently may be in the second and third years of each and every triennial term, elect one of their number to be chairman of the Board.

(2.) The office of chairman shall commence on the day of his election or appointment thereto and cease upon the next succeeding such election or appointment unless he is then re-elected or re-appointed:

Provided that the chairman may resign his office as such by writing under his hand delivered to the manager.

1958.

*Public Service Superannuation Act.*PART II.—
ADMINIS-
TRATION.

(3.) Every member of the Board shall be eligible for election or appointment and for re-election or reappointment to the office of chairman.

(4.) If for any reason the chairman of the Board is not elected in accordance with the provisions of this section, the Governor in Council may thereupon appoint from the members of the Board a chairman.

8. (1.) The members of the Board shall be appointed or elected for three years and any member shall be eligible for reappointment or re-election.

Tenure of office.

(2.) Where by or under any Act provision is made requiring the holder of an office specified therein to devote the whole of his time to the duties of his office, or prohibiting him from engaging in employment outside the duties of his office, such provision shall not operate to disqualify him from holding that office and also the office of a member or acting member of the Board under this Act, or from accepting and retaining any remuneration payable to a member.

Where officers of Government departments appointed.

9. (1.) Where a member of the Board dies or otherwise vacates his office, another person shall be appointed or, as the case requires, elected to fill the vacancy, and such appointment or election shall be for the remainder of the term of the vacant office.

Extraordinary vacancies—appointments to fill.

(2.) A person elected under subsection one of this section to fill a vacancy in the office of a member of the Board elected by contributors shall be an officer elected by prescribed contributors in the prescribed manner.

(3.) Where there is a vacancy to which subsection two of this section applies, the Governor in Council may, pending the holding of an election, appoint a contributor to hold the vacant office temporarily and a member so appointed shall hold office until the election of a member in accordance with that subsection, or until the expiration of the remainder of the term of the vacant office, whichever first happens.

10. (1.) In the case of the illness, or absence, or suspension from his employment as an officer of any member of the Board, the Governor in Council

Temporary appointments.

may appoint a deputy to act for the member during his illness, or absence, or suspension and every deputy so appointed shall, while so acting, have all the powers and authority of a member :

Provided that no such deputy shall act as chairman.

Validity
of acts,
persons
acting as
deputies.

(2.) No person shall be concerned to inquire whether or not any occasion has arisen requiring or authorising a person to act in the place of a member or as to the necessity or propriety of any appointment of a deputy, and all acts or things done or omitted by a person when so acting as aforesaid shall be as valid and effectual and shall have the same consequences as if the same had been done or omitted by the member in whose place such person is acting.

Vacation
of office.

11. (1.) The office of a member of the Board shall become vacant if such member—

- (i.) Dies or becomes mentally sick ;
- (ii.) Becomes bankrupt or compounds with his creditors, or otherwise takes advantage of the laws in force for the time being relating to bankruptcy ;
- (iii.) Is absent without leave granted by the Board from four consecutive ordinary meetings of the Board of which due notice has been given to him ;
- (iv.) Resigns his office by writing under his hand delivered to the Minister ;
- (v.) Ceases to be an officer ;
- (vi.) Is convicted of an indictable offence ; or
- (vii.) Is removed from office by the Governor in Council for misbehaviour or incompetence by notification published in the *Gazette* :

Provided that the attendance of any such member at the time and place appointed for an ordinary meeting shall be deemed to constitute presence at an ordinary meeting notwithstanding that by reason that no quorum is present no meeting is actually held on that day, and the names of all members who so attend shall be entered in the minute book.

(2.) A member of the Board shall not act as such at any time when he is suspended from his employment as an officer.

1958.

*Public Service Superannuation Act.*PART II.—
ADMINIS-
TRATION.

12. Each member shall receive such remuneration, if any, as the Governor in Council may from time to time determine. Remuneration.

Any such determination may from time to time be revoked or amended.

13. (1.) The Governor in Council may from time to time appoint one of the members of the Board appointed by the Governor in Council to be manager of the Fund. Such an appointment shall, subject to the appointee continuing to be a member of the Board, be at the pleasure of the Governor in Council. Manager of the Fund.

(2.) The manager of the Fund shall be the executive officer of the Board.

(3.) The manager of the Fund shall have, exercise and perform such powers, authorities, duties and functions as may be prescribed or, in so far as not prescribed, as the Board may authorise or direct.

(4.) The manager of the Fund shall have custody of the official seal of the Board and, subject to the Board, have power to execute documents and other writings whatsoever on behalf of the Board and affix the seal of the Board thereto or to any of them.

14. (1.) The Board shall meet at such times and places and conduct its business in such manner as may be prescribed or, in so far as not prescribed, as it may from time to time determine. Proceedings of the Board meetings.

(2.) Not less than three members of the Board shall form a quorum at any meeting of the Board, and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Board and shall have and may exercise and perform all the powers, authorities, duties and functions of the Board. Quorum.

(3.) The chairman shall preside at all meetings of the Board at which he is present. Chairman.

If the chairman is absent from any duly convened meeting the members present shall elect one of their number who shall preside at the meeting.

The person presiding at any meeting of the Board shall have an original vote only and, in the event of an equality of votes, any question shall be deemed to be resolved in the negative.

PART II.—
ADMINIS-
TRATION.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Defects in
appointment
not to
invalidate
proceedings
of Board.

(4.) No act or proceeding of the Board shall be invalid or illegal in consequence only of the number of the members of the Board not being complete at the time of such act or proceeding.

All acts and proceedings of the Board shall, notwithstanding any defect in the appointment or election of any member thereof, or that any member was disqualified or disentitled to act, be as valid as if every such member had been duly appointed or elected and was qualified and entitled to act and had acted as a member of the Board, and as if the Board had been properly and fully constituted.

Cost of
adminis-
tration.

15. Subject to appropriation by Parliament, the cost of administering this Act shall be paid out of the Consolidated Revenue Fund.

Reports by
Board.

16. (1.) The Board shall in each year make to the Minister a report upon the administration of this Act, and the Minister shall lay a copy of that report before the Legislative Assembly.

(2.) When and so often as the Minister may require, the Board shall make to him such report as he requires concerning the administration of this Act.

Appoint-
ment
of officers.

17. The Governor in Council may from time to time appoint officers including an actuary as he deems necessary for the effectual administration of this Act.

Every such appointee, save the actuary, shall be appointed and hold office under, subject to and in accordance with **"The Public Service Acts, 1922 to 1958."*

The actuary may be appointed under **"The Public Service Acts, 1922 to 1958,"* but if not appointed thereunder, he shall be appointed for such term, at such remuneration, and upon such conditions, as the Governor in Council determines.

Any person may be appointed to hold any such office in conjunction with any other office held by him under **"The Public Service Acts, 1922 to 1958."*

1958.

Public Service Superannuation Act.

18. (1.) For the purposes of this Act The Public Service Superannuation Fund as established in the Treasury immediately prior to the passing of this Act is hereby preserved, continued in existence, and established in the Treasury under this Act. Fund.

(2.) All contributions and payments by the Crown and officers provided for in this Act shall be paid into the Fund.

(3.) Save the costs of administering this Act, all benefits and other payments provided for in this Act shall be paid from the Fund.

(4.) Moneys for the time being standing to the credit of the Fund are hereby included in the cash balance held in the Treasury and may be dealt with accordingly.

(5.) The Crown shall pay to the Fund interest at the rate of four pounds ten shillings per centum per annum upon the average monthly credit balance of the moneys standing to the credit of the Fund.

(6.) Subject to this Act, the provisions relating to trust and special funds of **The Audit Acts, 1874 to 1958,* shall apply to the Fund.

19. (1.) An investigation as to the state and sufficiency of the Fund shall be made before the expiration of five years after the first day of April, one thousand nine hundred and fifty-nine, and thereafter periodically so that there shall not be a period longer than five years between successive such investigations. Quin-
quennial
investigation
by an
actuary.

(2.) The investigation shall be made by the actuary appointed pursuant to this Act.

(3.) The actuary shall report to the Board the result of his investigation including with respect to—

(a) The sufficiency of the contributions to and actuarial soundness of the Fund either generally or in respect of any particular benefit; and

(b) Whether the state of the Fund requires any adjustments to be made in the prescribed amounts of units respectively of annuity benefit, incapacity benefit, assurance benefit, (including additional assurance benefit) and

* 38 V. No. 12 and amending Acts.

any benefit under and within the meaning of the repealed Acts preserved and continued by this Act, or of the unit of any such benefit or in the rates of contributions for units respectively of those benefits or any of them ; and

- (c) If a surplus is shown, the manner in which such surplus may be dealt with ; and
- (d) The rates of surrender values which may be allowed to persons ceasing to contribute ; and
- (e) Any other actuarial matter affecting the Fund as may be required by the Board,

and shall make in his report such recommendations as he deems necessary or desirable having regard to the purpose and result of the investigation.

The Board may act as it deems advisable with respect to any recommendation made by the actuary in such a report.

Power to
declare
bonus
additions.

(4.) The Board may, from time to time, upon the advice of the actuary, declare that there shall be payable in respect of all or any units of benefit under this Act or benefit under the repealed Acts preserved and continued by this Act such additional amounts by way of bonuses as to the Board shall seem meet.

Any such declaration may apply to a period of time or may apply without reference to a period of time.

The Board may at any time upon the advice of the actuary cancel, alter, vary or otherwise modify any such declaration.

Any person entitled to any units of benefit under this Act or benefit under the repealed Acts preserved and continued by this Act in respect whereof additional amounts by way of bonuses have been declared shall, whilst such declaration remains in force, be entitled in respect of such units to payment from the Fund of additional sums in accordance with the declaration and not otherwise.

(5.) Any reference in this Act or the repealed Acts to the amount of a unit of benefit shall unless the context otherwise indicates or requires be taken to exclude any additional amount by way of bonus in respect of that unit.

1958.

Public Service Superannuation Act.

PART III.—CONTRIBUTIONS.

*Division I.—Contributions by Officers.*PART III.—
CONTRI-
BUTIONS.*Division I.—
Contributions
by Officers.*Commence-
ment of
contribu-
tions.

20. (1.) Subject to this Act, every person who is an officer shall contribute to the Fund as from the prescribed date and thereafter until he attains the age of sixty-five years or his employment as an officer sooner ceases.

(2.) (a) In the case of an officer who was immediately prior to the first day of April, one thousand nine hundred and fifty-nine, a contributor under the repealed Acts, the prescribed date shall be the first day of April, one thousand nine hundred and fifty-nine.

Prescribed
date.

(b) In the case of an officer to whom paragraph (a) of this subsection does not apply, the prescribed date shall be the first day of the month next after the date when he satisfies the Board as prescribed by section forty-seven of this Act.

(3.) (a) The contributions to be made by a contributor to the Fund shall be payable monthly and accordingly shall in respect of each month be deducted from the salary payable to him for that month.

Contribu-
tions to be
paid
monthly.

Such monthly deduction may be made in two instalments.

All deductions made from the salaries of officers in respect of contributions to the Fund shall be credited thereto.

(b) Any amount of the contributions to be made by a contributor not paid by deduction from his salary as prescribed by paragraph (a) of this subsection may, in such manner as the manager may direct, be deducted from his salary in any succeeding month or months additionally to the deductions from his salary in respect of such month or months prescribed by paragraph (a) of this subsection.

(c) Notwithstanding the foregoing provisions of this subsection, the Board may recover by action as for a debt any amount of the contributions to be made by a contributor which is due and unpaid.

PART III.—
CONTRI-
BUTIONS.*Public Service Superannuation Act.* 7 ELIZ. II. No. 73,*Division I.—
Contributions
by Officers.*

(d) For the purposes of paragraphs (b) and (c) of this subsection, the amount of any unpaid contributions shall be the aggregate of the amount thereof due and unpaid and of the interest thereon which would have accrued to the Fund had the same been duly paid.

(4.) Where the contributions to be made by a contributor are in arrears to the extent prescribed as respects amount or time, or both, the Board may determine all rights of the contributor to benefits under this Act, and thereupon shall pay to him the surrender value, if any, payable in respect of the contributions, whether paid or in arrears, payable by him to the Fund to the date of such determination reduced by the aggregate of the amount of the arrears of contributions and of the interest thereon which would have accrued to the Fund had the same been duly paid.

*Division II.—
Scale of Units.**Division II.—Scale of Units.*

Salary
for the
purposes
of this
Division.

21. In this Division "salary" in relation to an officer means the annual salary of that officer.

Male
officers—
Scale of
units of
annuity,
incapacity
and
assurance
benefits.

22. (1.) (a) Subject to this Act, contributions by a male officer shall be in respect of units of annuity, units of incapacity, and units of assurance benefits as respectively defined by sections thirty, thirty-two and thirty-four of this Act and the number of units of those benefits respectively in respect of which a male officer shall contribute is the number specified in column two of the scale contained in Part I. of Schedule I. to this Act opposite to the salary group in which his salary falls.

[Schedule I,
Part I.]

Female
officers—
Scale of
units of
annuity
and
incapacity
benefits.

(b) Subject to this Act, contributions by a female officer shall be in respect of units of annuity and units of incapacity benefits as respectively defined by sections thirty and thirty-two of this Act and the number of units of those benefits respectively in respect of which a female officer shall contribute is the number specified in column two of the scale contained in Part II. of Schedule I. to this Act opposite to the salary group in which her salary falls.

[Schedule I,
Part II.]

1958.

Public Service Superannuation Act.

(2.) The annual salary of an officer who is paid salary at a rate other than an annual rate of salary shall, for the purposes of this section, be ascertained as prescribed.

(3.) (a) Where, at the time when an officer becomes a contributor, he or she has attained the age of forty years, but is under the age of sixty years, he or she shall contribute to the Fund—

(i.) Unless he or she is entitled to elect and elects as prescribed by paragraph (ii.) of this subsection, such a sum as will provide units of benefits to the number specified in column two of the appropriate scale contained in Schedule I. to this Act opposite to the salary group within which his or her salary falls ; or

(ii.) If the sum specified in paragraph (i.) of this subsection exceeds the rate of five per centum of his or her salary such sum (being a sum which will provide units of benefits to a number specified in the said scale) not less than five per centum of that salary and not exceeding the sum specified in paragraph (i.) of this subsection as he or she may, not later than six months after the date on which he or she becomes a contributor, elect to contribute.

(b) Where, at the time when an officer is required to become a contributor, he or she has attained the age of sixty years, he or she may elect not to contribute to the Fund or to contribute thereto such a sum (being a sum which will provide units of benefits to a number not exceeding the number specified in column two of the appropriate scale contained in Schedule I. to this Act opposite to the salary group within which his or her salary falls) as he or she deems fit, but unless he or she elects to so contribute not later than six months after the date on which he or she is required by this Act to become a contributor, he or she shall not be entitled or required to contribute to the Fund for any benefit whatsoever under this Act.

(4.) If the salary of a contributor is increased and, by reason of that increase, falls within a salary group in column one of the applicable scale contained in

Schedule I. to this Act higher than the salary group in which it fell prior to the increase, the following provisions shall apply :—

- (a) If the officer has attained the age of forty years, but is under the age of sixty years, and is contributing for the number of units corresponding to the salary group within which his or her salary fell immediately prior to the increase, he or she shall increase the amount of his or her contribution to—
- (i.) Unless he or she is entitled to elect and elects as prescribed by subparagraph (ii.) of this paragraph (a), such a sum as will provide units of benefits to the number specified in column two of such scale opposite to the salary group within which his or her increased salary falls ; or
 - (ii.) If the sum specified in subparagraph (i.) of this paragraph (a) exceeds the rate of five per centum of that increased salary, such sum (being a sum which will provide units of benefits to a number specified in the said scale) not less than five per centum of that increased salary and not exceeding the sum specified in subparagraph (i.) of this paragraph (a) as he or she may, not later than six months after the date on which his or her salary is increased, elect to contribute ;
- (b) If the officer has attained the age of forty years, but is under the age of sixty years, and is not contributing for the number of units corresponding to the salary group within which his or her salary fell immediately prior to the increase, he or she shall increase the amount of his or her contribution to—
- (i.) Unless he or she is entitled to elect and elects as prescribed by subparagraph (ii.) of this paragraph (b), such sum as will add to the number of units for which he or she is contributing the maximum number of additional units for which he or she could have contributed if he or she had been a contributor to whom paragraph (a) of this subsection applies ; or

1958.

*Public Service Superannuation Act.*PART III.—
CONTRI-
BUTIONS.*Division II.—
Scale of Units.*

- (ii.) If the sum specified in subparagraph (i.) of this paragraph (b) exceeds the rate of five per centum of that increased salary, such sum (being a sum which will provide units of benefits to a number specified in the said scale) not less than five per centum of that increased salary and not exceeding the sum specified in subparagraph (i.) of this paragraph (b) as he or she may, not later than six months after the date on which his or her salary is increased, elect to contribute ;
- (c) If the officer has attained the age of sixty years he or she may elect to increase the amount of his or her contribution to such a sum as will provide units of benefits under this Act to a number not exceeding the number specified in column two of such scale opposite to the salary group in which his or her increased salary falls, but unless he or she so elects not later than six months after the date on which his or her salary is increased, he or she shall not be entitled or required to increase his or her contribution by reason of such increase in salary :

Provided that an officer to whom this paragraph (c) applies shall not, in respect of any increase in salary, be entitled or permitted to increase the amount of his or her contribution so as to add to the number of units for which he or she was contributing immediately prior to that increase additional units in excess of the number prescribed in relation to that increase by such scale.

- (d) In all other cases, the contributor shall increase the amount of his or her contribution to such a sum as will provide units of benefits to the number specified in column two of such scale opposite to the salary group within which his or her increased salary falls.

(5.) 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, when and so often as his or her salary is increased, elect

as prescribed by paragraph (a) or (b) of subsection four of this section, notwithstanding that the increased contribution in respect whereof he or she makes the election does not exceed a rate of five per centum of his or her increased salary.

He or she may elect to make an increased contribution 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 shall not be entitled to elect to contribute for a number thereof greater than the total number of units of annuity benefit under this Act for which he or she contributes for the time being.

(6.) Any increased contribution payable in pursuance of paragraph (a), (b), or (d) of subsection four of this section is payable as from the date upon which the contributor's salary is increased, or as from the date as from which the contributor's salary is increased, whichever is the later, and any increased contribution payable in pursuance of paragraph (c) of the said subsection four is payable as from the date of the election.

(7.) Where the date from which any increased contribution would be payable under subsection six of this section is not the first day of a month, the increased contribution is payable as from the first day of the month next after that date.

Power to
Board to
exempt,
&c., from
contributing.

23. (1.) According as the circumstances of any case in its opinion warrant, the Board may exempt an officer wholly or partly from the requirement imposed upon him by this Act to contribute or at any time to increase the amount of his contribution to the Fund, or the Board may defer (either for a period specified by it or without specifying any period) such requirement in respect of either such contribution or any increase in the amount thereof.

(2.) When the Board specifies the period for which it defers the contribution or any increased contribution required by this Act to be paid by an officer, then upon the expiration of that period (or of any extension thereof which it is hereby declared the Board may grant) that officer shall, unless the Board wholly or partly exempts him from so doing, pay to the Fund the contribution or increased contribution then required in his case by this Act.

1958.

*Public Service Superannuation Act.*PART III.—
CONTRI-
BUTIONS.Division II.—
Scale of Units.

(3.) When the Board does not specify the period for which it defers the contribution or any increased contribution required by this Act to be paid by an officer, the Board may at any later time determine that deferment and thereupon, unless the Board wholly or partly exempts him from so doing, the officer concerned shall pay to the Fund the contribution or increased contribution then required in his case by this Act.

(4.) In the case of any officer (including an officer to whom subsection two or three of this section applies) partly exempted by the Board from making the contribution or any increased contribution required in his case by this Act, the payment which he would be otherwise required to make shall be reduced by the amount of the exemption.

(5.) (a) Where a contributor satisfies the Board that adequate provision has been made for himself and his family, or that continued contributions for the number of units for which he is contributing will cause him undue hardship, or that for any other reason which the Board deems adequate he should be permitted to surrender units, the Board may permit the contributor to surrender some or all of the units of benefits under this Act for which he is contributing.

(b) The surrender value, if any, in respect of any contributions paid by the contributor on units surrendered under this subsection shall be paid to the contributor.

(c) The units surrendered by a contributor under this subsection shall be those for which he last began to contribute.

24. Where the salary of a contributor has been reduced and by reason of that reduction falls within a salary group in column one of the appropriate scale contained in Schedule I. to this Act lower than the salary group in which it would fall if it had not been reduced, the contributor may elect to reduce the number of units in respect of which he or she shall contribute to a number not being less than the number of units appropriate to the salary group to which his or her salary has been reduced, and the surrender value, if any, payable in respect of contributions paid by him or her in respect of units of annuity benefit and, in the case of a male contributor, assurance benefit, in excess of the reduced number of units shall be paid to him or her.

Officer
reduced in
salary.

PART III.—
CONTRI-
BUTIONS.

Public Service Superannuation Act.

7 ELIZ. II. No. 73,

*Division II.—
Scale of Units.*

A contributor electing under this section shall surrender first the unit or units for which he or she last began to contribute.

The benefits (save the additional assurance benefit in respect of children) payable under this Act in respect of units respectively of annuity benefit, incapacity benefit and assurance benefit included in the number of units in excess of the number appropriate to the salary group to which the salary of a contributor has been reduced shall, whilst the unit continues to be a unit in excess of the number appropriate to the salary group in which the salary of the contributor falls for the time being, be reduced to two-fifths of the rates thereof which, save for this paragraph, apply under this Act but such benefits shall not be reduced below—

- (a) In the case of incapacity benefit payable to a male contributor or annuity benefit, the rate of sixteen pounds sixteen shillings per unit per annum ; or
- (b) In the case of incapacity benefit payable to a female contributor, the rate of thirteen pounds eight shillings per unit per annum.

Units of
benefits
to be
contributed
for in
equal
numbers.

25. At all times units respectively of annuity benefit, incapacity benefit and, in the case of a male contributor, assurance benefit, shall be contributed for in equal numbers and accordingly a contributor shall not be allowed to contribute at any time for more units of one such benefit than of another.

This section applies subject to subsection five of section twenty-two and Part V. of this Act.

Period for
which
contribu-
tions are to
continue.

26. (1.) Save as provided under subsection two of this section, an officer shall continue to contribute as prescribed to the Fund until he or she attains the age of sixty-five years or his or her employment as an officer is sooner terminated by death, resignation or otherwise howsoever and, subject to subsection two of this section, shall, in respect of any period of recreation leave, sick leave or other leave of absence, either with or without salary, pay contribution, as for a period of service, without reduction.

1958.

*Public Service Superannuation Act.*PART III.—
CONTRI-
BUTIONS.Division II.—
Scale of Units.

(2.) During any period of sick leave of two weeks or longer (in this subsection called the "period of incapacity") in respect of which an officer is in receipt of incapacity benefit from the Fund, the contribution payable by him or her to the Fund shall be suspended, but in every such case such contribution as payable by him or her immediately prior to such period of incapacity shall again become payable if and when he or she resumes his or her employment as an officer.

In the case of any officer to whom Part V. of this Act applies, this subsection applies notwithstanding that he or she is not a contributor to the Fund for incapacity benefit under this Act, and accordingly he or she shall not be required to contribute to the Fund during any period of sick leave of two weeks or longer in respect of which he or she would receive incapacity benefit from the Fund were he or she a contributor thereto for that benefit.

(3.) Where a contributor is on leave of absence of any kind without salary, or at less than full salary, and during the period of that absence the contribution payable by him or her to the Fund is not suspended under subsection two of this section, the Board may, upon his or her application, permit the contribution in respect of the period of such absence to be made to the Fund in such manner as respects periodical amounts or times of payment, or both, as the Board approves.

*Division III.—Scale of Contributions by Officers.*Division III.—
Scale of
Contributions
by Officers.

27. (1.) The amount of contribution which shall be paid monthly by an officer in respect respectively of annuity, incapacity and, in the case of a male officer, assurance benefits, shall, except where otherwise provided in this Act, be based upon—

Contribu-
tions
according to
scale
graduated
by age at
commence-
ment.

(a) The number of units ;

(b) Sex ;

(c) The age at which the officer commences to contribute for each unit,

and shall be 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.

[Schedule II.
Parts I. and
II.]

PART III.—
CONTRI-
BUTIONS.*Public Service Superannuation Act.* 7 ELIZ. II. No. 73,Division III.—
*Scale of
Contributions
by Officers.*

(2.) In respect of officers, male or female, whose age is greater than sixty years nearest birthday when contribution for any unit of any benefit under this Act commences, the monthly amount of contribution to be paid in respect of that unit may be prescribed upon the basis of attained age in years and months.

In relation to an officer to whom this subsection applies, any reference in this Act to the tables of contributions contained in Schedule II. to this Act, or to either such table, shall be deemed to refer to those tables or that table as modified by the payments prescribed for the time being pursuant to this subsection.

Division IV.—
*Payments by
the Crown.*Amount of contribu-
tion by the
Crown.*Division IV.—Payments by the Crown.*

28. (1.) In respect of each unit of annuity benefit, or of incapacity benefit, or of assurance benefit, and in respect of all additional assurance benefits, paid from the Fund, the Crown shall pay to the Fund a sum equal to three-fifths of the payment so made.

This subsection does not apply in respect of—

- (a) Any payment of annuity benefit, to which subsection two or three of section thirty or section fifty-five of this Act applies ; or
- (b) Any payment of incapacity benefit to which subsection two of section thirty-two or section fifty-six of this Act applies ; or
- (c) Any payment prescribed by Division V. of Part IV.

(2.) All sums payable by the Crown under this section shall be paid out of the Consolidated Revenue Fund which is hereby appropriated for that purpose :

Provided that, in respect of a contributor whose salary when he or she ceased employment as an officer was payable from any of the Trust and Special Funds, any sums payable by the Crown under this section shall be paid out of that particular fund.

PART IV.—
BENEFITS AND
PAYMENTS.

PART IV.—BENEFITS AND PAYMENTS.

Division I.—
*Annuity
Benefit.**Division I.—Annuity Benefit.*When
entitlement
to annuity
benefit
accrues.

29. (1.) Every contributor to whom this section applies shall be entitled to annuity benefit on attaining the age of sixty-five years.

1958.

*Public Service Superannuation Act.*PART IV.—
BENEFITS AND
PAYMENTS.Division I.—
Annuity
Benefit.

(2.) This section applies to every contributor—

- (i.) Who, by reason of incapacity, is retired from his or her employment as an officer before attaining the age of sixty-five years ; or
- (ii.) Who is retired or permitted to retire from his or her employment as an officer on attaining the age of sixty-five years ; or
- (iii.) Who is continued in his or her employment as an officer after attaining the age of sixty-five years.

30. (1.) Subject to subsections two and three of this section and to Division V. of Part V., the unit of annuity benefit is at the rate of forty-two pounds per annum.

(2.) In respect of a contributor who is continued in his or her employment as an officer after attaining the age of sixty-five years the unit of annuity benefit is at the rate of sixteen pounds sixteen shillings per annum whilst he or she is so continued.

(3.) In respect of a contributor retired from employment as an officer who thereafter and after attaining the age of sixty-five years is re-employed, whether in a temporary or permanent capacity, by the Crown or by the University of Queensland for any continuous period of four weeks or longer, the unit of annuity benefit is at the rate of sixteen pounds sixteen shillings per annum whilst he or she continues to be so re-employed at a salary equal to or greater than the rate of the basic wage for males (or, in the case of any such person who is a female, for females) declared for the time being by the Industrial Court under **"The Industrial Conciliation and Arbitration Acts, 1932 to 1958."*

(4.) Subject to this Act, a contributor shall be entitled to receive annuity benefit according to the number of units for which he or she was contributing on attaining the age of sixty-five years or, in the case of a contributor retired, by reason of incapacity, from his or her employment as an officer before attaining that age, the number of units for which he or she was contributing when so retired.

* 23 G. 5 No. 36 and amending Acts.

PART IV.—
BENEFITS AND
PAYMENTS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Division II.—
*Incapacity
Benefit.*

Division II.—Incapacity Benefit.

When
entitlement
to
incapacity
benefit
accrues.

31. (1.) Save as otherwise prescribed by subsections three, four and five of this section every contributor to whom this section applies shall be entitled to incapacity benefit for the period prescribed in his or her case by this section.

(2.) This section applies to every contributor or person—

(a) In respect of any period of sick leave of absence without salary, by reason of incapacity, from his or her employment as an officer being such a period approved by the Public Service Commissioner or, in the case of an officer employed by the University of Queensland, as prescribed; or

(b) If retired, by reason of incapacity, from his or her employment as an officer, in respect of the period from his or her retirement and thereafter, subject to the continuance of incapacity, until he or she attains the age of sixty-five years, or until his or her re-employment as an officer, whichever occurs first.

(3.) A person shall not be entitled to incapacity benefit under this Act in respect of incapacity due to wilful action on the part of such person for the obtaining of such benefit.

If, by reason of incapacity to which this subsection applies, a contributor is retired from employment as an officer he or she shall be entitled to be paid the surrender value, if any, in respect of contributions paid by him or her to the Fund in respect of annuity benefit and, in the case of a male contributor, assurance benefit under this Act (and, in the case of a contributor to whom Part V. of this Act applies, assurance benefit under and within the meaning of the repealed Acts) but, save such payment, such retirement shall determine all his or her right and interest in respect of benefits for which he or she was a contributor.

(4.) Where a female contributor who is retired, by reason of incapacity, from employment as an officer, is married after retirement, the Board shall cancel her entitlement to incapacity benefit and annuity benefit under this Act (and, in the case of such a female

1958.

Public Service Superannuation Act.

contributor to whom Part V. of this Act applies, assurance benefit under and within the meaning of the repealed Acts) and thereupon she shall be entitled to be paid the surrender value, if any, in respect of contributions paid by her to the Fund in respect of such annuity benefit and assurance benefit.

Save such payment, such cancellation shall determine all her right and interest in respect of benefits for which she was a contributor.

(5.) A contributor or person shall not continue to receive incapacity benefit under this Act in respect of any incapacity after recovering therefrom, it being hereby declared that upon recovery the entitlement to the benefit shall cease and determine.

32. (1.) Subject to subsection two of this section and to Division V. of Part V., the unit of incapacity benefit is, in the case of a male contributor, at the rate of forty-two pounds per annum and, in the case of a female contributor, at the rate of thirty-three pounds ten shillings per annum.

Units of
incapacity
benefit.

(2.) In respect of a contributor who is entitled to incapacity benefit in respect of any period of sick leave of absence without salary or who, before he or she has been a contributor for incapacity benefit for ten years, is retired by reason of incapacity, from his or her employment as an officer, the unit of incapacity benefit, is in the case of a male contributor, at the rate of sixteen pounds sixteen shillings per annum and, in the case of a female contributor, at the rate of thirteen pounds eight shillings per annum.

For the purposes of this subsection a person shall be deemed to have contributed for incapacity benefit under this Act during any period during which he or she contributed for incapacity allowance under the repealed Acts.

(3.) Subject to this Act, a contributor shall be entitled to receive incapacity benefit according to the number of units for which he or she is contributing at the commencement of any period of sick leave of absence without salary in respect of which he or she is entitled to incapacity benefit, or when he or she is retired, by reason of incapacity, from his or her employment as an officer, as the case may be.

PART IV.—
BENEFITS AND
PAYMENTS.*Public Service Superannuation Act.* 7 ELIZ. II. No. 73,Division III.—
*Assurance
Benefit.**Division III.—Assurance Benefit.*When
entitlement
to
assurance
benefit
accrues.

33. (1.) Every widow to whom this section applies shall be entitled to assurance benefit while this section continues to apply to her.

(2.) This section applies to every widow of—

- (i.) A contributor who dies before attaining the age of sixty-five years ; or
- (ii.) A person who dies after attaining the age of sixty-five years if he is in receipt of annuity benefit under this Act when he dies and her marriage to him took place before he attained that age ; or
- (iii.) A person retired, by reason of incapacity, from his employment as an officer who when so retired was contributing for assurance benefit under this Act and who dies before attaining the age of sixty-five years, if her marriage to him took place before he was so retired.

Remarriage.

(3.) If a widow remarries her entitlement to assurance benefit shall thereupon and thereby cease and determine.

Units of
assurance
benefit.

34. (1.) Subject to subsection two of this section the unit of assurance benefit is at the rate of twenty-one pounds per annum.

Amount of
assurance
benefit.

(2.) Subject to this Act, a widow shall be entitled to receive assurance benefit according to the number of units for which her deceased husband was contributing—

- (a) In the case of a contributor who dies before attaining the age of sixty-five years, at his death ;
- (b) In the case of a person who dies whilst in receipt of annuity benefit, when he attained the age of sixty-five years ;
- (c) In the case of a person retired, by reason of incapacity, from his employment as an officer who dies before attaining the age of sixty-five years, at his retirement,

as the case may be.

Division IV.—
*Additional
Assurance
Benefit for
Children.**Division IV.—Additional Assurance Benefit for Children.*Children
entitled to
additional
assurance
benefit.

35. (1.) Subject to this Act, additional assurance benefit shall be payable in respect of every child to whom this section applies until the child attains the age of sixteen years.

1958.

*Public Service Superannuation Act.*PART IV.—
BENEFITS AND
PAYMENTS.*Division IV.—
Additional
Assurance
Benefit for
Children.*

(2.) This section applies to every child of—

(a) A person—

(i.) Who when he died was a contributor or was in receipt of annuity benefit or who was retired by reason of incapacity from employment as an officer and died before attaining the age of sixty-five years; and

(ii.) Who when he died or ceased to be a contributor was contributing for not less than four units of assurance benefit under this Act; or

(b) A deceased or divorced wife of a person—

(i.) Who when he died was a contributor or was in receipt of annuity benefit or who was retired by reason of incapacity from employment as an officer and died before attaining the age of sixty-five years; and

(ii.) Who when he died or ceased to be a contributor was contributing for not less than four units of assurance benefit under this Act,

in any case where the child was a dependant of such person when he died; or

(c) The widow of a person—

(i.) Who when he died was a contributor or was in receipt of annuity benefit or who was retired by reason of incapacity from employment as an officer and died before attaining the age of sixty-five years; and

(ii.) Who when he died or ceased to be a contributor was contributing for not less than four units of assurance benefit under this Act,

save the issue of her remarriage.

36. (1.) In respect of each child, the amount of additional assurance benefit shall be—Amount of
additional
assurance
benefit.

(a) If a person who, in the case, is or was a widow entitled to assurance benefit pursuant to Division III. of this Part is living, at the rate of twenty-six pounds per annum; and

PART IV.—
BENEFITS AND
PAYMENTS.*Public Service Superannuation Act.* 7 ELIZ. II. No. 73,Division IV.—
Additional
Assurance
Benefit for
Children.

(b) Subject to paragraph (a) of this subsection, at the rate of fifty-two pounds per annum.

Payment of
additional
assurance
benefit.

(2.) Unless the Board otherwise determines, the additional assurance benefit shall be paid in a case to which paragraph (a) of subsection one of this section applies, to the person who is or was the widow referred to therein and, in any other case, to the guardian of the child.

In any case where the Board deems necessary for the better support and education of the child concerned the additional assurance benefit, or any part thereof, shall be paid to such person as the Board determines.

Division V.—
Surrender
Values and
Refunds of
Contributions
for Annuity
and
Assurance
Benefits.*Division V.—Surrender Values and Refunds of Contributions for Annuity and Assurance Benefits.*Assurance
benefit
to unmarried
contributors
and
widowers on
attaining
the age of
sixty-five
years.

37. Every contributor on attaining the age of sixty-five years, if he is then unmarried or a widower, shall be entitled to be paid from the Fund, in respect of each unit of assurance benefit under this Act for which he was contributing when he attained that age—

- (a) In the case of any such unit for which he contributed the reduced amount prescribed by section fifty-four of this Act, a sum calculated by the actuary and approved by the Board; and
- (b) In the case of any such unit to which paragraph (a) of this section does not apply, thirty-three pounds.

This section shall be read so as not to prejudice or affect Division IV. of this Part.

Refunds of
annuity
benefit
contribu-
tions.

38. (1.) If and when a person ceases to be a contributor before attaining the age of sixty-five years, he or, if he has died, his legal personal representative or other person approved by the Board shall be paid from the Fund the surrender value of the number of units of annuity benefit under this Act for which he was then contributing.

This subsection does not apply to a person retired, by reason of incapacity, from his employment as an officer.

1958.

*Public Service Superannuation Act.*PART IV.—
BENEFITS AND
PAYMENTS.*Division V.—
Surrender
Values and
Refunds of
Contributions
for Annuity
and
Assurance
Benefits.*

(2.) If, when a person over the age of sixty-five years who has been a contributor dies, the surrender value, calculated as at the date when he attained the age of sixty-five years, of the number of units of annuity benefit under this Act, in respect of which he was in receipt of such benefit when he died exceeds the aggregate of all payments made to him from the Fund in respect of those units of annuity benefit reduced by the aggregate of the sums paid to the Fund by the Crown in respect of those payments to him, his legal personal representative or other person approved by the Board shall be entitled to be paid from the Fund the amount of that excess.

39. (1.) If and when a male contributor who is unmarried or a widower dies before attaining the age of sixty-five years (without in the case of such a widower leaving him surviving any child in respect of whom additional assurance benefit is payable) his legal personal representative or other person approved by the Board shall be paid from the Fund a sum equal to the aggregate of all amounts contributed by him to the Fund in respect of units of assurance benefit for which he was then contributing.

Refund
of assurance
benefit
contribu-
tions.

(2.) If and when a male contributor who is a widower dies before attaining the age of sixty-five years, leaving him surviving any child in respect of whom additional assurance benefit is payable, his legal personal representative or other person approved by the Board shall, in respect of the aggregate of all amounts contributed by him to the Fund in respect of units of assurance benefit for which he was then contributing, be paid from the Fund a sum calculated as if he had contributed those amounts at the rate applicable in respect of the fifth and each subsequent such unit according to the Table contained in Part I. of Schedule II. to this Act.

(3.) If and when a person ceases, for a reason other than his death, to be a contributor before attaining the age of sixty-five years he shall be paid from the Fund the surrender value of the number of units of assurance benefit for which he was contributing when he ceased to be a contributor.

This subsection does not apply to a person retired by reason of incapacity, from his employment as an officer.

PART IV.—
BENEFITS AND
PAYMENTS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Division VI.—
*General
Provisions
respecting
Benefits.*

Division VI.—General Provisions respecting Benefits.

Right to
prepay
contri-
butions.

40. The Board may permit a contributor to commute the contribution for benefits under this Act, or any of them, payable by him in respect of any future period by payment of a lump sum of such amount as shall be determined by the actuary and approved by the Board.

Benefits
payable
for life
except in
case of
children.

41. (1.) Except where otherwise provided in this Act, annuity benefit or assurance benefit shall be payable during the life of the person entitled thereto.

(2.) Additional assurance benefit in respect of any child shall be payable until the child attains the age of sixteen years or dies before attaining that age.

Payment of
benefit
instalments.

(3.) Benefits shall as far as practicable be paid monthly or, if so determined by the Board, periodically at shorter intervals.

Payment to
person
other
than the
beneficiary.

42. Where in the opinion of the Board payment of any benefit, refund of contributions or other payment under this Act should be made to a person other than the person to whom the same is prescribed to be payable, the Board may authorise payment to such firstmentioned person accordingly.

Commence-
ment of
benefits.

43. Subject to this Act, where in pursuance of this Act any officer becomes liable, or elects, to contribute for any units or additional units, he shall be a contributor in respect of those units or additional units as from the date as from which the contribution or additional contribution therefor is payable and not earlier, but if any benefit becomes payable to or in respect of that contributor before he has actually commenced to make contributions or additional contributions there shall, as determined by the Board, be deducted from payments of benefit such contributions as are due by him in respect of those units or additional units.

Proof of
continued
incapacity.

44. Any person who has been retired, by reason of incapacity, from employment as an officer, and who is in receipt of incapacity benefit, shall whilst he continues to be in receipt of incapacity benefit, give as prescribed

1958.

*Public Service Superannuation Act.*PART IV.—
BENEFITS AND
PAYMENTS.Division VI.—
General
Provisions
respecting
Benefits.

such notifications and certificates relating to his continued incapacity as shall be prescribed and submit himself for medical examination when and so often as the Board requires to a medical practitioner approved by the Board.

If at any time a person defaults in complying with any requirement of this section, the Board may discontinue the payment to him of incapacity benefit until he remedies the default to its satisfaction.

45. (1.) If, in the opinion of the Board, the health of any person who has been retired, by reason of incapacity, from employment as an officer, and who is in receipt of incapacity benefit, has become so restored as to enable him to perform, in the opinion of the Board, duties as an officer, the Board shall so inform the Public Service Commissioner (or the person or authority other than the Public Service Commissioner by whom or which that person was formerly employed as an officer) with a view to employment as an officer being found for such person.

Incapacity
beneficiary
restored to
health may
be recalled
to service.

(2.) If employment as an officer is offered to him and he fails to accept that employment the Board may cancel the incapacity benefit and thereupon it shall cease to be payable.

(3.) Upon the cancellation pursuant to this section of the incapacity benefit payable to any person, neither that person nor any other person claiming through him, either immediately or at any future time, shall have any right or claim to any payment or, as respects incapacity benefit, further payment from the Fund in respect of any units of annuity benefit, or of incapacity benefit, or of assurance benefit (including additional assurance benefit) for which he was contributing to the Fund when he retired (including units of assurance benefit under and within the meaning of the repealed Acts) save that such person shall be paid from the Fund the surrender value, if any, of each unit respectively of any such benefit.

46. If a person who has been retired, by reason of incapacity, from employment as an officer and who is in receipt of incapacity benefit again becomes an officer, the period during which he was retired shall not, for the purposes of this Act, be deemed to be a break in the

Contribution
by retired
incapacity
beneficiaries
upon re-
employment.

PART IV.—
BENEFITS AND
PAYMENTS.*Public Service Superannuation Act.* 7 ELIZ. II. No. 73,Division VI.—
*General
Provisions
respecting
Benefits.*

continuity of his service as an officer, and accordingly the contribution payable by him immediately prior to his retirement shall again become payable.

Medical
examination
of
employees.

47. (1.) Notwithstanding anything contained in the repealed Acts or in this Act, a person who became an officer on or after the twenty-fourth day of November, one thousand nine hundred and fifty-eight, or who becomes an officer on or after the date of commencement of this Act shall not contribute to the Fund unless, before becoming an officer, or within such period after becoming an officer as the Board allows in his case, he has been medically examined by a medical practitioner approved by the Board, and a report of the results of the examination has been furnished by the medical practitioner to the Board or to a person or authority specified by the Board.

(2.) A person referred to in subsection one of this section shall not contribute to the Fund unless the Board is satisfied, after considering the report of the medical practitioner, that the health and physical condition of that person are such as to justify his being accepted as a contributor.

Married
women
not to be
contributors.

48. (1.) A married woman who becomes an officer shall not be entitled or required or permitted to contribute to the Fund.

(2.) A female officer who marries after the commencement of this Act shall, for the purposes of this Act, be deemed to have resigned on the date of her marriage.

PART V.—
TRANSITIONAL
PROVISIONS.

PART V.—TRANSITIONAL PROVISIONS.

Division I.—
*Interpretation.**Division I.—Interpretation.*

Conversion
value of
units of
annuity
benefit and
incapacity
allowance
under the
repealed
Acts.

49. Except as otherwise provided in this Act, a unit of annuity benefit or of incapacity allowance under the repealed Acts shall be taken into account as three units of annuity benefit or as three units of incapacity benefit, as the case may be, under this Act.

1958.

*Public Service Superannuation Act.*PART V.—
TRANSITIONAL
PROVISIONS.*Division I.—
Interpretation.*
Application
of Part V.

50. This Part V. applies to every officer required by this Act to contribute to the Fund whose employment as an officer (whether on probation or otherwise) commenced before the first day of April, one thousand nine hundred and fifty-nine, and who immediately before that date was contributing under the repealed Acts for annuity benefit thereunder.

In this Part V. the term "officer" means an officer to whom this Part V. applies.

*Division II.—Contributions for Annuity Benefit by
Officers.*

*Division II.—
Contributions
for Annuity
Benefit by
Officers.*

51. (1.) Subject to this Division, every officer shall, whilst he is required by this Act to contribute to the Fund, contribute thereto for three units of annuity benefit in respect of every unit of annuity benefit under the repealed Acts for which he was contributing thereunder.

Officer to
make
equivalent
contribution
for annuity
benefits.

(2.) In respect of every three units of annuity benefit under this Act to which subsection one of this section applies, an officer (instead of contributing in accordance with the appropriate Table contained in Schedule II. to this Act) shall make to the Fund the contribution prescribed under the repealed Acts in respect of the unit of annuity benefit thereunder in relation to which subsection one of this section requires him to contribute for the three units in question of annuity benefit under this Act.

(3.) In respect of a number of units of annuity benefit under this Act for which an officer is required to contribute according to the appropriate Table contained in Schedule I. to this Act in excess of the aggregate of three units of annuity benefit under this Act for each unit of annuity benefit under the repealed Acts for which—

- (a) An officer under the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, was contributing, on and from that date that officer shall contribute for all units so in excess of that aggregate according to the appropriate Table contained in Schedule II. to this Act; or

PART V.—
TRANSITIONAL
PROVISIONS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Division II.—
Contributions
for Annuity
Benefit by
Officers.

(b) An officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, was contributing, if that officer elects pursuant to subsection four of this section to contribute for all or any units so in excess of that aggregate and the Board approves of such contribution, on and from a date so approved by the Board that officer shall (subject to subsection five of this section) contribute therefor according to the appropriate Table contained in Schedule II. to this Act.

(4.) An officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, and to whom subsection three of this section applies may, not later than the thirty-first day of December, one thousand nine hundred and fifty-nine, elect either to contribute for all of the excess units of annuity benefit prescribed by that subsection in his or her case or to contribute for less than the full number of those excess units.

Such officer shall not be entitled or required to contribute to the Fund for any such excess units of annuity benefit save as he or she elects pursuant to this subsection.

(5.) In respect of a number (not exceeding, in the case of a male officer, six and, in the case of a female officer, two) of the excess units of annuity benefit under this Act, for which an officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, elects pursuant to subsection four of this section, to contribute, the contribution payable shall be the reduced amount of contribution prescribed by this subsection.

Such reduced amount of contribution shall be—

- (a) In the case of such an officer who, on the date when the contribution commences, has not attained the age of forty-nine years nearest birthday, the contribution payable upon the basis of the age of forty years nearest birthday ;
- (b) In the case of such an officer who, on the date when the contribution commences, has attained the age of forty-nine years nearest

1958.

Public Service Superannuation Act.

birthday but has not attained the age of sixty-one years nearest birthday, one-half of the contribution payable upon the basis of the age of the contributor,

according to the appropriate Table contained in Schedule II. to this Act.

Such reduced amount of contribution shall, in the case of an officer who, on the date when the contribution commences, has attained the age of sixty-one years nearest birthday, be at such monthly rate as would, if he continued to contribute until he attained the age of sixty-five years, amount to the aggregate of one-half of the contribution in respect of a period of five years payable, upon the basis of the age of sixty years nearest birthday, according to the appropriate Table contained in Schedule II. to this Act.

(6.) Whilst the aggregate of three units of annuity benefit under this Act for each unit of annuity benefit under the repealed Acts exceeds the number of units of annuity benefit under this Act for which an officer is for the time being entitled and required to contribute according to the appropriate Table contained in Schedule I. to this Act, he shall not be entitled or required to contribute for units of annuity benefit under this Act in excess of that aggregate.

(7.) In calculating for the purposes of this section any reduced rate of contribution in respect of a unit of annuity benefit, any fraction of a penny shall count as a penny.

52. At any time not later than the thirty-first day of December, one thousand nine hundred and fifty-nine, when the aggregate of three units of annuity benefit under this Act for each unit of annuity benefit under the repealed Acts for which an officer was contributing exceeds the number of units of annuity benefit under this Act for which that officer is required to contribute according to the appropriate Table contained in Schedule I. to this Act, that officer may surrender all or any of those excess units of annuity benefit under this Act, and thereupon shall be paid from the Fund the surrender value of each such unit so surrendered.

Any units surrendered by a contributor under this section shall be those for which he last commenced to contribute.

PART V.—
TRANSITIONAL
PROVISIONS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

*Division III.—
Contributions
for Incapacity
Benefit by
Officers.*

Division III.—Contributions for Incapacity Benefit by Officers.

Officer to
make
equivalent
contribution
for
incapacity
benefit.

53. (1.) Subject to this Division, every officer shall, whilst he is required by this Act to contribute to the Fund, contribute thereto for three units of incapacity benefit in respect of every unit of incapacity allowance under the repealed Acts for which he was contributing thereunder.

(2.) In respect of every three units of incapacity benefit under this Act to which subsection one of this section applies, an officer (instead of contributing in accordance with the appropriate Table contained in Schedule II. to this Act) shall make to the Fund the contribution prescribed under the repealed Acts in respect of the unit of incapacity allowance thereunder in relation to which subsection one of this section requires him or her to contribute for the three units in question of incapacity benefit under this Act.

(3.) In respect of a number of units of incapacity benefit under this Act for which an officer is required to contribute according to the appropriate Table contained in Schedule I. to this Act in excess of the aggregate of three units of incapacity benefit under this Act for each unit of incapacity allowance under the repealed Acts for which—

- (a) An officer under the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, was contributing, on and from that date that officer shall contribute for all units so in excess of that aggregate according to the appropriate Table contained in Schedule II. to this Act; or
- (b) An officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, was contributing, if that officer elects pursuant to subsection four of this section to contribute for all or any units so in excess of that aggregate and the Board approves of such contribution, on and from a date so approved by the Board that officer shall contribute therefor according to the appropriate Table contained in Schedule II. to this Act.

1958.

*Public Service Superannuation Act.*PART V.—
TRANSITIONAL
PROVISIONS.*Division III.—
Contributions
for Incapacity
Contributions
Benefit by
Officers.*

(4.) An officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, and to whom subsection three of this section applies, may, not later than the thirty-first day of December, one thousand nine hundred and fifty-nine, elect either to contribute for all of the excess units of incapacity benefit prescribed by that subsection in his or her case or to contribute for less than the full number of those excess units.

Such officer shall not be entitled or required to contribute to the Fund for any such excess units of incapacity benefit save as he or she elects pursuant to this subsection.

(5.) Whilst the aggregate of three units of incapacity benefit under this Act for each unit of incapacity allowance under the repealed Acts exceeds the number of units of incapacity benefit under this Act for which an officer is for the time being entitled and required to contribute according to the appropriate Table contained in Schedule I. to this Act, he shall not be entitled or required to contribute for units of incapacity benefit under this Act in excess of that aggregate.

(6.) An officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, shall not be entitled or permitted to elect pursuant to this section to contribute for units of incapacity benefit under this Act in excess of the number of units of annuity benefit under this Act for which he becomes a contributor.

(7.) Whilst an officer is, pursuant to this Part V., contributing for units of incapacity benefit under this Act in excess of the number of units of annuity benefit under this Act for which he is contributing, he shall not be entitled or permitted to increase his contribution in respect of incapacity benefit under this Act unless, being thereunto entitled under this Act, he increases his contribution under this Act in respect of annuity benefit so that he is contributing for the same number of units respectively of annuity benefit and of incapacity benefit.

PART V.—
TRANSITIONAL
PROVISIONS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Division IV.—
Contributions
for
Assurance
Benefit by
Officers.

Division IV.—Contributions for Assurance Benefit by Officers.

Election
with respect
to
contribution.

54. (1.) Subject to this Division, a male officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, may, not later than the thirty-first day of December, one thousand nine hundred and fifty-nine, elect either to contribute for all of the units of assurance benefit appropriate in his case according to the Table contained in Part I. of Schedule I. to this Act or to contribute for less than that number of such units.

Such an officer shall not be required or permitted to contribute to the Fund for any of the units of assurance benefit under this Act appropriate in his case, as at the said first day of April, according to the said Table, unless he elects pursuant to this subsection to make the contribution and the Board approves thereof. In such case the contribution shall be made on and from a date approved by the Board.

(2.) In respect of the prescribed number of the units of assurance benefit under this Act, for which an officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, elects pursuant to subsection one of this section to contribute, the contribution payable shall be the reduced amount of contribution prescribed by this subsection.

Such reduced amount of contribution shall be—

(a) In the case of such an officer who, on the date when the contribution commences has not attained the age of fifty-two years nearest birthday, the contribution payable upon the basis of the age of forty years nearest birthday ;

(b) In the case of such an officer who, on the date when the contribution commences has attained the age of fifty-two years nearest birthday but has not attained the age of sixty-one years nearest birthday, one-half of the contribution payable upon the basis of the age of the contributor,

according to the appropriate Table contained in Schedule II. to this Act.

1958.

*Public Service Superannuation Act.*PART V.—
TRANSITIONAL
PROVISIONS.Division IV.—
Contributions
for
Assurance
Benefit by
Officers.

Such reduced amount of contribution shall, in the case of an officer who, on the date when the contribution commences has attained the age of sixty-one years nearest birthday be at such monthly rate as would, if he continued to contribute until he attained the age of sixty-five years, amount to the aggregate of one-half of the contribution in respect of a period of five years payable, upon the basis of the age of sixty years nearest birthday, according to the appropriate Table contained in Schedule II. to this Act.

The "prescribed number" shall be—

(a) (In the case of an officer whose entitlement to contribute for units of annuity benefit under this Act at the reduced amount prescribed by subsection five of section fifty-one of this Act is limited to a lesser number than six for the reason that such lesser number increases the total number of such units for which he is a contributor to the number appropriate in his case according to the Table contained in Part I. of Schedule I. to this Act) twelve less that lesser number ;

(b) In any other case, six.

(3.) An officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine, shall not be entitled or permitted to elect pursuant to this section to contribute for units of assurance benefit under this Act in excess of the number of units of annuity benefit under this Act for which he becomes a contributor.

(4.) In calculating for the purposes of this section any reduced rate of contribution in respect of a unit of assurance benefit, any fraction of a penny shall count as a penny.

Division V.—Amounts respectively of Annuity Benefits and Incapacity Benefits.

Division V.—
Amounts
respectively of
Annuity
Benefits and
Incapacity
Benefits.

55. Every officer who when he attains the age of sixty-five years is contributing (or, in the case of an officer retired, by reason of incapacity, before attaining that age, when so retired was contributing) for units of annuity benefit under this Act in excess of the number thereof for which that officer is then (or was when he was so retired before attaining that age) required to

Annuity
benefit.

PART V.—
TRANSITIONAL
PROVISIONS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Division V.—
*Amounts
respectively of
Annuity
Benefits and
Incapacity
Benefits.*

contribute according to the appropriate Table contained in Schedule I. to this Act shall, in respect of those excess units, be entitled to receive annuity benefit at the rate per unit of sixteen pounds sixteen shillings per annum and no more at all times during the continuance of his entitlement to receive annuity benefit under this Act and irrespective of whether or not his employment as an officer is continued or discontinued.

Incapacity
benefit.

56. Every officer who when retired, by reason of incapacity, from his or her employment as an officer, or when granted sick leave of absence without salary from such employment, is contributing for units of incapacity benefit under this Act in excess of the number thereof for which he or she is then required to contribute according to the appropriate Table contained in Schedule I. to this Act shall, in respect of those excess units, be entitled to receive incapacity benefit at the rate per unit, in the case of a male contributor, of sixteen pounds sixteen shillings and, in the case of a female contributor, of thirteen pounds eight shillings per annum and no more during the continuance of his or her entitlement to receive incapacity benefit under this Act by reason of such retirement or sick leave of absence without salary, as the case may be.

Division VI.—
*Other Benefits
under the
repealed Acts.*

Division VI.—Other Benefits under the repealed Acts.

Contribution
for assurance
benefit under
the repealed
Acts.

57. (1.) An officer may, and it is hereby declared is entitled to, maintain the amount of the assurance benefit payable at death or, as the case may be, payable at the age of sixty-five years or prior death for which he was contributing under the repealed Acts immediately prior to the first day of April, one thousand nine hundred and fifty-nine, by continuing to make to the Fund the contributions required by the repealed Acts to be made by him thereto in respect of that amount.

(2.) An officer may elect to discontinue, as from the first day of April, one thousand nine hundred and fifty-nine, or as from any later date, the whole or any part (being a sum contributed in respect of a unit or units of the benefit) of such contribution.

(3.) An officer shall be paid from the Fund the full actuarial reserve then held in respect of every unit of the benefit to which this section applies which he has

1958.

*Public Service Superannuation Act.*PART V.—
TRANSITIONAL
PROVISIONS.Division VI.—
*Other Benefits
under the
repealed Acts.*

duly elected to surrender as from a day not later than the thirtieth day of September, one thousand nine hundred and fifty-nine.

In respect of any unit of such benefit surrendered by him as from any later date he shall be paid from the Fund the then surrender value thereof as determined by the actuary and approved by the Board calculated on an actuarial basis.

(4.) According as the officer continues to contribute for the whole or part only thereof, payment shall be made from the Fund in respect of the benefit when it becomes payable.

(5.) To the extent necessary to give operation and effect to this section, the provisions of the repealed Acts with respect to the benefit thereunder called therein assurance benefit shall, notwithstanding the repeal thereof, be deemed to be in force.

58. (1.) The right and interest of an officer or other person who attained the age of sixty-five years or of a person retired, by reason of incapacity, from employment as an officer prior to the first day of April, one thousand nine hundred and fifty-nine, in respect of assurance benefit for which he contributed under the repealed Acts are, to the extent subsisting, hereby preserved and continued and accordingly payments as necessary shall be made from the Fund.

Payment of
assurance
benefit under
the repealed
Acts.

(2.) To the extent necessary to give operation and effect to this section, the provisions of the repealed Acts with respect to the benefit thereunder called therein assurance benefit shall, notwithstanding the repeal thereof, be deemed to be in force.

Division VII.—Persons other than Officers.

Division VII.—
*Persons other
than Officers.*

59. (1.) The right and interest of a person other than an officer in respect of annuity benefit, incapacity allowance and assurance benefit payable at death or, as the case may be, payable at the age of sixty-five years or prior death, or any of those benefits, under the repealed Acts for which he was contributing immediately prior to the first day of April, one thousand nine hundred and fifty-nine, are, to the extent subsisting, hereby preserved and continued and he may make to the Fund

Not entitled
to contribute
for benefits
under this
Act.

PART V.—
TRANSITIONAL
PROVISIONS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Division VII.—
*Persons other
than Officers.*

contributions as prescribed by the repealed Acts for maintaining them and, subject to compliance with the applicable provisions of the repealed Acts, he shall be paid from the Fund any payment prescribed thereby in respect of such a benefit.

(2.) To the extent necessary to give operation and effect to this section, the provisions, save subsection 3A of section 21A and subsection six of section 21B, of the repealed Acts with respect to the benefits thereunder called therein respectively annuity benefit, additional annuity benefit, incapacity allowance, additional incapacity allowance and assurance benefit shall, notwithstanding the repeal thereof, be deemed to be in force.

Division
VIII.—
*Persons in
receipt of
Benefits under
the repealed
Acts.*

*Division VIII.—Persons in receipt of Benefits under
the repealed Acts.*

Annuity
benefit.

60. (1.) The right and interest of a person in respect of annuity benefit (including additional annuity benefit, if any) which became payable to him under the repealed Acts prior to the first day of April, one thousand nine hundred and fifty-nine, are, to the extent subsisting, hereby preserved and continued and accordingly payments as necessary shall be made from the Fund.

(2.) Save the persons specified in subsection three of this section, every person to whom this section applies shall be paid from the Fund an additional amount at the rate of one hundred pounds per annum on and from the first day of April, one thousand nine hundred and fifty-nine (or, in the case of such a person retired or permitted to retire from employment as an officer at a later date, that later date) and thereafter so long as annuity benefit under the repealed Acts continues to be payable to him.

(3.) The following persons to whom this section applies shall not be entitled to be paid, or be paid, the additional amount specified in subsection two of this section, namely—

(a) Any person whose right and interest preserved and continued by subsection one of this section does not include a right to additional

1958.

*Public Service Superannuation Act.*PART V.—
TRANSITIONAL
PROVISIONS.Division
VIII.—
Persons in
receipt of
Benefits under
the repealed
Acts.

annuity benefit under, within the meaning of, and in accordance with the provisions with respect to that benefit of the repealed Acts; or

- (b) Any person whose right and interest preserved and continued by subsection one of this section includes a right to additional annuity benefit under, within the meaning of, and in accordance with the provisions with respect to that benefit of the repealed Acts by virtue only of specific approval in that behalf granted by the Governor in Council in his case pursuant to subsection six of section 21A of the repealed Acts.

(4.) To the extent necessary to give operation and effect to this section, the provisions, save subsection 3A of section 21A, of the repealed Acts with respect to the benefits thereunder called therein respectively annuity benefit and additional annuity benefit shall, notwithstanding the repeal thereof, be deemed to be in force.

61. (1.) The right and interest of a person retired, by reason of incapacity, prior to the first day of April, one thousand nine hundred and fifty-nine, in respect of incapacity allowance (including additional incapacity allowance if any) which became payable to him under the repealed Acts, are, to the extent subsisting, hereby preserved and continued, and accordingly payment as necessary shall be made from the Fund. Incapacity benefit.

(2.) Save the persons specified in subsection three of this section, every person to whom this section applies shall on and from the first day of April, one thousand nine hundred and fifty-nine, and thereafter so long as incapacity allowance under the repealed Acts continues to be payable to him or her be paid from the Fund an additional amount at the rate of—

- (a) In the case of a female person having such right and interest in respect of incapacity allowance at the rate of forty pounds per annum per unit, eighty pounds per annum; and
- (b) In any other case, one hundred pounds per annum.

PART V.—
TRANSITIONAL
PROVISIONS.

Division
VIII.—
Persons in
receipt of
Benefits under
the repealed
Acts.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

(3.) The following persons to whom this section applies shall not be entitled to be paid, or be paid, the additional amount specified in subsection two of this section, namely—

- (a) Any person whose right and interest preserved and continued by subsection one of this section does not include a right to additional incapacity allowance under, within the meaning of, and in accordance with the provisions with respect to that benefit of the repealed Acts ; or
- (b) Any person whose right and interest preserved and continued by subsection one of this section includes a right to additional incapacity allowance under, within the meaning of, and in accordance with the provisions with respect to that benefit of the repealed Acts by virtue only of specific approval in that behalf granted by the Governor in Council in his or her case pursuant to subsection five of section 21B of the repealed Acts.

(4.) (a) Subject to a person to whom this section applies continuing to receive incapacity allowance (including additional incapacity allowance, if any) which became payable to him under the repealed Acts until he attains the age of sixty-five years, the right and interest of such person in respect of annuity benefit (including additional annuity benefit, if any) for which he was contributing under the repealed Acts when he was retired are, to the extent subsisting, also hereby preserved and continued and accordingly payment as necessary shall be made from the Fund.

(b) Section sixty of this Act shall apply to such person on and from the date when he attains the age of sixty-five years, and for the purpose of so applying that section any reference therein to the first day of April, one thousand nine hundred and fifty-nine, shall be read as referring to the date on which the person in question attains the age of sixty-five years.

(5.) To the extent necessary to give operation and effect to this section the provisions, save subsection 3A of section 21A and subsection six of section 21B, of the

1958.

Public Service Superannuation Act.

PART V.—
TRANSITIONAL
PROVISIONS.

*Division
VIII.—
Persons in
receipt of
Benefits under
the repealed
Acts.*

repealed Acts with respect to the benefits called there-
under respectively incapacity allowance and additional
incapacity allowance and, so far as they relate to such a
person, annuity benefit and additional annuity benefit
shall, notwithstanding the repeal thereof, be deemed to
be in force.

62. Sections forty-four, forty-five and forty-six of
this Act apply to persons whose right and interest in
respect of incapacity allowance which became payable to
them under the repealed Acts are preserved and continued
by section sixty-one of this Act. Incapacity
beneficiaries
when
deemed on
leave.

63. If any person whose right and interest in respect
of incapacity allowance which became payable to him
under the repealed Acts are preserved and continued by
section sixty-one of this Act, becomes an officer, then the
provisions applicable to officers of this Part of this Act
shall apply to him. Incapacity
beneficiaries
re-employed
as officers.

For the purpose of so applying those provisions
any reference therein to the first day of April, one
thousand nine hundred and fifty-nine, shall be read as
referring to the date on which he becomes an officer.

Division IX.—Incapacitated Officers and Other Persons.

*Division IX.—
Incapacitated
Officers and
Other
Persons.*

64. (1.) The right and interest of an officer or
other person on sick leave of absence without salary, by
reason of incapacity, immediately prior to the first day
of April, one thousand nine hundred and fifty-nine, in
respect of incapacity allowance which became payable to
him under the repealed Acts are, to the extent subsisting,
hereby preserved and continued in respect both of the
period of such leave current at the first day of April,
one thousand nine hundred and fifty-nine, and of any
extension or extensions of that period granted thereafter,
by reason of continuous incapacity, and accordingly
payment as necessary shall be made from the Fund. Incapacity
allowance.

(2.) If without resuming his employment an officer
or other person to whom subsection one of this section
applies is retired, by reason of incapacity, from such
employment, then section sixty-one of this Act shall
apply to him on and from the date of his retirement.

For the purposes of so applying that section any
reference therein to the first day of April, one
thousand nine hundred and fifty-nine, shall be read as
referring to the date on and from which he is so retired.

PART V.—
TRANSITIONAL
PROVISIONS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Division IX.—
*Incapacitated
Officers and
Other
Persons.*

(3.) To the extent necessary to give operation and effect to this section the provisions of the repealed Acts with respect to the benefit called thereunder incapacity allowance shall, notwithstanding the repeal thereof, be deemed to be in force.

Annuity and
assurance
benefits.

65. (1.) The right and interest of an officer or other person to whom section sixty-four of this Act applies who remains on sick leave of absence without salary until he attains the age of sixty-five years, in respect of annuity benefit and assurance benefit under the repealed Acts are, to the extent subsisting, hereby preserved and continued and accordingly payment as necessary shall be made from the Fund.

(2.) Section sixty of this Act shall apply to an officer or other person to whom this section applies on and from the date when he attains the age of sixty-five years.

For the purpose of so applying that section any reference therein to the first day of April, one thousand nine hundred and fifty-nine, shall be read as referring to the date on which the officer or other person in question attains the age of sixty-five years.

Resumption
of contri-
butions.

66. An officer to whom section sixty-four of this Act applies shall not be required or permitted to contribute under this Act to the Fund unless and until he resumes employment as such and accordingly Divisions II., III., IV. and VI. of this Part shall apply subject to this section.

For the purpose of so applying those Divisions any reference therein to the first day of April, one thousand nine hundred and fifty-nine, shall be read as referring to the date on which the officer resumes his employment as such.

Division X.—
*Medical
Certificates.*

When
evidence of
good health
required.

Division X.—Medical Certificates.

67. Notwithstanding anything in this Act or in any other Act—

(a) An officer who has made an application to contribute voluntarily for any benefit under the repealed Acts which has not been approved by the Board ;

1958.

*Public Service Superannuation Act.*PART V.—
TRANSITIONAL
PROVISIONS.*Division X.—
Medical
Certificates.*

- (b) An officer whose right or entitlement to contribute in respect of any compulsory unit of annuity benefit under the repealed Acts has, at any time, been rejected or deferred ;
- (c) An officer who has attained the age of forty years on the first day of April, one thousand nine hundred and fifty-nine ;
- (d) An officer to whom section sixty-three of this Act applies ; or
- (e) An officer to whom Division IX. of this Part applies,
- shall not be entitled or required or permitted to contribute under this Act—
- (i.) For a number of units of annuity benefit in excess of the aggregate of three such units for each unit of annuity benefit under the repealed Acts for which he was contributing ;
- (ii.) For a number of units of incapacity benefit in excess of the aggregate of three such units for each unit of incapacity allowance under the repealed Acts for which he was contributing ; or
- (iii.) For any assurance benefit,
- unless and until he produces evidence of good health satisfactory to the Board or is exempted from so doing by the Board.

*Division XI.—Conversion of Benefits.**Division XI.—
Conversion of
Benefits.*

68. (1.) A person may apply to the Board to convert into annuities payable respectively to himself during his lifetime and upon his death to his widow during her lifetime any annuity benefit (including additional annuity benefit, if any) under the repealed Acts whereof he was in receipt immediately prior to the first day of April, one thousand nine hundred and fifty-nine, together with, if he is entitled to payment thereof, the additional amount at the rate of one hundred pounds per annum prescribed by section sixty of this Act.

Such person may also apply to have included in such conversion any assurance benefit under the repealed Acts whereto he is entitled.

PART V.—
TRANSITIONAL
PROVISIONS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

Division XI.—
Conversion of
Benefits.

(2.) The Board shall not approve such an application unless the applicant produces evidence of good health satisfactory to the Board.

(3.) The widow of a person to whom this section applies shall not be paid annuity benefit pursuant to this section unless her marriage to him took place before the first day of April, one thousand nine hundred and fifty-nine.

(4.) The annuity benefit payable to the widow pursuant to the conversion shall be one-half that payable to the applicant and the actuarial value at the date of conversion as determined by the actuary and approved by the Board of the respective annual amounts of those annuities shall be equivalent to the equivalent value at the date of conversion of the benefit or benefits under the repealed Acts which have been converted (inclusive of the value of the aforesaid additional annual amount, if any).

Division
XII.—
Payments by
the Crown.

When Crown
to make
payments.

Division XII.—Payments by the Crown.

69. (1.) Where the right and interest in respect of annuity benefit or of incapacity allowance under the repealed Acts preserved and continued to any person by this Act include the payment by the Crown under the repealed Acts called therein additional annuity benefit or, as the case requires, additional incapacity allowance benefit then, in respect of payments from the Fund in respect of units of the benefits so preserved and continued the Crown shall pay to the Fund a sum equal to three-fifths of each payment so made.

(2.) In respect of all additional amounts paid from the Fund as prescribed by subsection two of section sixty, or subsections two and four of section sixty-one, or subsection two of section sixty-four, or subsection two of section sixty-five of this Act, the Crown shall pay to the Fund an equal sum.

(3.) In respect of payments from the Fund in respect of units of annuity benefit and of assurance benefit contributed for at reduced rates of contribution pursuant to the provisions of subsection five of section fifty-one and subsection two of section fifty-four of this Act, the Crown shall pay to the Fund such proportion of each payment so made as may be determined by the actuary after making proper allowance as respects the reduction in the rate of the contribution in question.

1958.

*Public Service Superannuation Act.*PART V.—
TRANSITIONAL
PROVISIONS.*Division
XII.—
Payments by
the Crown.*

(4.) In respect of payments from the Fund in respect of any annuity obtained by conversion under section sixty-eight of this Act, which included additional annuity benefit under and within the meaning of the repealed Acts or the additional amount at the rate of one hundred pounds per annum prescribed by section sixty of this Act, or both, the Crown shall pay to the Fund such proportion of each payment so made as is determined by the actuary.

(5.) All sums payable by the Crown under this section shall be paid out of the Consolidated Revenue Fund, which is hereby appropriated for that purpose :

Provided that, in respect of a person to whom this section applies whose salary when he retired from the employment in relation to which he contributed for benefit under the repealed Acts was payable from any of the Trust and Special Funds, any sums payable by the Crown under this section shall be paid out of that particular fund.

Division XIII.—Gratuities for Meritorious Services.

70. Amounts which become payable on or after the first day of April, one thousand nine hundred and fifty-nine, in respect of gratuities and sums as and by way of proportion of gratuity specified in subsection three of section nine of the repealed Acts shall not be payable or paid out of the Fund but every such amount shall, subject to appropriation by Parliament,—

*Division
XIII.—
Gratuities for
Meritorious
Services.*
Gratuities
for
meritorious
services.

- (a) In the case of a person entitled thereto whose salary, when he retired, was payable from any of the Trust and Special Funds, be paid out of the particular fund in question ; and
- (b) In any other case, be paid out of the Consolidated Revenue Fund.

Division XIV.—Commutation of Benefits.

71. (1.) Subject to this section an officer or other person may apply in writing to the Board to commute for the lump sum prescribed by this section—

*Division
XIV.—
Commutation
of Benefits.*
Benefits
which may
be
commuted.

- (a) Units of annuity benefit under the repealed Acts for which he was contributing immediately prior to the first day of April, one thousand nine hundred and fifty-nine, and whereto his right and interest are preserved and continued by this Act ;

PART V.—
TRANSITIONAL
PROVISIONS.

Division
XIV.—
Commutation
of Benefits.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

- (b) Units of assurance benefit payable at death under the repealed Acts for which he was contributing immediately prior to the first day of April, one thousand nine hundred and fifty-nine, and whereto his right and interest are preserved and continued by this Act ;
- (c) In the case of an officer, units of annuity benefit under this Act for which his contribution is, pursuant to section fifty-one of this Act, related to a unit of annuity benefit under the repealed Acts.
- (2.) The application shall be made—
- (a) In the case of an officer or other person who attained the age of sixty-five years before the first day of April, one thousand nine hundred and fifty-nine, and who on that date is being continued in employment within three months after that date ; and
- (b) In any other case, within one month after the officer or person in question attains the age of sixty-five years.
- (3.) The Board may refuse the application or may approve it in whole or in part.
- (4.) The amount of the lump sum to be paid in respect of any application shall be such amount as is determined by the actuary and approved by the Board.
- (5.) For the purposes of this section—
- (a) A unit of annuity benefit under the repealed Acts shall be deemed to provide a benefit at the rate of fifty pounds per annum ;
- (b) A unit of assurance benefit payable at death under the repealed Acts shall be deemed to provide a benefit of two hundred pounds ; and
- (c) A unit of annuity benefit under this Act shall be deemed to provide a benefit at the rate of sixteen pounds sixteen shillings per annum.

Conversion
of assurance
benefit
payable
at death.

72. (1.) An officer or person may at any time elect to convert any units of assurance benefit payable at death under the repealed Acts to units of assurance benefit payable at age sixty-five years or prior death under the repealed Acts.

1958.

Public Service Superannuation Act.

PART V.—
TRANSITIONAL
PROVISIONS.

Division
XIV.—
Commutation
of Benefits.

The terms of such a conversion shall be such as are determined by the actuary and approved by the Board.

(2.) For the purposes of this Act an officer or person shall be deemed to have been contributing immediately prior to the first day of April, one thousand nine hundred and fifty-nine, for any units of assurance benefit payable at age sixty-five years or prior death under the repealed Acts which he obtains by conversion pursuant to this section.

73. Except as prescribed by this Act, no commutation or other variation whatsoever of any benefit under this Act or of any benefit under the repealed Acts the right whereto is preserved and continued by this Act shall be permitted in any circumstances whatsoever.

Limit of
commuta-
tion or
variation of
benefits.

PART VI.—MISCELLANEOUS.

PART VI.—
MISCEL-
LANEOUS.

74. Subject to section seventy-seven of this Act, benefits and payments under this Act and benefits and payments under the repealed Acts continued and preserved and payable by and under Part V. of this Act shall not be in any way assigned, charged, taken in execution, attached, or passed by operation of law or otherwise howsoever to any person other than the beneficiary or payee, nor shall any claim be set off against the same, and any moneys payable out of the Fund on the death of an officer, beneficiary or payee shall not be assets for the payment of his debts or liabilities.

Assignment
of benefits.

75. (1.) The Governor in Council may, upon the recommendation of the Board made with the consent of the Senate of the University of Queensland, from time to time by Order in Council, declare that persons permanently employed by the University of Queensland in the offices, or in offices included in the class or classes of offices, specified in the Order in Council may contribute in accordance with this Act for and be paid benefits hereunder and all of the provisions with respect to contribution for and payment of benefits to contributors shall, subject to this section, apply and extend accordingly.

University
of
Queensland.

(2.) Every person permanently employed by the University of Queensland to whom an Order in Council under subsection one of this section applies, may within three months after the date of publication in the *Gazette* of the Order in Council, or, in a case where such a person becomes so employed after the date of publication of the Order in Council, the date upon which he becomes so employed elect to contribute for benefits under this Act and, if he so elects, he shall be deemed to be an officer and shall become a contributor on and from a date to be determined by the Board and accordingly shall contribute for and be paid benefits under this Act.

When
officer may
continue to
contribute
after
resignation.

76. (1.) Where any officer or the officers included in any class of officers voluntarily resigns or resign from employment as such, the Governor in Council may approve of such officer or officers continuing to contribute after such resignation for all benefits, save (unless otherwise expressly specified by the Governor in Council) incapacity benefit, under this Act for which that officer or those officers respectively was or were contributing before such resignation.

Subject to and in terms of the approval by the Governor in Council, an officer or every officer included in any class of officers, as the case may be, may continue to contribute for any benefit under this Act under, subject to, and in accordance with the provisions of this Act applicable to contribution by him immediately prior to his resignation, for the benefit in question and any benefit in respect whereof he so continues to contribute shall, subject to subsection two of this section, become payable and be paid as prescribed by this Act.

In the case of an approval under this subsection in relation to a class of officers that class may be specified in any manner whereby it is sufficiently identified and without naming any of the officers included therein.

(2.) In respect of benefits under this Act for which an officer to whom subsection one of this section applies continues, pursuant to this section, to contribute under this Act (unless the Governor in Council specifically approves payment in full as prescribed by this Act of all benefits for which the officer has continued to contribute) the amount of the unit of annuity benefit, of incapacity benefit (in any case where the Governor in Council specifically approves continuance of contribution for

1958.

Public Service Superannuation Act.

that benefit) and of assurance benefit respectively under this Act, and in respect of all additional assurance benefit under this Act (but not including any benefit or payment payable pursuant to Division V. of Part IV.) the prescribed amounts thereof, shall be reduced to two-fifths of the sums which, save for this subsection, would be payable in respect thereof under this Act :

Provided that the amount of the unit of annuity benefit under this Act payable at any time shall not be reduced to less than the rate of sixteen pounds sixteen shillings per annum and the amount of the unit of incapacity benefit payable at any time shall not be reduced, in the case of a male contributor, to less than the rate of sixteen pounds sixteen shillings per annum or, in the case of a female contributor to less than the rate of thirteen pounds eight shillings per annum.

77. If any contributor ceases employment as an officer by reason of his dismissal for misappropriation of moneys or other property, the amount of the moneys or value of the property so misappropriated shall be a first charge upon any moneys payable from the Fund by reason of such cessation of employment and may be deducted therefrom.

When Fund charged with defalcations by contributors.

78. Notwithstanding anything contained in this Act, where an application, election or notice under this Act has been or is made or given to the Board before the commencement, or after the expiration, of the prescribed period, and the Board is satisfied that—

Acceptance of election outside prescribed period.

- (a) Hardship would accrue to a person or his dependants if the same were not recognized ; and
- (b) In all the circumstances of the case it is desirable that the same should be recognized, the Board may recognize the application, election or notice, as the case may be, as if it had been made within the prescribed period.

79. Whenever any question arises under this Act as to the incapacity of a contributor or other person who is in receipt of incapacity benefit, or as to whether in any case incapacity is due to wilful action on the part of the contributor or other person concerned for the purpose of obtaining incapacity benefit, the question shall be determined by the Board (whether before or

Question as to incapacity, &c., determined by Board on medical practitioner's report.

after the retirement of the contributor) upon consideration of a report from a medical practitioner or medical practitioners appointed by the Board.

Settlement
of
disputes.

80. (1.) Any dispute under this Act shall be determined in the first place by the Board :

Provided that any person aggrieved by a decision of the Board may appeal to the Supreme Court constituted by a single Judge of that Court.

(2.) An appeal as aforesaid shall not lie unless it is instituted within thirty days after the giving to that person aggrieved of notice of such decision, and such a notice sent by post shall, unless the contrary be proved, be deemed to have been so given when it would have been delivered in the ordinary course of post.

(3.) An appeal under this section shall be instituted by filing in the Supreme Court registry a notice of appeal.

The power to make rules of the Supreme Court shall include power to make rules providing and regulating practice and procedure in respect of appeals to a Judge of that Court under this section.

Until such rules are made, or so far as such rules do not extend, the Judge hearing any appeal under this section may, in the particular case, give such directions as he may deem fit, and the directions shall, according to their tenor, have the force and effect of rules made under this section for the purposes hereof.

(4.) An appeal under this section shall be by way of rehearing, and the Judge hearing the same may confirm the decision of the Board or uphold the appeal and make such order or orders with respect to the subject matter of the appeal as he deems necessary or expedient to give effect to his decision upon the appeal.

(5.) The decision of the Court shall be final and conclusive and without appeal.

(6.) (a) The Judge may make such order as to costs to be paid by either party to the appeal as he thinks just.

(b) Any such order made as to costs may be enforced in the same manner as a judgment of the Supreme Court.

1958.

*Public Service Superannuation Act.*PART VI.—
MISCELLANEOUS.

81. (1.) The Unclaimed Moneys Account established under the repealed Acts shall continue in existence as and under the same name be the Unclaimed Moneys Account established under and for the purposes of this Act, and the repeal of the repealed Acts shall not affect the continuity or identity of that Account. Unclaimed moneys.

(2.) Any moneys payable under this Act which have not been claimed within six months from the date on which such moneys have or may become payable, shall be placed to the credit of the Unclaimed Moneys Account.

(3.) At any time within six years after any moneys have (whether under this Act or the repealed Acts) been placed to the credit of such account the Board may, on proof to its satisfaction that any contributor or other person is entitled to any such moneys, direct payment thereof to that person.

(4.) All such moneys in respect of which a claim is not established within six years after having been placed to the credit of such account shall form part of the Fund, and the contributor or other person concerned shall cease to have any right or title to such moneys :

Provided that the Board may allow and pay any claim after such period of six years has expired upon being satisfied that special reasons exist for the allowance of the claim.

(5.) If any of such moneys paid to a claimant under this section are afterwards claimed by any other person, the Board shall not be responsible for the payment of the same, but such person may have recourse against the claimant to whom the Board has paid such moneys.

82. No person shall be deemed to be entitled to any compensation by reason of any alteration in any prescribed amount of benefit or other payment or of any contribution under this Act, which may lawfully be made in consequence of any actuarial investigation or otherwise. Barring of claims for compensation.

83. (1.) The income of the Fund shall not be subject to any tax imposed by any law of this State. Fund to be exempt from taxation.

PART VI.—
MISCELLANEOUS.

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

(2.) All contributions and moneys paid to the Fund under this Act and all payments out of the Fund on any account whatsoever shall be exempt from any charge or duty whatsoever for or in respect of any income tax, stamp duty, probate or succession duty, or other tax or duty imposed by any law of this State.

Audit.

84. The accounts of the Board shall be audited by the Auditor-General who shall have, with respect to such audit and accounts, all of the powers and authorities conferred on him by **“ The Audit Acts, 1874 to 1958.”*

Governor
in Council
may
authorise
additional
payment to
beneficiaries.

85. (1.) Where, having regard to the objects of this Act, the Governor in Council deems fit he may authorise the Board to pay from the Fund the additional amount prescribed by this section (and thereupon the Board may pay from the Fund such additional amount) to any person or to persons included in any class of persons specified by the Governor in Council who is or are in receipt of annuity benefit under this Act or under the repealed Acts, or of incapacity benefit under this Act, or incapacity allowance under the repealed Acts, but to whom the additional amount prescribed by subsection two of section sixty or, as the case may be, subsection two of section sixty-one of this Act is not payable.

The additional amount payable under this section shall not exceed, in respect of incapacity allowance under the repealed Acts at the rate of forty pounds per unit, the rate of eighty pounds per annum and, in any other case, the rate of one hundred pounds per annum.

(2.) In respect of all additional amounts paid from the Fund as prescribed by subsection one of this section the Crown shall pay to the Fund an equal sum.

(3.) All sums payable by the Crown under this subsection shall be paid out of the Consolidated Revenue Fund which is hereby appropriated for that purpose :

Provided that in respect of a person to whom this section applies whose salary when he retired from the employment in relation to which he contributed for benefit under the repealed Acts or under this Act was payable from any of the Trust and Special Funds any sums payable by the Crown under this section shall be paid out of that particular fund.

* 38 V. No. 12 and amending Act.

1958.

*Public Service Superannuation Act.*PART VI.—
MISCELLANEOUS.

86. (1.) The Governor in Council may on the recommendation of the Board from time to time make regulations, not inconsistent with this Act, prescribing all matters and things which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act and, without limiting the generality of the foregoing provisions of this subsection, in particular—

- (i.) Prescribing in respect of contributors or persons who have retired by reason of incapacity—
 - (a) Provisions for cancellation of incapacity benefits or other payments ; and
 - (b) Conditions regarding resumption of payments of contribution and the effecting of additional units of benefit on re-employment ;
- (ii.) Where under this Act an officer may make any election or choice, and the time within which it may be made is not stated in the Act, prescribing the time within which it must be made and the conditions upon which it may be made ;
- (iii.) Regulating the method of election of the elective members of the Board, the conduct of the business of the Board, the procedure at meetings, and the powers and duties of the chairman ;
- (iv.) Prescribing the manner of paying benefits under this Act ;
- (v.) Prescribing the duties of the manager and other officers appointed for the effectual administration of this Act, and the mode of keeping the accounts ;
- (vi.) Prescribing forms under this Act and the respective purposes for which such forms or forms to the like effect shall be used ;
- (vii.) Regulating payments by contributors absent on leave without salary ;
- (viii.) Upon the advice of the actuary, or in accordance with tables provided by him from time to time prescribing (and, if at

Regulations.

any time deemed to be necessary, altering) the rates of contributions and the amounts of annuity benefit, incapacity benefit and assurance benefit under this Act, and of any benefit under the repealed Acts preserved and continued by this Act, and of the surrender values of the same or any of them payable or that may become payable under this Act by and to contributors or persons in receipt of benefits respectively, and whether any such persons have been or are presently or may thereafter become contributors ; and

(ix.) For prescribing penalties not exceeding fifty pounds for an offence against the regulations.

(2.) Regulations may be made under this Act at any time after the passing hereof.

(3.) All offences against the regulations may be prosecuted in a summary way under **The Justices Acts, 1886 to 1958,*” on complaint by the manager or by any other person authorised by the Board.

Publication
of
regulations,
&c.

87. (1.) Every Order in Council and regulation made under this Act shall—

- (i.) Be published in the *Gazette* ;
- (ii.) Upon its publication in the *Gazette*, be judicially noticed and such publication shall be conclusive evidence of the matters contained therein ;
- (iii.) Take effect from the date of such publication, unless, in the case of any such regulation, a later date is specified in that or any other regulation for its commencement when in such event it shall take effect from that later date ; and
- (iv.) Be laid before the Legislative Assembly within fourteen sitting days after such publication if the Legislative Assembly is in session, and if not, then within fourteen sitting days after the commencement of the next session.

* 50 V. No. 17 and amending Acts.

1958. *Public Service Superannuation Act.*PART VI.—
MISCELLANEOUS.

(2.) If the Legislative Assembly passes a resolution of which notice has been given at any time within fourteen sitting days after any such Order in Council or regulation has been laid before it disallowing the same or part thereof, that Order in Council or regulation or part shall thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime or to the making of any further Order in Council or regulation.

SCHEDULE I.

s. 22.

PART I.—MALE OFFICERS.

Scale of Units of Benefits.

Column 1. Annual Salary.		Column 2. No. of units of annuity, incapacity and assurance benefits respectively.	Column 3. Annual Amount of Benefits.		
Exceeding—	Not Exceeding—		Annuity.	Incapacity.	Assurance.
£	£		£	£	£
..	158	2	84	84	42
158	221	3	126	126	63
221	284	4	168	168	84
284	347	5	210	210	105
347	410	6	252	252	126
410	473	7	294	294	147
473	536	8	336	336	168
536	599	9	378	378	189
599	662	10	420	420	210
662	725	11	462	462	231
725	788	12	504	504	252
788	851	13	546	546	273
851	914	14	588	588	294
914	977	15	630	630	315
977	1,040	16	672	672	336
1,040	1,103	17	714	714	357
1,103	1,166	18	756	756	378
1,166	1,229	19	798	798	399
1,229	1,292	20	840	840	420
1,292	1,418	21	882	882	441
1,418	1,544	22	924	924	462
1,544	1,670	23	966	966	483
1,670	1,796	24	1,008	1,008	504
1,796	1,922	25	1,050	1,050	525
1,922	2,048	26	1,092	1,092	546
2,048	2,174	27	1,134	1,134	567
2,174	2,300	28	1,176	1,176	588
2,300	2,426	29	1,218	1,218	609
2,426	..	30	1,260	1,260	630

Public Service Superannuation Act. 7 ELIZ. II. No. 73,

PART II.—FEMALE OFFICERS.

Scale of Units of Benefits.

Column 1. Annual Salary.		Column 2. No. of units of annuity and incapacity benefits respectively.	Column 3. Annual Amount of Benefits.	
Exceeding—	Not Exceeding—		Annuity.	Incapacity.
£	£		£	£ s. d.
..	158	2	84	67 0 0
158	221	3	126	100 10 0
221	284	4	168	134 0 0
284	347	5	210	167 10 0
347	410	6	252	201 0 0
410	473	7	294	234 10 0
473	536	8	336	268 0 0
536	599	9	378	301 10 0
599	662	10	420	335 0 0
662	725	11	462	368 10 0
725	788	12	504	402 0 0
788	851	13	546	435 10 0
851	914	14	588	469 0 0
914	977	15	630	502 10 0
977	1,040	16	672	536 0 0
1,040	1,103	17	714	569 10 0
1,103	1,166	18	756	603 0 0
1,166	1,229	19	798	636 10 0
1,229	1,292	20	840	670 0 0
1,292	1,418	21	882	703 10 0
1,418	1,544	22	924	737 0 0
1,544	1,670	23	966	770 10 0
1,670	1,796	24	1,008	804 0 0
1,796	1,922	25	1,050	837 10 0
1,922	2,048	26	1,092	871 0 0
2,048	2,174	27	1,134	904 10 0
2,174	2,300	28	1,176	938 0 0
2,300	2,426	29	1,218	971 10 0
2,426	..	30	1,260	1,005 0 0

1958.

Public Service Superannuation Act.

SCHEDULE II.

s. 27.

PART I.—RATES OF CONTRIBUTION TO BE PAID MONTHLY BY MALE CONTRIBUTORS.

Age at nearest birthday when contribution for unit commences.	Per unit of annuity benefit.		Per unit of incapacity benefit.		Per unit of Assurance Benefit.						
	£	s.	d.	s.	d.	1st, 2nd, 3rd and 4th units.		5th and each subsequent unit.			
	£	s.	d.	s.	d.	£	s.	d.	£	s.	d.
15		1	4		4			11			9
16		1	5		4			11			9
17		1	6		4		1	0			10
18		1	7		4		1	0			10
19		1	8		4		1	1			11
20		1	9		5		1	1			11
21		1	10		5		1	2		1	0
22		2	0		5		1	3		1	1
23		2	1		5		1	3		1	1
24		2	2		6		1	5		1	2
25		2	4		6		1	6		1	3
26		2	6		6		1	7		1	4
27		2	7		6		1	8		1	5
28		2	10		6		1	9		1	6
29		3	0		7		1	9		1	6
30		3	2		7		1	10		1	7
31		3	5		7		2	0		1	9
32		3	7		8		2	1		1	10
33		3	11		8		2	3		1	11
34		4	2		8		2	4		2	0
35		4	5		9		2	5		2	1
36		4	9		9		2	7		2	3
37		5	1		10		2	8		2	4
38		5	6		10		2	10		2	6
39		5	11		11		3	0		2	8
40		6	4		11		3	2		2	10
41		6	10		1 0		3	4		3	0
42		7	4		1 0		3	6		3	2
43		7	11		1 1		3	8		3	4
44		8	7		1 2		3	11		3	7
45		9	4		1 2		4	2		3	10
46		10	2		1 3		4	5		4	1
47		11	2		1 4		4	8		4	4
48		12	3		1 5		4	11		4	7
49		13	6		1 6		5	3		4	11
50		14	11		1 7		5	7		5	3
51		16	6		1 8		6	0		5	8
52		18	4		1 9		6	5		6	1
53		1 0	5		1 10		7	0		6	8
54		1 3	1		1 11		7	6		7	2
55		1 6	3		2 1		8	3		7	11
56		1 10	3		2 2		9	0		8	8
57		1 15	3		2 4		10	0		9	8

Public Service Superannuation Act. 7 ELIZ. II. No. 73.

SCHEDULE II.—*continued.*

PART I.—RATES OF CONTRIBUTION TO BE PAID MONTHLY BY
MALE CONTRIBUTORS—*continued.*

Age at nearest birthday when contribution for unit commences.	Per unit of annuity benefit.	Per unit of incapacity benefit.	Per unit of Assurance Benefit.	
			1st, 2nd, 3rd and 4th units.	5th and each subsequent unit.
58	£ s. d. 2 2 0	s. d. 2 6	£ s. d. 11 4	£ s. d. 10 11
59	2 11 3	2 8	12 11	12 6
60	3 3 0	2 10	15 1	14 8
61	4 4 8	3 0	18 5	17 11
62	5 16 4	3 2	1 3 11	1 3 4
63	9 3 0	3 5	1 14 7	1 13 11
64	18 17 4	3 8	3 6 9	3 5 7

PART II.—RATES OF CONTRIBUTION TO BE PAID MONTHLY BY
FEMALE CONTRIBUTORS.

Age at nearest birthday when contribution for unit commences.	Per unit of annuity benefit.	Per unit of incapacity benefit.
15	£ s. d. 1 7	s. d. 8
16	1 8	8
17	1 10	8
18	1 11	8
19	2 0	8
20	2 1	8
21	2 3	9
22	2 5	9
23	2 6	9
24	2 8	9
25	2 10	9
26	3 0	10
27	3 2	10
28	3 5	10
29	3 7	11
30	3 10	11
31	4 1	11
32	4 4	1 0
33	4 8	1 0
34	4 11	1 0
35	5 3	1 1
36	5 8	1 1
37	6 1	1 2

1958. *Public Service Superannuation Act.*SCHEDULE II.—*continued.*PART II.—RATES OF CONTRIBUTION TO BE PAID MONTHLY BY
FEMALE CONTRIBUTORS—*continued.*

Age at nearest birthday when contribution for unit commences.					Per unit of annuity benefit.	Per unit of incapacity benefit.
					£ s. d.	s. d.
38	..	..	..	..	6 6	1 2
39	..	..	..	..	6 11	1 3
40	..	..	..	..	7 5	1 3
41	..	..	..	..	8 0	1 4
42	..	..	..	..	8 8	1 4
43	..	..	..	..	9 4	1 5
44	..	..	..	..	10 1	1 6
45	..	..	..	..	10 11	1 6
46	..	..	..	..	11 11	1 7
47	..	..	..	..	13 0	1 8
48	..	..	..	..	14 3	1 9
49	..	..	..	..	15 7	1 10
50	..	..	..	..	17 2	1 11
51	..	..	..	..	19 0	2 0
52	..	..	..	..	1 1 2	2 1
53	..	..	..	..	1 3 8	2 2
54	..	..	..	..	1 6 8	2 3
55	..	..	..	..	1 10 2	2 5
56	..	..	..	..	1 15 0	2 6
57	..	..	..	..	2 0 7	2 8
58	..	..	..	..	2 7 10	2 10
59	..	..	..	..	2 17 6	3 0
60	..	..	..	..	3 12 2	3 2
61	..	..	..	..	4 19 8	3 4
62	..	..	..	..	6 16 4	3 6
63	..	..	..	..	10 12 8	3 9
64	..	..	..	..	21 16 8	4 0

QUEENSLAND ART GALLERY.

See ART GALLERY.

QUEENSLAND STOCK INSCRIPTION.

See LOANS.