

# Parliamentary Retiring Allowances

No. 103 of 1968

An Act relating to Parliamentary Retiring Allowances.

[Assented to 29 November 1968]

**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:—

1.—(1.) This Act may be cited as the *Parliamentary Retiring Allowances Act* 1968. Short title and citation.

(2.) The *Parliamentary Retiring Allowances Act* 1948–1966\* 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* 1948–1968.

2. This Act shall come into operation on the first day of December, One thousand nine hundred and sixty-eight. Commencement.

3. Section 22A of the Principal Act is amended— Interpretation.

(a) by inserting after paragraph (a) of the definition of “office-holder” in sub-section (1.) the following paragraphs:—

“ (aa) the President of the Senate;  
    (ab) the Speaker of the House of Representatives;”;

(b) by inserting in sub-section (1.), after the definition of “pension”, the following definition:—

“ ‘the basic ministerial salary’ means such annual rate of salary as is from time to time specified by the Treasurer, for the purposes of this Act, by notice published in the *Gazette*, to be the rate of the salary payable to Ministers other than senior Ministers;”;

(c) by adding at the end thereof the following sub-section:—

“ (4.) A notice by the Treasurer for the purposes of the definition of ‘the basic ministerial salary’ in sub-section (1.) of this section has effect from the date of publication of the notice in the *Gazette* or such other date as is specified in the notice, which may be a date earlier than the publication of the notice in the *Gazette*.”.

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\* Act No. 89, 1948, as amended by No. 3, 1952; No. 30, 1955; No. 20, 1959; No. 72, 1964; No. 35, 1965; and No. 71, 1966.

Periodical  
actuarial  
investigations.

4. Section 22D of the Principal Act is amended by adding at the end of sub-section (4.) the words “ and the amount, or further amount, if any, which, in his opinion, should be paid into the Ministerial Fund by the Commonwealth in order to make proper provision for the payment out of that Fund of benefits payable under this Part in relation to periods of service after the commencement of this Part and before the commencement of the *Parliamentary Retiring Allowances Act 1968.*”.

Contributions.

5. Section 22E of the Principal Act is amended—

(a) by inserting in sub-section (1.), after the word “ at ”, the words “ such rate per month as is ”;

(b) by omitting sub-section (6.) and inserting in its stead the following sub-section:—

“ (6.) The rates of contributions under this section are—

(a) in the case of a Minister, the President of the Senate, the Speaker of the House of Representatives or the Leader of the Opposition in the House of Representatives—eleven and one-half per centum of the monthly amount of the basic ministerial salary;

(b) in the case of the Leader of the Opposition in the Senate or the Deputy Leader of the Opposition in the House of Representatives—five and three-quarters per centum of the monthly amount of the basic ministerial salary; and

(c) in the case of the Deputy Leader of the Opposition in the Senate—two and seven-eighths per centum of the monthly amount of the basic ministerial salary.”; and

(c) by omitting sub-section (7.) and inserting in its stead the following sub-sections:—

“ (7.) For the purposes of the last preceding sub-section, the monthly amount of the basic ministerial salary shall be deemed to be one-twelfth of the annual amount of that salary.

“ (8.) In this section, ‘month’ means one of the twelve months of the year.”.

Benefits to  
contributors.

6. Section 22H of the Principal Act is amended—

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

“ (2.) Where the period of service of the person is not less than eight years, the benefit shall be a pension the rate of which shall be such percentage of the rate of the basic ministerial salary immediately before the person became entitled to pension (or, if he was not an office-holder immediately before he became entitled to pension, of the rate of the basic ministerial salary at the time

he ceased to be an office-holder) as is ascertained in accordance with the following scale:—

Number of complete years in period of service of person	Percentage of basic ministerial salary to be paid as pension
8 years .. .. .	21 per centum
9 years .. .. .	25 per centum
10 years .. .. .	29 per centum
11 years .. .. .	33 per centum
12 years .. .. .	38 per centum
13 years .. .. .	44 per centum
14 years or more .. .. .	50 per centum ”;

(b) by inserting in sub-section (3.), after the word “ Minister,”, the words “ the President of the Senate, the Speaker of the House of Representatives”.

7. After section 22H of the Principal Act the following section is inserted:—

“ 22HA.—(1.) This section applies to a person to or in respect of whom pension becomes payable under this Part and who has not been an office-holder at any time after the commencement of this section. Application of pension provisions to certain persons.

“ (2.) Notwithstanding the definition of ‘ the basic ministerial salary ’ in sub-section (1.) of section twenty-two A of this Act, the basic ministerial salary in relation to a person to whom this section applies is, for the purposes of sub-section (2.) of section twenty-two H of this Act, such amount as the Treasurer, by instrument in writing, informs the Trust was the annual rate of salary payable to Ministers other than senior Ministers at the time the person was last an office-holder.

“ (3.) Where the rate of pension payable to or in respect of a person to whom this section applies is less than it would have been if the *Parliamentary Retiring Allowances Act* 1968 had not been enacted, the amendments made by that Act shall not apply to or in relation to that pension.”.

8. The amendments made by section 6 of this Act do not apply in relation to a pension that became payable before the commencement of that section or that becomes payable by reason of the death after the commencement of that section of a person who was in receipt of a pension at that commencement. Application.