
Railway Superannuation Act Amendment Act. 22 GEO. V. No. 17,

RAILWAYS.

See ALSO TRANSPORT.

RAILWAY ACTS.

<i>Railway Superannuation Act Amendment Act of 1931</i>	22 Geo. V. No. 17
<i>Railway Strike and Public Safety Preservation Act of 1931</i>	22 Geo. V. No. 24
<i>Railway (Capital Indebtedness) Reduction Act of 1931</i>	22 Geo. V. No. 33

22 GEO. V. No. 17. **An Act to Amend "The Railway Superannuation Act of 1930" in certain particulars.**

THE
RAILWAY
SUPER-
ANNUATION
ACT
AMENDMENT
ACT OF 1931.

[ASSENTED TO 22ND OCTOBER, 1931.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title
and
construction.

1. This Act may be cited as "*The Railway Superannuation Act Amendment Act of 1931*," and shall be read as one with *"*The Railway Superannuation Act of 1930*," herein referred to as the Principal Act.

The Principal Act and this Act may collectively be cited as "*The Railway Superannuation Acts, 1930 and 1931*."

Amendments of the Principal Act.

Amendment
of s. 13.

2. (1.) Section thirteen of the Principal Act is amended as follows:—

(a) In provision numbered (i.) of the last paragraph (Rates of contribution), the words "first year" are repealed and the words "first and second years" are inserted in lieu thereof.

(b) In provision numbered (ii.) of the last paragraph (Rates of contribution), the words "second and" are repealed and the words "third and" are inserted in lieu thereof.

Retrospec-
tive
operation of
amend-
ments.

(2.) The amendments made to section thirteen of the Principal Act by this section shall take effect as from the coming into operation of the Principal Act.

* 21 Geo. V. No. 12, *supra*, page 13079.

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3. Section fifteen of the Principal Act is amended as follows :— Amendment
of s. 15.

(a) In paragraph (iv.) of the proviso after the words “sixty-five years” the words “and has retired from the service of the Commissioner” are added.

(b) The following provision is added to paragraph (v.) of the proviso as follows :—

“ Provided always that where any employee at the date of his retirement is unable to pay into the Fund the amount of contribution required to be paid by him into the Fund as aforesaid, either by cash deposit or otherwise as prescribed, the Board may permit of such employee to be paid the pension (if any) payable to him, but such pension payments shall be subject to such deduction as prescribed by the Board until the requisite amount of contribution required to be paid into the Fund has been liquidated together with payment of interest at the rate of five per centum per annum by the employee concerned.”

4. Section sixteen of the Principal Act is amended by deleting the words “sixty-five years” and inserting in lieu thereof the words “sixty years.” Amendment
of s. 16.

5. The following new section is inserted after section eighteen of the Principal Act, as follows :— New s. 18A.

“[18A.] Any employee of the permanent staff between the age of sixty and sixty-five years who is compulsorily retired from the service owing to there being insufficient work offering to provide employment for the said employee or through permanent ill-health or physical incapacity not otherwise provided for (such permanent ill-health or physical incapacity to be certified to after an examination by a medical practitioner), such employee shall be entitled to the proportionate pension which he would have otherwise been entitled to if he had voluntarily retired under the provisions of section eighteen of this Act, and the provisions of the said section eighteen shall *mutatis mutandis* apply and extend accordingly. Compulsory
retirement
between ages
of 60 and 65
years.

The provisions of this section shall also apply and extend to an employee of the permanent staff between the ages of sixty and sixty-five years who was

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compulsorily retired owing to any of the causes above-mentioned since the first day of October, one thousand nine hundred and thirty, including an employee of the permanent staff so retired prior to the first day of October, one thousand nine hundred and thirty, but whose period of extended leave of absence had not expired on that date :

Provided always that the payment of any pension to a person so entitled, pursuant to the provisions of this section, shall not commence until after the passing of "*The Railway Superannuation Act Amendment Act of 1931.*" "

Amendment
of s. 20.

6. Section twenty of the Principal Act is amended as follows :—

(a) In the first paragraph after the words "permanently incapacitated," where they first occur, the words "for any employment whatever" are inserted.

(b) In the said section after the words "permanently incapacitated," wherever those words subsequently occur, the words "as aforesaid" are inserted.

Amendment
of s. 21.

7. (1.) In the last paragraph of section twenty-one of the Principal Act the words "after contributing for at least one year" occurring after the words "If a contributor" are repealed; also the words "irrespective of the period of contribution by the contributor concerned to the Fund" are added after the words "legal representative."

Retrospec-
tive opera-
tion of
amend-
ments.

(2.) The amendments made to section twenty-one of the Principal Act by this section shall take effect as from the coming into operation of the Principal Act.

Special cases
of certain
employees
previously
retired prior
to the
commence-
ment of the
Principal
Act.

8. Notwithstanding anything in the Principal Act to the contrary contained, where any person to whom this section applies (being previously an employee of the permanent staff) had been retired from the railway service prior to the commencement of the Principal Act and had, prior to the commencement of the Principal Act, been paid the retiring allowance due to him in a lump sum and not by the payment to him of such retiring allowance in fortnightly payments (which if such fortnightly payments had been made would have been wholly or partly made after the commencement of the Principal Act), such person shall be deemed to be an employee of the permanent staff to whom the provisions of the Principal

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Act shall apply, and on compliance by such person with the requirements of section fifteen of the Principal Act as amended by this Act, such person shall be entitled to receive a pension accordingly :

Provided that the provisions of this section shall not apply to any person who would not have attained the age of sixty years when the final fortnightly payment of such retiring allowance would have been due and payable to him if such retiring allowance had been payable to him in fortnightly payments :

Provided also that the persons to whom this section shall apply shall be determined by the Secretary to the Commissioner and the Board, and any such determination shall be final and conclusive :

Provided always that the payment of any pension to a person so entitled, pursuant to the provisions of this section, shall not commence until after the passing of "*The Railway Superannuation Act Amendment Act of 1931.*"

An Act Relating to the Strike of Railway Employees ; to Make Provision for the Restoration to the Public of the Full Use of the Railways of the State ; to Prevent Intimidation of Persons Lawfully Performing their Duties ; to Make Provision for the Protection of the Community in Cases of Emergency and for other purposes.

22 Geo. V.
No. 24.
THE
RAILWAY
STRIKE AND
PUBLIC
SAFETY
PRESERVA-
TION ACT OF
1931.

[ASSENTED TO 27TH NOVEMBER, 1931.]

WHEREAS a number of persons employed in the service of the State as employees of the Commissioner for Railways have combined together to cease performing their duties in order to injuriously affect thereby the effective Railway Service of the State :

Preamble.

And whereas they have in pursuance of such combination ceased to perform their duties in the Railway Service of the State and have thus effected a strike :