



TASMANIA

RETIREMENT BENEFITS AMENDMENT ACT 1991

No. 10 of 1991

TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Principal Act
4. Section 3 amended (Interpretation)
5. Section 4 amended (Non-application of Act)
6. Section 5A inserted
 - 5A—Election by permanent part-time or temporary employees
7. Section 6 amended (Application of Act to certain temporary employees and other persons)
8. Section 10 amended (Continuation of the Retirement Benefits Fund Board)
9. Section 14A inserted
 - 14A—Duty to give information and undertakings to the Board
10. Section 20 amended (Continuation of the Fund)
11. Section 21 amended (Investment of the Fund)
12. Section 23 amended (Obligation of employees to contribute to the Fund)
13. Section 25 amended (Commencement and cessation of contributions)
14. Section 26 amended (Time and manner of paying contributions)
15. Section 28A inserted
 - 28A—Death and Disability Account
16. Section 33 amended (Special provisions as to benefits on compulsory retirement)
17. Section 34 amended (Special provision as to temporary employees and other persons)
18. Section 50 amended (Right of contributor to convert whole or part of pension entitlement into lump sum)
19. Section 52A inserted
 - 52A—Entitlements in excess of reasonable benefit limits
20. Section 53 repealed

21. Section 64A inserted
64A—Special contribution by Treasurer arising from redundancy agreement
22. Section 66A inserted
66A—Time for payment of lump sum payments
23. Section 68 amended (Accounts and records)
24. Section 86A inserted
86A—Unclaimed benefits
25. Section 87 amended (Discretionary powers of the Board)
26. Section 90A substituted
90A—Payment of interest on contributions, &c., refunded
27. Section 90AB inserted
90AB—Power of Board to pay interest
28. Schedule 3 amended (Increase in rates of contributions by employees who are contributors to the 40 years' service scheme)
29. Schedule 4 amended (Calculation of pensions payable to contributors for full benefits, other than amalgamated contributors)
30. Schedule 5 amended (Benefits of contributors for limited benefits, other than amalgamated contributors)
31. Schedule 6 amended (Benefits of amalgamated contributors)
32. Schedule 7 amended (Transitional and savings provisions)
33. Transitional provisions

**RETIREMENT BENEFITS AMENDMENT ACT 1991**

No. 10 of 1991

AN ACT to amend the *Retirement Benefits Act 1982***[Royal Assent 11 July 1991]**

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:—

Short title

1—This Act may be cited as the *Retirement Benefits Amendment Act 1991*.

Commencement

2—(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(2) Sections 13, 14 and 26 shall be taken to have commenced on 1 July 1990.

(3) Section 16 and section 31, except paragraph (d), shall be taken to have commenced on 20 July 1990.

(4) Section 24 commences on a date to be fixed by proclamation.

Principal Act

3—In this Act, the *Retirement Benefits Act 1982** is referred to as the Principal Act.

Section 3 amended (Interpretation)

4—(1) Section 3 (1) of the Principal Act is amended as follows:—

- (a) by omitting “Fund;” from the definition of “contributions” and substituting “Fund less any amount deducted from those contributions under section 28A (5) as premiums for death and disability benefits”;
- (b) by omitting “Hospital;” from paragraph (k) (iii) of the definition of “employee” and substituting “Hospital; or”;
- (c) by inserting after paragraph (k) (iii) in that definition the following subparagraph:—
 - (iv) a temporary employee under contract, pursuant to section 38 of the *Tasmanian State Service Act 1984*, as a State Service Cadet;
- (d) by omitting from paragraph (o) of that definition “State,” and substituting “State; or”;
- (e) by inserting after that paragraph the following paragraph:—
 - (oa) a contributor referred to in section 5A who does not make an election under that section;

* No. 10 of 1982. Amended by Nos. 12 and 85 of 1983, No. 29 of 1984 (as amended by Nos. 63 and 83 of 1985), Nos. 22, 51 and 112 of 1985, Nos. 21 and 63 of 1987, No. 5 of 1988 and No. 56 of 1989 and by S.R. 1988, No. 174.

(f) by inserting after the definition of “public hospital authority” the following definition:—

“**redundancy agreement**” means the agreement entitled “Agreement for Redundancy and Retrenchment in the Tasmanian Public Sector” made between various employing authorities on behalf of the Crown and the Tasmanian Trades and Labor Council and having effect for 12 months from 20 July 1990;

(g) by inserting “and includes an amount paid to a superannuation fund approved by the Treasurer on behalf of an employee” after “employee” in the definition of “salary”.

(2) Section 3 of the Principal Act is further amended as follows:—

(a) by inserting after subsection (2) the following subsection:—

(2A) For the purposes of the definition of “salary” in subsection (1), contributions made to a superannuation fund, approved by the Treasurer, on behalf of an employee employed under contract pursuant to section 29 or 38 of the *Tasmanian State Service Act 1984* shall be taken to be included in the employee’s salary.

(b) by inserting after “Fund”, lastly occurring, in subsection (3) (b) “or to the Superannuation Fund”;

(c) by omitting from subsection (4D) “special contribution” and substituting “declaration of the Board”.

Section 4 amended (Non-application of Act)

5—Section 4 of the Principal Act is amended as follows:—

(a) by omitting from paragraph (i) “8.” and substituting “8; or”;

(b) by inserting after paragraph (i) the following paragraphs:—

(j) an employee employed in Tourism Tasmania who, immediately before his employment as such, was employed pursuant to section 38 of the *Tasmanian State Service Act 1984* and who has satisfied the Board that provision by way of retirement benefits for and in relation to that person has been made otherwise than under this Act; or

(k) an employee who, with the approval of the Treasurer, has elected by notice in writing to the Board not to contribute to the Fund on the ground that alternative arrangements for superannuation have been made for that employee by the Treasurer or, with the approval of the Treasurer, by an Agency or State authority.

Section 5A inserted

6—After section 5 of the Principal Act, the following section is inserted:—

Election by permanent part-time or temporary employees

5A—(1) A contributor who ceases to be an employee but remains employed in a permanent part-time or temporary capacity or under a prescribed contract of employment may, by notice in writing to the Board, elect not to contribute to the Fund.

(2) A contributor who makes an election under subsection (1) is entitled to be paid a sum equal to the total amount of his or her contributions to the Fund, together with interest on that sum as provided in section 90A.

Section 6 amended (Application of Act to certain temporary employees and other persons)

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

(a) by omitting from subsection (1) “A” and substituting “Subject to subsection (1A), a”;

(b) by inserting after subsection (1) the following subsection:—

(1A) This section does not apply to a person who, under section 5A, has elected not to contribute to the Fund.

Section 10 amended (Continuation of the Retirement Benefits Fund Board)

8—Section 10 (2) of the Principal Act is amended as follows:—

(a) by omitting “Act.” from paragraph (d) and substituting “Act; and”;

(b) by inserting after paragraph (d) the following paragraph:—

(e) subject to section 16, may do and be subject to all other things that bodies corporate may, by law, do or be subject to, being things necessary for, or conducive or incidental to, the discharge of its functions and the exercise of its other powers.

Section 14A inserted

9—After section 14 of the Principal Act, the following section is inserted in Division 2:—

Duty to give information and undertakings to the Board

14A—The Trust shall, when so required by the Board, provide the Board with such information and give the Board such undertakings as the Board may require in order that the Board may comply with any law of the Commonwealth relating to superannuation funds.

Section 20 amended (Continuation of the Fund)

10—Section 20 (2) (c) of the Principal Act is amended by omitting “21;” and substituting “21 but without taking into account unrealized capital gains or losses;”.

Section 21 amended (Investment of the Fund)

11—Section 21 of the Principal Act is amended by omitting subsections (3) to (12), both inclusive, and substituting the following subsections:—

(3) Subject to any directions given by the Board in relation to the investment of money standing to the credit of the Fund, the Trust may—

(a) invest any money paid to it pursuant to subsection (1); or

(b) vary or dispose of any such investment—
in any manner in which it thinks fit.

(4) Without limiting the generality of subsection (3), money paid to the Trust pursuant to subsection (1) may be invested by the Trust on first mortgage of real property in the State, including a completed flat that is held in fee simple to which a stratum plan registered pursuant to Part XIA of the *Conveyancing and Law of Property Act 1884* relates.

(5) Subsection (4) applies to and in relation to a mortgage or further charge under or in respect of which the Trust has priority over all other persons.

(6) With respect to investments made pursuant to subsection (3) the Trust shall invest the assets of the Fund in a manner that complies with the standards prescribed for the purposes of the *Occupational Superannuation Standards Act 1987* of the Commonwealth and in force from time to time.

Section 23 amended (Obligation of employees to contribute to the Fund)

12—Section 23 of the Principal Act is amended by omitting subsection (8) and substituting the following subsections:—

(8) Where a contributor is granted leave of absence for any period without pay or on less than full pay, the contributor shall continue to contribute to the Fund during that period unless, by notice in writing to the Board, the contributor elects not to do so or unless the contributor is permitted under section 26 (3) to defer his or her contributions for any relevant period.

(8A) The rate of contributions payable under subsection (8) shall be the rate at which the contributor would have been required to contribute to the Fund if the contributor had continued to receive his or her full salary in respect of that period and if, for any reason, the contributor becomes entitled to an increase in salary while absent from duty on that leave, his or her obligation to contribute to the Fund shall be calculated with reference to his or her salary as so increased.

(8B) Without limiting the operation of section 26 (3B), a period during which no contributions are paid to the Fund pursuant to an election made under subsection (8)—

- (a) shall not be counted as part of the contributor's service for the purposes of this Act; and
- (b) does not affect the contributor's continuity of service for the purposes of this Act.

Section 25 amended (Commencement and cessation of contributions)

13—Section 25 of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) “Subject to section 26 (2), the” and substituting “The”;
- (b) by omitting from subsection (3) “pay day immediately preceding the”.

Section 26 amended (Time and manner of paying contributions)

14—Section 26 of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) “Act,” and substituting “Act but subject to subsection (2),”;
- (b) by omitting subsection (2) and substituting the following subsection:—

(2) This section does not apply to an employee during any period when, pursuant to an election made under section 23 (8), the employee does not make any contributions to the Fund.

(c) by omitting subsection (3B) and substituting the following subsection:—

(3B) Where the Board requires a contributor to comply with conditions imposed by it pursuant to subsection (3A), the period during which the contributor was absent from employment as mentioned in that subsection—

(a) shall not be counted as part of the contributor's service for the purposes of this Act until the contributor complies with those conditions; and

(b) does not affect the contributor's continuity of service for the purposes of this Act.

Section 28A inserted

15—After section 28 of the Principal Act the following section is inserted:—

Death and Disability Account

28A—(1) For the purposes of this section, in relation to a contributor in respect of whom an invalidity or spouse pension is paid, death and disability benefits shall be taken to be the present value amount of that pension, less the present value amount of the Treasurer's contribution to that pension made under section 63 that is paid in respect of the period commencing from the date of the contributor's retirement or death and ending on the date determined in accordance with clause 10 of Schedule 4 or, if there is no such date, the age for retirement.

(2) The Board shall establish an account within the Fund called the Death and Disability Account.

(3) The Board shall, having regard to the advice of the Actuary in relation to both the experience of providing death and disability benefits under this Act and the different commencement date of contributors, establish premium rates sufficient to meet fully the cost of death and disability benefits.

(4) The premium rates established under subsection (3) shall remain in force for a period of 12 months commencing on 1 October in each year and shall be determined having regard to the experience of providing death and disability benefits in the preceding financial year.

(5) In relation to each contributor under the age of 55 years, the Board shall each pay period—

- (a) debit the basic contributions account of that contributor with a premium determined by reference to the salary received by that contributor and the appropriate premium rate established in relation to that contributor under subsection (3); and
- (b) debit the Fund with an amount equal to the difference, if any, between that premium and the premium established by reference to the premium rate relevant to contributors who commenced contributing to the Fund on or after 1 July 1990; and
- (c) credit the sum of the amounts debited under paragraphs (a) and (b) to the Death and Disability Account.

(6) The Board shall as soon as practicable after 30 June in each year debit the Death and Disability Account with an amount that in the opinion of the Actuary was required for the provision of death and disability benefits during the preceding financial year pursuant to this Act.

(7) If, at the end of each financial year—

- (a) the premiums debited pursuant to subsection (5) are sufficient to meet the cost of death and disability benefits provided under this Act, the Board shall determine whether to distribute the surplus in the Death and Disability Account amongst contributors' basic contributions accounts or to carry it forward to the next year; or
- (b) those premiums are insufficient to meet those benefits, the Board shall—
 - (i) if a surplus balance has been carried forward from the previous year, offset the deficiency against that surplus; or

- (ii) if there has not been a surplus balance carried forward from the previous year, adjust each contributor's basic contributions account to the extent necessary to cover the deficiency.

Section 33 amended (Special provisions as to benefits on compulsory retirement)

16—Section 33 of the Principal Act is amended as follows:—

- (a) by omitting subsection (3A) and substituting the following subsection:—

(3A) A reduction shall not be made under subsection (3) to the amount of a pension payable to a contributor if, at the time when the contributor becomes entitled to the pension—

- (a) the pension is equal to two-thirds of the contributor's annual average salary in the year immediately preceding retirement; or
- (b) the contributor has attained the age of 55 years, has not attained the age of 60 years, has less than 30 years' service and has exercised an election under the redundancy agreement to forego one-half of the service payment payable under that agreement in return for removal of the pension reduction provided in subsection (3).

- (b) by inserting after subsection (6) the following subsection:—

(7) For the purposes of subsection (6) (a) and (b) (i)—

- (a) the amount of contributions shall be assessed as including the amount of any interest accrued in respect of those contributions; and
- (b) the application of subsection (6) extends to a contributor who receives the prescribed sum of money pursuant to the redundancy agreement.

Section 34 amended (Special provision as to temporary employees and other persons)

17—Section 34 of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) “5” and substituting “5, 5A”;
- (b) by inserting after “Fund”, lastly occurring in subsection (3), “together with interest on that sum as provided by section 90A”.

Section 50 amended (Right of contributor to convert whole or part of pension entitlement into lump sum)

18—Section 50 of the Principal Act is amended by inserting after subsection (7) the following subsection:—

(7A) For the purposes of subsections (6) (a) and (b) (i) and (7) (a) and (b) (i), the amount of contributions shall be assessed as including the amount of any interest accrued in respect of those contributions.

Section 52A inserted

19—After section 52 of the Principal Act, the following section is inserted:—

Entitlements in excess of reasonable benefit limits

52A—(1) Notwithstanding anything contained in this Act, where the Board receives a notice under section 15s of the *Occupational Superannuation Standards Act 1987* of the Commonwealth in relation to a person who became a contributor after 15 August 1989 and who receives a pension under this Act, the Board shall, within one month after receipt of that notice—

- (a) treat the notice as a request to commute to a lump sum the amount by which the amount of benefit payable under this Act (including any benefit payable under the SAF Agreement) less any amount paid to that contributor as a lump sum exceeds the reasonable benefit limit for that contributor; and
- (b) forthwith pay that lump sum to that person; and

(c) advise the Insurance and Superannuation Commissioner of the Commonwealth that the relevant portion of the total benefit paid to that person has been so treated.

(2) The amount to be commuted pursuant to subsection (1) (a) and the commutation factors to be applied shall be determined by the Actuary on request by the Board.

Section 53 repealed

20—Section 53 of the Principal Act is repealed.

Section 64A inserted

21—After section 64 of the Principal Act, the following section is inserted:—

Special contribution by Treasurer arising from redundancy agreement

64A—Where—

- (a) a contributor retires pursuant to the redundancy agreement; and
- (b) the effect of that agreement is to increase the benefit otherwise payable to that contributor under this Act—

the Treasurer shall, as soon as practicable after the date of that retirement, cause to be paid to the Fund a special contribution to be determined by the Actuary representing the present value cost as at that date of the increase in the benefit otherwise payable under this Act to that contributor less the proportion of the present value cost that would, under section 63, be required to be paid by the Treasurer to the Fund in respect of that contributor.

Section 66A inserted

22—After section 66 of the Principal Act, the following section is inserted:—

Time for payment of lump sum payments

66A—A lump sum payment payable under this Act is payable—

- (a) on the day immediately following the day on which the election or application in respect of the payment becomes effective under this Act; or
- (b) 28 days after the receipt of that election or application—

whichever is the later.

Section 68 amended (Accounts and records)

23—Section 68 of the Principal Act is amended as follows:—

- (a) by inserting after “Auditor-General” in subsection (3) “having regard to subsection (3A)”;
- (b) by inserting after that subsection the following subsection:—

(3A) For the purposes of subsection (3), the investments of the Fund shall be shown at market value as at 30 June in each year with unrealized capital gains and losses being brought to account as income.

Section 86A inserted

24—After section 86 of the Principal Act, the following section is inserted:—

Unclaimed benefits

86A—(1) Subject to the standards prescribed for the purposes of the *Occupational Superannuation Standards Act 1987* of the Commonwealth, the Board shall in the first instance pay unclaimed benefits under this Act into an account established under clause 35 of the SAF Agreement.

(2) Where an amount of benefit payable under this Act is unclaimed for a period of 6 months after the person entitled to that benefit attains the age of 65 years, the SAF Board shall, subject to subsection (3), pay that amount, together with any accumulated interest, from the account referred to in subsection (1) into the Consolidated Fund.

(3) Where—

- (a) the whereabouts of a person entitled to a benefit under this Act have been unknown to the SAF Board for a period of 7 years; and
- (b) the SAF Board after making diligent enquiries is unable to ascertain the whereabouts of that person—

the SAF Board may pay the amount of that benefit into the Consolidated Fund.

(4) On payment of an amount into the Consolidated Fund under subsection (2) or (3), the SAF Board shall provide the Insurance and Superannuation Commissioner of the Commonwealth with full particulars of the amount so paid.

(5) Where the Treasurer is satisfied, after compliance with any prescribed standard, that a person would, but for the operation of this section, be entitled to a benefit under this Act, the Treasurer shall pay from the Consolidated Fund to that person the amount paid into that Fund under subsection (2) or (3).

Section 87 amended (Discretionary powers of the Board)

25—Section 87 of the Principal Act is amended by omitting subsection (3) and substituting the following subsections:—

(3) A contributor whose salary is reduced may, by notice in writing to the Board, elect that this section shall apply to the contributor in respect of the relevant period and on the making of the election—

- (a) the contributor's pension entitlement shall be calculated as if the contributor's salary had remained unaltered; and
- (b) the contributor shall continue to pay the same contributions to the Fund during the relevant period as the contributor was paying immediately before the reduction took effect.

(3A) For the purposes of subsection (3), “salary”, in relation to a contributor, does not include allowances paid in the form of income which are received by the contributor, or to which the contributor is entitled as an employee, unless otherwise determined by the Board under section 77 (1).

Section 90A substituted

26—Section 90A of the Principal Act is repealed and the following section is substituted:—

Payment of interest on contributions, &c., refunded

90A—(1) A contributor is entitled to interest, payable out of the Fund, on any contributions or other payments made by the contributor to the Fund or to the Board.

(2) For the purposes of subsection (1), interest shall be calculated as at 1 July each year—

(a) by reference to the average of the earning rates of the Fund for each of the 3 financial years immediately preceding that date, adjusted to take into account the administration and taxation expenses that are expected to be paid by the Board and the Trust in respect of the current financial year; or

(b) in such other manner as may be prescribed—
and shall remain in force for a period of 12 months commencing on 1 October in that year.

(3) For the purposes of subsection (2), the annual earning rate of the Fund for each relevant financial year shall be determined by the Board on the advice of the Actuary, with unrealized capital gains and losses being brought to account as income for the purposes of section 68 as a result of variations in the market values of the investments of the Trust.

(4) Interest shall commence to accrue on the day contributions or other payments made by contributors are received by the Board or the Fund and shall cease to accrue on the date for retirement, the date of death of the contributor or the day on which the Board advises the contributor of the amount of his or her entitlement to a refund of contributions or other payments.

Section 90AB inserted

27—After section 90A of the Principal Act, the following section is inserted:—

Power of Board to pay interest

90AB—Notwithstanding sections 90 and 90A, the Board may make payments of interest in respect of any benefit entitlement or further payments of interest in respect of any refunds of contributions or other payments in such circumstances as it may deem appropriate.

Schedule 3 amended (Increase in rates of contributions by employees who are contributors to the 40 years' service scheme)

28—Schedule 3 to the Principal Act is amended as follows:—

- (a) by omitting subclause (2) of clause 7;
- (b) by inserting after “may” in clause 7 (3) “, subject to subclause (3A),”;
- (c) by inserting after clause 7 (3) the following subclause:—

(3A) Before making arrangements with a contributor under subclause (3), the Board may direct that the contributor undergoes such reasonable medical examinations as the Board may require.

- (d) by omitting subclause (3) of clause 8;
- (e) by inserting after “may” in clause 8 (5) “, subject to subclause (5A),”;
- (f) by inserting after clause 8 (5) the following subclause:—

(5A) Before making arrangements with a contributor under subclause (5), the Board may direct that the contributor undergoes such reasonable medical examinations as the Board may require.

Schedule 4 amended (Calculation of pensions payable to contributors for full benefits, other than amalgamated contributors)

29—Schedule 4 to the Principal Act is amended by omitting clause 17 and substituting the following clause:—

Calculation of average annual salary for purposes of schedule

17—For the purposes of this Schedule, where at any time during the period of 12 months immediately preceding the time of his or her retirement or death, a contributor has been absent on leave without pay or on less than full pay or has preserved his or her contributions in the Fund in accordance with section 33 (1) (f), the contributor's average annual salary shall be calculated as if he or she had continued to be employed in the same capacity on his or her full pay during the whole of that period.

Schedule 5 amended (Benefits of contributors for limited benefits, other than amalgamated contributors)

30—Schedule 5 to the Principal Act is amended by inserting after clause 2 the following clause:—

Certain contributions assessed as including interest

2A—For the purposes of subclause (2) (d) (i), the amount of contributions shall be assessed as including the amount of any interest accrued in respect of those contributions.

Schedule 6 amended (Benefits of amalgamated contributors)

31—Schedule 6 to the Principal Act is amended as follows:—

- (a) by inserting after “Fund” in clause 3 (1) (d) “together with interest on those contributions as provided by section 90A”;
- (b) by omitting from clause 3 (4) “An” and substituting “Except in the case of a person who receives a benefit under the redundancy agreement, an”;
- (c) by omitting from clause 3 (8) “A” and substituting “Subject to subclause (8A), a”;
- (d) by omitting clause 6 and substituting the following clause:—

Calculation of average annual salary for purposes of Schedule

6—For the purposes of this Schedule, where at any time during the period of 12 months immediately preceding the time of his or her retirement or death, a contributor has been absent on leave without pay or on less than full pay, the contributor's average annual salary shall be calculated as if he or she had continued to receive his or her full pay relevant to the position in which he or she was employed for during the whole of that period.

- (e) by inserting after clause 3 (8) the following subclause:—

(8A) A contributor to whom subclause (1) (a) relates who is entitled to a pension under that subclause and who receives a benefit under the redundancy agreement may elect, by notice in writing to the Board, within one month after retirement, to receive the actuarial equivalent of that pension in a lump sum payment.

Schedule 7 amended (Transitional and savings provisions)

32—Schedule 7 to the Principal Act is amended as follows:—

- (a) by inserting after subclause (1) of clause 18 the following subclauses:—

(1A) Where a woman who was married immediately before the first commencement day or who marries on or after that day and who was employed in a temporary or part-time capacity on that day and subsequently becomes employed in a permanent capacity, that woman may elect, by notice in writing to the Board, not to contribute to the Fund.

(1B) Where a woman to whom subsection (1) applies ceases to be an employee and at a later time again becomes an employee, that woman may, by notice in writing to the Board, elect not to contribute to the Fund.

- (b) by inserting after “(1) (a) (ii)” in subclause (2) of clause 18 “or (1A)”.

Transitional provisions

33—(1) For the purposes of the administration of the Death and Disability Account established under section 28A of the Principal Act during the period of 12 months commenced on 1 October 1990, the Board shall make the debits and credits provided by subsection (4) of that section as if the premiums first established under subsection (2) of that section had taken effect on that date.

(2) The application of section 52A of the Principal Act extends to a benefit (including a benefit under the SAF Agreement) that was paid on or after 1 July 1990 and before the commencement of that section.

(3) The application of section 64A of the Principal Act extends to a contributor who has retired as mentioned in that section on or after 20 July 1990 and before the commencement of that section.

