



ANNO UNDECIMO

GEORGII VI REGIS.

A.D. 1947.

No. 23 of 1947.

An Act to amend the Police Pensions Act, 1929-1945.

[Assented to 20th November, 1947.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Police Pensions Act Amendment Act, 1947". Short titles.

(2) The Police Pensions Act, 1929-1945, as amended by this Act, may be cited as the "Police Pensions Act, 1929-1947".

(3) The Police Pensions Act, 1929-1945, is hereinafter called "the principal Act".

2. (1) This Act shall come into operation on the first day of January, nineteen hundred and forty-eight. Commencement of Act.

(2) The rates of pension prescribed by the principal Act as amended by this Act shall not be payable in respect of any period before the first day of January nineteen hundred and forty-eight.

3. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

4. Section 8 of the principal Act is amended by inserting at the end thereof the words "or in any securities in which a trustee may, pursuant to the Trustee Act, 1936-1946, invest trust funds held by him, or in the bonds, debentures or other securities of any local governing body in Australia". Amendment s. 8 of the principal Act—Investment of fund.

Repeal and
re-enactment
of s. 12 of
the principal
Act—

Amount of
contribution.

5. Section 12 of the principal Act is repealed and the following section is enacted in lieu thereof:—

12. (1) Subject to subsection (3) of this section, the annual contribution payable by a male member, other than a commissioned officer of the force, shall be in accordance with the following table:—

Age next birthday after commencing to contribute.	Annual contribution.
	£ s. d.
22	19 10 0
23	20 2 0
24	20 14 0
25	21 6 0
26	21 18 0
27	22 10 0
28	23 2 0
29	23 14 0
30 or over	23 14 0 +
	£3 (A-29) (A-28)
	10

In the above table "A" means the age of the contributor at his next birthday after commencing to contribute.

(2) Subject to subsection (3) of this section, the contribution payable by a commissioned officer of the force shall be six-fifths of the rate prescribed by subsection (1) of this section.

(3) A male member who was in the force on the first day of January, nineteen hundred and thirty, shall not be obliged to contribute more than the following amount:—

- (a) in the case of a member other than a commissioned officer, twenty-three pounds two shillings per annum;
- (b) in the case of a commissioned officer, twenty-seven pounds fourteen shillings per annum.

Amendment of
s. 12a of the
principal Act—
Amount of
contribution of
female
members.

6. Section 12a of the principal Act is amended by striking out the word "seven" in the last line and inserting in lieu thereof the word "eight".

7. Section 15 of the principal Act is repealed and the following section is enacted in lieu thereof :—

Repeal and re-enactment of s. 15 of the principal Act—

15. Every member who has served in the force for at least ten years and who retires from the force on or after the first day of January, nineteen hundred and forty-eight, having attained the age of sixty years, shall be entitled on retirement to a pension during his life of one hundred and fifty-six pounds per annum, and a cash payment of one thousand and fifty pounds.

Pension on retirement after retiring age.

8. Section 16 of the principal Act is amended by striking out the word “ twenty-six ” in the last line and inserting in lieu thereof the word “ sixty-five ”.

Amendment of s. 16 of the principal Act—
Payment to pensioners under Police Pensions Act, 1916.

9. Section 17 of the principal Act is amended—

Amendment of s. 17 of the principal Act—

(a) by striking out the word “ eight ” in the last line of subsection (1) and inserting in lieu thereof the word “ sixty ” ;

Pension on retirement through mental or physical incapacity.

(b) by striking out the word “ seventy-eight ” in paragraphs (b) and (c) of subsection (2) and inserting in lieu thereof in each case the words “ one hundred and twenty ” ;

(c) by striking out the word “ eight ” in the sixth line of paragraph (c) of subsection (2) and inserting in lieu thereof the word “ sixty ”.

10. Section 18 of the principal Act is repealed and the following section is enacted in lieu thereof :—

Amendment of s. 18 of the principal Act

18. If a pensioner under sixty years of age who is in receipt of a pension under section 17—

Abatement of pension on account of earnings.

(a) becomes so restored to health that he is able to perform duties as a member of the force ; and

(b) is offered and refuses employment in the force suitable to his condition of health at a salary not less than that payable, at the time of the offer, to a member of the force holding the rank and seniority which the pensioner held at the time of his retirement on pension—

the amount of pension payable each month to the pensioner shall be reduced by one pound for every two pounds of the monthly rate of pay at which the employment was offered.

Amendment of
s. 21 of the
principal Act—
Benefits on
retirement
otherwise
than on
pension.

11. Section 21 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 21 being read as subsection (1) thereof):—

(2) A member whose resignation from the force has been accepted but who is entitled to long service leave of absence before ceasing to be a member of the force shall, if he so elects in writing, be entitled to be paid the amount due to him under this section, at the commencement of or during the period of that leave of absence.

If that amount is so paid to him, he and his dependants shall not be entitled to any pension or other benefit under this Act in respect of death or incapacity occurring after the payment.

Amendment of
s. 22 of the
principal Act—
Pensions to
widows and
children's
allowances.

12. Section 22 of the principal Act is amended—

(a) by striking out the words “ ninety pounds ” in the second and third lines of subsection (1) and inserting in lieu thereof the words “ one hundred and twelve pounds ten shillings ” ;

(b) by striking out the words “ thirteen pounds per annum for every child ” in the third and fourth lines of subsection (1) and inserting in lieu thereof the words “ twenty-six pounds per annum for the youngest or only child and nineteen pounds ten shillings for every other child ”.

Enactment of
ss. 22a and
22b of the
principal Act—

13. The following sections are enacted and inserted in the principal Act after section 22 thereof :—

Rates of
pension and
benefits for
commissioned
officers.

22a. The amount of cash payment and pension payable pursuant to section 15 of this Act to a commissioned officer who retires from the force on or after the first day of January, nineteen hundred and forty-eight, and the rate of pension payable under section 17 of this Act to a commissioned officer who retires from the force on or after that day, and the rate of pension payable to the widow of a commissioned officer who on or after that day retires from the force or dies while still a member of the force, shall be six-fifths of the amounts or rates fixed by sections 15, 17, and 22, respectively, of this Act.

Increase of
existing
pensions.

22b. (1) Every pension in force on the thirty-first day of December, nineteen hundred and forty-seven, under section 15 of this Act shall be payable at the rate of two hundred and sixty pounds per annum.

(2) Every pension and every allowance in force on the thirty-first day of December, nineteen hundred and forty-seven under section 17 or 22 of this Act shall be payable at the rates prescribed by those sections as amended by the Police Pensions Act Amendment Act, 1947.

14. The following section is enacted and inserted in the principal Act after section 23a :—

Enactment of
s. 23b of
principal Act

23b. A person who has elected not to contribute to the fund shall not be entitled to any pension or other benefit under this Act ; and a person who has withdrawn from the fund shall not be entitled to any benefit under this Act other than the refund of contributions prescribed by this Act.

Effect of
withdrawal
from fund.

15. The following section is enacted and inserted in the principal Act after section 25 thereof :—

Enactment of
s. 25a of
principal Act—

25a. Where the total of the contributions paid by a member exceed the total of any amounts paid under this Act as—

Refund of
contributions
in excess of
pensions and
allowances.

- (a) pension to the member ;
- (b) pension to the widow of the member ;
- (c) allowance for any children of the member or of his widow,

a sum equal to the amount of the excess shall be paid—

- (a) to the personal representatives of the member ; or
- (b) if at least twelve months have elapsed since the death of the member, and probate of the will, or letters of administration in respect of the estate, of the member have not been granted, to all or any of the persons appearing to the Chief Secretary to be entitled to the estate of the deceased member.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. W. M. NORRIE, Governor.