

Queensland



ANNO VICESIMO

ELIZABETHAE SECUNDAE REGINAE

No. 47 of 1971

**An Act to Amend the Parliamentary Contributory  
Superannuation Act 1970 in certain particulars**

[ASSENTED TO 1ST NOVEMBER, 1971]

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

**1. Short title and citation.** (1) This Act may be cited as the *Parliamentary Contributory Superannuation Act Amendment Act 1971*.

(2) The *Parliamentary Contributory Superannuation Act 1970* is in this Act referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Parliamentary Contributory Superannuation Act 1970-1971*.

**2. Amendment of s. 18. Right to convert entitlement to lump sum entitlement.** Section 18 of the Principal Act is amended—

(a) by in subsection (3)—

(i) omitting the words “payable to” and inserting in their stead the words “entitlement of”; and

(ii) adding after the word “pension” (secondly occurring) the word “entitlement”;

(b) by in subsection (10) omitting the words “less the amount paid to the former member pursuant to subsection (8) of this section shall become payable to him” and inserting in their stead the words “less in the case of an election to convert the whole of his pension entitlement the amount paid to the former member pursuant to subsection (8) of this section or, in the case of an election to convert part only of his pension entitlement, the amount that bears to the amount paid to the former member pursuant to the said subsection (8) the same proportion as the part in respect of which the election is made bears to the whole of his pension entitlement, shall become payable to him.”; and

(c) by adding the following subsections:—

“(11) Where under subsection (9) of this section an election made by a former member under subsection (1) of this section has been deemed not to have been made or a former member not having made such an election becomes within a period of three months after ceasing to be a member a person in relation to whom the consequences referred to in subsection (1) of section 24 of this Act are applicable, the former member may, on ceasing to be a person in relation to whom the consequences referred to in subsection (1) of section 24 of this Act are applicable, elect to convert the whole or any part of his pension entitlement under section 17 of this Act to a lump sum payment and the provisions of subsections (1) to (10) (both inclusive) of this section as modified in accordance with subsection (12) of this section apply with respect to the election and the payment of a lump sum thereunder.

(12) With respect to an election under subsection (11) of this section and payment of a lump sum thereunder subsections (1) to (10) (both inclusive) of this section shall apply subject to the following modifications:—

(a) in subsection (1)—

(i) for the words “ceasing to be a member” (wherever occurring) substitute the words “ceasing to be a person in relation to whom the consequences referred to in subsection (1) of section 24 of this Act are applicable”; and

- (ii) insert, after the words " his pension entitlement " the words " at the time of ceasing to be a member " ;
- (b) in subsection (2)—
  - (i) for the words " became entitled to a pension under section 17 of this Act " (wherever occurring) substitute the words " ceased to be a person in relation to whom the consequences referred to in subsection (1) of section 24 of this Act are applicable " ;
  - (ii) add to the subsection the words " increased in the same proportion as that person's rate of pension is increased, or would but for the election have been increased, under section 25 of this Act at the date on which the election is made, less in the case of an election to convert the whole of his pension entitlement, the amount of pension paid to the former member pursuant to this Act or, in the case of an election to convert part only of his pension entitlement, the amount that bears to the amount of pension paid to the former member the same proportion as the part in respect of which the election is made bears to the whole of his pension entitlement " ;
- (c) in subsections (2), (3) and (6) for the words " subsection (1) of this section " substitute the words " subsection (11) of this section " ;
- (d) in subsection (6)—
  - (i) for the word " member " (wherever occurring) substitute the words " former member " ; and
  - (ii) for the words " the commencement of his entitlement to a pension under section 17 of this Act " substitute the words " last ceasing to be a person in relation to whom the consequences referred to in subsection (1) of section 24 of this Act are applicable " ;
- (e) in subsection (8), add, after the words " section 17 " , the words " and section 25 " ; and
- (f) in subsection (10) for the words " subsection (2) " substitute the words " subsection (11) " .

**3. Amendment of s. 24. Reduction of pension in certain cases.** Section 24 of the Principal Act is amended by adding the following subsection:—

“(3) Where a person who, but for the provisions of subsection (1) of this section, would have been entitled to a pension under this Act dies, the widow of that person, any child or children

of that person and any female member of that person's family named in a notice given to the trustees as prescribed by subsection (1) of section 22 of this Act shall be entitled to receive the same pension or payments under this Act as she or they would have been entitled to receive if the person first mentioned in this subsection had not been a person to whom the consequences mentioned in subsection (1) of this section were applicable and was at the time of his death in receipt of his full pension entitlement under this Act.”.