

FOOD AND DRUGS.

No. 53 of 1951.

AN ACT to amend the *Food and Drugs Act* 1910.
[12 October, 1951.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title
and citation.

1—(1) This Act may be cited as the *Food and Drugs Act* 1951.

(2) The *Food and Drugs Act* 1910*, as subsequently amended is in this Act referred to as the Principal Act.

Regulations.

2 Section sixty of the Principal Act is amended—

(a) by inserting in paragraph VIII. of subsection (1) thereof, after the word “food”, the words “as are specified in the regulations or”; and

(b) by adding at the end of that paragraph the words “and prohibiting the sale of any articles of food which have been denatured in accordance with the regulations;”.

* 1 Geo. V. No. 22. For this Act, as amended to 1947, see Appendix E to the Annual Volume of the Statutes for 1948 (12 & 13 Geo. VI.)

SUPERANNUATION.

No. 54 of 1951.

AN ACT to amend the *Superannuation Act* 1938.
[12 October, 1951.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title
and citation.

1—(1) This Act may be cited as the *Superannuation Act* 1951.

(2) The *Superannuation Act* 1938*, as subsequently amended, is in this Act referred to as the Principal Act.

* 2 Geo. VI. No. 41, as amended by 3 Geo. VI. Nos. 5 and 18, 4 Geo. VI. Nos. 17 and 43, 6 Geo. VI. Nos. 12 and 71, 7 Geo. VI. Nos. 35, 8 & 9 Geo. VI. No. 39, 10 Geo. VI. No. 7, 11 Geo. VI. No. 65, No. 24 of 1948, and No. 72 of 1950.

2 Section three of the Principal Act is amended—

Interpretation.

- (a) by inserting in the definition of "Employee," after the word "law," the words "and any person of or over that age employed in a permanent capacity by or on behalf of the board of management, or, as the case may be, the other authority or person having the management and control, of any public hospital";
- (b) by inserting after that definition the following definition:—

“ ‘Public hospital’ means any public hospital within the meaning of Part II. of the *Hospitals Act* 1918, and includes any hospital receiving aid from the State which is declared by the Governor, by proclamation made on the recommendation of the Board, to be a public hospital for the purposes of this Act:”;

- (c) by omitting the definition of "Unit" and substituting therefor the following definition:—
“ ‘Unit’ means a unit of pension.”; and
- (d) by adding at the end thereof the following subsection:—

“(2) For the purposes of this Act, the unit of pension shall be—

- I. Where the number of units of pension does not exceed eight, the sum of nineteen pounds ten shillings per annum in respect of each of those units: or
- II. Where the number of units of pension exceeds eight, the sum of nineteen pounds ten shillings per annum in respect of each of the first eight of those units and the sum of sixteen pounds five shillings per annum in respect of each of the remaining units.”.

3 Section twenty of the Principal Act is amended by omitting the scale set forth therein and substituting therefor the following scale:— Scale of units.

“ Where the annual salary of the employee—	The employee shall contribute the amount necessary to provide units of pension as under—
£	Per annum. £ s. d.
Does not exceed 130	Four units, equivalent to a pension of 78 0 0
Exceeds £130 and does not exceed 156	Five units, equivalent to a pension of 97 10 0
Exceeds £156 and does not exceed 182	Six units, equivalent to a pension of 117 0 0

"Where the annual salary of the employee—	£	The employee shall contribute the amount necessary to provide units of pension as under—	£	s.	d.
Exceeds £182 and does not exceed	208	Seven units, equivalent to a pension of	136	10	0
Exceeds £208 and does not exceed	260	Eight units, equivalent to a pension of	156	0	0
Exceeds £260 and does not exceed	312	Ten units, equivalent to a pension of	188	10	0
Exceeds £312 and does not exceed	364	Twelve units, equivalent to a pension of	221	0	0
Exceeds £364 and does not exceed	416	Fourteen units, equivalent to a pension of	253	10	0
Exceeds £416 and does not exceed	468	Sixteen units, equivalent to a pension of	286	0	0
Exceeds £468 and does not exceed	520	Eighteen units, equivalent to a pension of	318	10	0
Exceeds £520 and does not exceed	572	Twenty units, equivalent to a pension of	351	0	0
Exceeds £572 and does not exceed	624	Twenty-two units, equivalent to a pension of	383	10	0
Exceeds £624 and does not exceed	676	Twenty-four units, equivalent to a pension of	416	0	0
Exceeds £676 and does not exceed	728	Twenty-six units, equivalent to a pension of	448	10	0
Exceeds £728 and does not exceed	780	Twenty-eight units, equivalent to a pension of	481	0	0
Exceeds £780 and does not exceed	832	Thirty units, equivalent to a pension of	513	10	0
Exceeds £832 and does not exceed	884	Thirty-two units, equivalent to a pension of	546	0	0
Exceeds £884 and does not exceed	936	Thirty-four units, equivalent to a pension of	578	10	0
Exceeds £936 and does not exceed	988	Thirty-six units, equivalent to a pension of	611	0	0
Exceeds £988 and does not exceed	1,040	Thirty-eight units, equivalent to a pension of	643	10	0
Exceeds £1,040 and does not exceed	1,092	Forty units, equivalent to a pension of	676	0	0
Exceeds £1,092 and does not exceed	1,144	Forty-two units, equivalent to a pension of	708	10	0
Exceeds £1,144 and does not exceed	1,196	Forty-four units, equivalent to a pension of	741	0	0
Exceeds £1,196 and does not exceed	1,248	Forty-six units, equivalent to a pension of	773	10	0
Exceeds £1,248		Forty-eight units, equivalent to a pension of	806	0	0."

Contribution
by State.

4 Section twenty-six of the Principal Act is amended by adding at the end thereof the following subsection:—

"(8) In the case of employees employed by or on behalf of the board of management, or, as the case may be, the other authority or person having the management and control, of any public hospital, the contributions to be made to the Fund pursuant to this section shall be made by the Treasurer."

5—(1) Section thirty-seven of the Principal Act is amended— Amount of child's pension.

- (a) by omitting from subsection (1) the words "two units" and substituting therefor the words "at the rate of one pound per week"; and
- (b) by omitting from subsection (3) of that section the words "one unit" and substituting therefor the words "at the rate of ten shillings per week."

(2) This section shall be deemed to have commenced on the first day of July, 1951.

6 Section sixty-one of the Principal Act is amended by inserting in subsection (1) thereof, after the word "authority" (first occurring), the words "(not being a public hospital)". Pension of employees of State instrumentalities.

7 The first schedule to the Principal Act is amended— Rates of annual contribution.

- (a) by omitting from the heading to the second column of each of the tables set forth respectively in Parts I. and III. thereof the words "First £52 Pension to Contributor; £26 to Widow; £13 to each Child to Age 16" (wherever occurring) and substituting therefor, in each case, the words "First four units of Pension to Contributor; First two units of Pension to Widow; £26 to each child to age 16";
- (b) by omitting from the heading to the third column of each of those tables the words "Subsequent Increments, £52 Pension to Contributor; £26 to Widow" (wherever occurring) and substituting therefor, in each case, the words "Subsequent Increments; For each four units of Pension to Contributor or two units of Pension to Widow"; and
- (c) by omitting from the heading to the second column of the tables set forth respectively in Parts II. and IV. of that schedule the words "Contribution for £52 pension" (wherever occurring) and substituting therefor, in each case, the words "Contribution for each four units of pension."

8 The Treasurer, and every State instrumentality or authority by which the salary of any employee (not being a salary payable out of the Consolidated Revenue) is paid, shall, for the purposes of section twenty-six of the Principal Act, pay to the Fund all such amounts as may be necessary to give effect to the alterations in the rates of pension effected by the provisions of this Act. Treasurer, &c., to pay to fund amounts necessary to give effect to increased rates of pension.

Alteration in rates of certain pensions.

9 Every pension in force and payable under the Principal Act on the first day of July, 1951, or for which any person was then eligible pursuant to that Act, shall, on and after that day, be paid at a rate calculated in accordance with the following provisions, namely:—

(a) In the case of a pension payable under Division I. of Part v.—

- (i) Where the pension comprises not more than eight units, the pension shall be payable at the rate of nineteen pounds ten shillings per unit per annum; and
- (ii) Where the pension comprises more than eight units, the pension shall be payable at the rate of nineteen pounds ten shillings per unit per annum in respect of each of the first eight of those units and at the rate of sixteen pounds five shillings per unit per annum in respect of each of the remaining units; and

(b) In the case of a widow's pension under Division II. of that Part, the pension shall be—

- (i) In the case of the widow of a contributor to whom a qualified pension under section twenty-nine was being paid at the date of his death, a pension which is equivalent to one-half of the pension (calculated in accordance with that section) which could have been paid to the deceased contributor at the time of his death if he had died after the first day of July, 1951; and
- (ii) In any other case, a pension equivalent to one-half of the pension which was payable to the husband, or in respect of which he was a contributor at the time of his death, calculated at the appropriate rate per unit specified in paragraph I. of this section.

Special provisions relating to hospital employees.

10—(1) The Governor, on the recommendation of the Board, may, by proclamation, appoint a day from which contributions by hospital employees shall commence.

(2) In relation to hospital employees who were employed as such at the commencement of this Act, the provisions of Part IV. of the Principal Act shall have effect with and subject to the modifications specified in the schedule to this Act.

(3) In this section, and in the schedule to this Act, the expression "hospital employees" means persons of or over the age of fifteen years who are employed in a permanent capacity by or on behalf of the board of management, or, as the case may be, the other authority or person having the management and control, of any public hospital (as defined in section three of the Principal Act).

THE SCHEDULE.

(Section 10.)

Modification of provisions of the Principal Act in their application to hospital employees.

1. Section 18 shall have effect as if—

- (a) from subsection (9) the words “appointed after the first day of July, one thousand nine hundred and thirty-nine,” and all the words after the word “duties,” were omitted therefrom; and
- (b) from subsection (10) the words “such employee” were omitted and the words “any employee appointed after the commencement of the *Superannuation Act 1951*” were inserted.

2. Section 19 shall have effect as if—

- (a) from paragraph i. of subsection (3) the word “Four” were omitted and the word “Eight” were substituted therefor; and
- (b) from that subsection—
 - (i) the words “subsection (1) or” were omitted; and
 - (ii) after the words “subsection (4)” the words “or subsection (10)” were inserted.

3. Section 21 shall have effect as if—

- (a) subsections (1) and (5) were omitted therefrom;
- (b) subsection (4) were omitted therefrom and the following subsection were substituted therefor:—
 - “(4) An employee whose period of service commenced at, or prior to, the date of the commencement of the *Superannuation Act 1951*, and who, on that date, was not less than thirty years of age, shall —
 - I. Contribute for eight units at the rate prescribed for the age of thirty years: and
 - II. Be entitled to elect, within three months after the appointed day, to contribute for additional units at his rate for age in accordance with the first schedule.”; and
- (c) from subsection (6) of that section the words “or subsection (5)” were omitted and as if the proviso thereto were omitted therefrom.

4. Section 28 shall have effect as if subsection (2) were omitted therefrom.

5. In the application of the provisions of Part iv. of the Principal Act, as modified by the foregoing provisions of this schedule, to persons who are hospital employees at the commencement of this Act, any reference in those provisions to—

- (a) the appointed day, shall be construed as a reference to the day appointed pursuant to subsection (1) of section ten of this Act;
- (b) the date of the commencement of the Principal Act (howsoever expressed), shall be construed as a reference to the date of the commencement of this Act; and
- (c) an employee’s right of election, shall be construed as a reference to the right of election referred to in subsection (4) of section twenty-one of the Principal Act (as modified by the foregoing provisions of this schedule).