

# PARLIAMENTARY RETIRING ALLOWANCES.

No. 30 of 1955.

An Act to amend the *Parliamentary Retiring Allowances Act 1948-1952*.

[Assented to 15th June, 1955.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title  
and citation.

1.—(1.) This Act may be cited as the *Parliamentary Retiring Allowances Act 1955*.

(2.) The *Parliamentary Retiring Allowances Act 1948-1952\** 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 Retiring Allowances Act 1948-1955*.

Commencement.

2. This Act shall come into operation on the sixteenth day of June, One thousand nine hundred and fifty-five.

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\* Act No. 89, 1948, as amended by No. 3, 1952.

3. Section twelve of the Principal Act is amended by omitting sub-sections (4.) and (5.) and inserting in their stead the following sub-sections :—

Periodical  
actuarial  
investigations.

“(4.) In the report on the second investigation made by the Commonwealth Actuary under this section, the Commonwealth Actuary shall certify the amount, if any, which, in his opinion, should be paid into the Fund by the Commonwealth in order to make proper provision for the payment out of the Fund of benefits payable under this Act in relation to periods of service before the commencement of the *Parliamentary Retiring Allowances Act 1955*.

“(5.) The Commonwealth shall pay to the Fund such amount, if any, as is determined by resolution of each House after consideration of the report referred to in the last preceding sub-section.”.

4. Section thirteen of the Principal Act is amended by omitting from sub-section (1.) the words “ One hundred and fifty-six pounds ” and inserting in their stead the words “ Two hundred and thirty-four pounds ”.

Contributions  
by members.

5. Section fourteen of the Principal Act is repealed and the following section inserted in its stead :—

“ 14. The Commonwealth shall pay into the Fund—

Contributions  
by  
Commonwealth.

- (a) in respect of a pension under section eighteen of this Act at a rate not exceeding Twelve pounds per week or a pension under section nineteen of this Act—an amount per week equal to sixty per centum of the rate of the pension per week ;
- (b) in respect of a pension under section eighteen of this Act at a rate exceeding Twelve pounds per week—an amount per week equal to the aggregate of Seven pounds four shillings and the amount by which the rate of the pension per week exceeds Twelve pounds ;
- (c) in respect of a pension under section nineteen A of this Act—an amount equal to each amount of pension paid ; and
- (d) an amount equal to the Commonwealth supplement payable to a person.”.

6. Section eighteen of the Principal Act is amended—

Benefits to  
members.

(a) by omitting sub-section (2.) and inserting in its stead the following sub-sections :—

“(2.) In the case of a member who does not retire voluntarily, the benefit shall be—

- (a) where his period of service is not less than eight years or he has, on at least three occasions (including occasions before the commencement of this Act), ceased to be a member by reason of the dissolution or expiration of the House

of which he was a member or by reason of the expiration of his term of office—

- (i) if he has attained the age of forty-five years before he ceases to be entitled to a parliamentary allowance—a pension at the rate of Twelve pounds per week during his life-time ; or
  - (ii) if he has not attained that age—a pension at the rate of Twelve pounds per week during his life-time, but commencing on the day on which he attains the age of forty-five years ; or
- (b) in any other case—a refund of his contributions together with a payment of the Commonwealth supplement.

“(2A.) Where a person has been appointed to hold the place of a senator by the Governor of a State under section fifteen of the Constitution, his ceasing to be a member upon the expiration of fourteen days after the beginning of the next session of the Parliament of the State or upon the election of a successor, as the case may be, shall not be taken into account for the purposes of paragraph (a) of the last preceding sub-section.” ;

- (b) by omitting from sub-section (3.) the words “ Eight pounds ” and inserting in their stead the words “ Twelve pounds ” ; and
- (c) by omitting from sub-section (5.) the words “ Two pounds ” and inserting in their stead the words “ Three pounds ”.

Benefits on  
death of  
member.

7. Section nineteen of the Principal Act is amended—

- (a) by omitting from sub-sections (2.) and (4.) the words “ Five pounds ” and inserting in their stead the words “ Ten pounds ” ; and
- (b) by omitting sub-sections (4A.) and (4B.).

Re-election.

8. Section twenty of the Principal Act is amended—

- (a) by omitting sub-section (1.) and inserting in its stead the following sub-section :—

“(1.) Subject to this section, where a person has received under this Act an amount being a refund of contributions or a payment of Commonwealth supplement, or both, and that person again becomes a member, any part of the period of service of that member, and any occasion on which he ceased to be a member, before he became entitled to that amount shall not be taken into

account for the purposes of determining his rights in respect of any further benefit under this Act unless, within three months, or, if the Trust so allows, six months, after he again becomes a member, he contracts with the Trust, in the manner required by the Trust, to repay that amount to the Trust within three years.”; and

- (b) by omitting from paragraph (b) of sub-section (4.) the words “by virtue of the pensioner’s own period of service” and inserting in their stead the words “by virtue of having become a member”.

9. A person who, immediately before the commencement of this Act, was entitled to pension under the Principal Act shall, after the commencement of this Act, be entitled to pension in accordance with the Principal Act as amended by this Act.

Increased  
pensions  
payable to  
existing  
pensioners.