

Broken
service.

2 Section four A of the Principal Act is amended by adding at the end thereof the following subsection:—

“(4) Where the period of service of a public servant has been broken by his resignation as mentioned in paragraph (b) of subsection (1) of section three of the *Crown Servants' Reinstatement Act* 1970 and he has been reappointed under that Act, his service shall be deemed to have continued throughout the period from his resignation to his reappointment.”.

SUPERANNUATION.

No. 46 of 1970.

AN ACT to amend the *Superannuation Act* 1938.
[8 December 1970.]

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* 1970.

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

2 After section sixty-three of the Principal Act the following section is inserted:—

Re-employ-
ment under
the *Crown
Servants' Re-
instatement
Act* 1970.

“63A—(1) If a contributor terminates his service to become a candidate at an election of members of a House of Parliament of the Commonwealth, he shall so inform the Board and, in such a case, he is not entitled to a refund of his contributions as provided in section thirty, but the Board shall retain them.

“(2) If a contributor who so terminates his service is elected to membership of such a House at the election he becomes entitled to a refund of his contributions forthwith.

“(3) If he is not so elected and, at the expiration of a period of two months after the declaration of the result of the election—

(a) he has not applied for reappointment under section three of the *Crown Servants' Reinstatement Act* 1970, he becomes entitled to the refund of his contributions forthwith; or

(b) he has so applied and his application has, before or after the expiration of that period, been—

(i) refused, he becomes, as from the refusal, entitled to a refund of his contributions; or

(ii) successful, his service shall be deemed to have been unbroken and he shall pay the Board the contributions falling due between the date on which he so terminated his service and the date on which he was reappointed.

“(4) In respect of the period between the date on which he so terminated his service and the date on which he was reappointed, the contributor has no right to any benefit under this Act, except to a refund as mentioned in subsections (2) and (3) of this section.

“(5) If a contributor fails to inform the Board as required by subsection (1) of this section and obtains a refund of his contributions and is subsequently reappointed under the *Crown Servants' Reinstatement Act 1970* and—

(a) if the Board is satisfied that the failure was through inadvertence, it may, with the Minister's approval, make such arrangements as it thinks fit for the repayment to the Board of the refund with interest, and—

(i) if such an arrangement is made, sub-paragraph (ii) of paragraph (b) of subsection (3) of this section applies as if there had been no such failure or refund; or

(ii) if no arrangement is made, the contributor's service shall not be deemed to have been unbroken and he shall be a contributor, if he becomes one again, on the basis that he has had no previous service; and

(b) if the Board is not so satisfied, the contributor's service shall not be deemed to have been unbroken and he shall be a contributor, if he becomes one again, on the basis that he has had no previous service.”.
