



## SUPERANNUATION

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 No. 107 of 1977  
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### ANALYSIS

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| 1. Short title and citation.<br>2. Full pension when payable.<br>3. Rights and obligations of contributors for limited benefits and their dependants. | 4. Rights in respect of accrued gratuities on retirement, etc.<br>5. Repeal of second Schedule.<br>6. Amendment of <i>Superannuation Act 1976</i> . |
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 AN ACT to amend the Superannuation Act 1938 and the Superannuation Act 1976.

[14 December 1977]

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:—

- 1—(1) This Act may be cited as the *Superannuation Act 1977*. Short title and citation.
- (2) The *Superannuation Act 1938*\*, as subsequently amended, is in this Act referred to as the Principal Act.

\* 2 Geo. VI No. 41. For this Act as amended to 1969, see Appendix A of the Annual Volume of Statutes for 1969. Subsequently amended by Nos. 46 and 73 of 1970, No. 112 of 1974, and No. 94 of 1976.

Full pension when payable.

**2** Section 28 of the Principal Act is amended by omitting from subsection (1A) the words “(other than a police officer)” and substituting the words “, who, not being a police officer, retires on or before 30th June 1979”.

Rights and obligations of contributors for limited benefits and their dependants.

**3** Section 42F of the Principal Act is amended—

- (a) by omitting from sub-paragraph (i) of subsection (1) (b) the words “age for retirement” and substituting the words “appropriate age”;
- (b) by omitting from subsection (2) the words “age for retirement” and substituting “appropriate age”;
- (c) by omitting from paragraph (a) of subsection (3) the words “age for retirement” and substituting the words “appropriate age”;
- (d) by omitting paragraph (c) of that subsection and substituting the following paragraph:—
  - “(c) is entitled, on attaining the appropriate age, to the same pension as the pension that would have been payable to him if he had been a contributor for full benefits.”.
- (e) by inserting after subsection (3) the following subsection:—
  - “(3A) In this section ‘the appropriate age’ means—
    - (a) in the case of a male officer who, not being a police officer, retires on or before 30th June 1979, the age of 63 years; and
    - (b) in any other case, the age for retirement.”;
- (f) by omitting from subsection (4) the words “before attaining the age for retirement of a contributor for limited benefits” and substituting the words “of a contributor for limited benefits, before attaining the appropriate age”; and
- (g) by omitting from subsection (5) the words “age for retirement” and substituting “appropriate age”.

**4** Section 45 of the Principal Act is repealed and the following section is substituted:—

“45—(1) This section applies to an employee in respect of whom a record is made under section 44.

Rights in respect of accrued gratuities on retirement, etc.

“(2) Where an employee to whom this section applies retires in such circumstances that apart from this Act he would have been entitled to an allowance under the said Act, there shall be paid the amount of accrued gratuity on retirement recorded in respect of him under section 44.

“(3) Where an employee to whom this section applies dies in such circumstances that apart from this Act there would have been payable an allowance under the said Act there shall be paid the amount of the accrued gratuity on death recorded in respect of him under section 44.”.

**5** The second Schedule to the Principal Act is repealed.

Repeal of  
second  
Schedule.

**6**—(1) Section 4 of the *Superannuation Act* 1976 is amended by adding at the end the words “or the *Superannuation Act* 1977”.  
Amendment of  
*Superannuation*  
*Act* 1976.

(2) Section 5 of the *Superannuation Act* 1976 is repealed.

