



PUBLIC SERVANTS' RETIRING AND DEATH ALLOWANCES

No. 105 of 1977

ANALYSIS

1. Short title and citation.
2. Application of Act.

AN ACT to amend the Public Servants' Retiring and Death Allowances Act 1925.

[30 November 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 *Public Servants' Retiring and Death Allowances Act 1977*. Short title and citation.

(2) The *Public Servants' Retiring and Death Allowances Act 1925**, as subsequently amended, is in this Act referred to as the Principal Act.

* 16 Geo. V No. 11. For this Act, as amended to 1959, see Volume 4 of the Reprint of Statutes (1826-1959), p. 921. Subsequently amended by No. 14 of 1969 and No. 45 of 1970.

2 The Principal Act is amended by inserting after section 2 the following section:—

Application of Act.

“ 2A—(1) An application may be made under this section for the payment of benefits under this Act in respect of the service of a public servant who is or was a contributor under the *Superannuation Act 1938* or the *Retirement Benefits Act 1970*, not being a person who at any time has contributed for less than his maximum entitlement under the *Superannuation Act 1938*.

“(2) Where an application is made under this section no benefit or refund of contributions is payable under the *Superannuation Act 1938* or the *Retirement Benefits Act 1970* in respect of the service of the public servant in respect of whom the application is made and, notwithstanding anything in those Acts, benefits are payable under this Act as if those Acts had not been enacted.

“(3) An application under this section may be made by notice in writing served on the appropriate Board by the public servant not less than 3 months before the date of his retirement or, if he dies before retirement, by his legal personal representative not later than 6 months after the date of his death.

“(4) In this section ‘ appropriate Board ’ means—

- (a) in relation to a contributor under the *Superannuation Act 1938*, the Superannuation Fund Board; and
- (b) in relation to a contributor under the *Retirement Benefits Act 1970*, the Retirement Benefits Fund Board.”.