

# Superannuation

No. 69 of 1966

An Act to amend the *Superannuation Act* 1922–1965  
in relation to Orphans' Pensions and in relation to  
Members of the Police Force of the Australian  
Capital Territory.

[Assented to 29 October 1966]

**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 *Superannuation Act* 1966. Short title  
and citation.

(2.) The *Superannuation Act 1922-1965\** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Superannuation Act 1922-1966*.

Commence-  
ment

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Payments by  
Commonwealth.

3. Section 33 of the Principal Act is amended by adding at the end thereof the following sub-section:—

“(7.) Where a payment of pension is made in respect of a child and the rate of the pension is, in accordance with sub-section (3.) of section forty-six, sub-section (3.) of section forty-seven, or sub-section (1AA.) of section forty-eight, of this Act, determined in whole or in part by reference to the pension that would, but for her death or divorce, have been payable to the widow or wife referred to in whichever of those sub-sections is applicable, the Commonwealth shall, in lieu of any other amount payable by the Commonwealth to the Fund under sub-section (2.) of this section in respect of the payment of pension, pay to the Fund, in respect of the payment of pension, an amount determined in accordance with the formula—

$$A + \frac{B}{C},$$

where—

A is five-sevenths of the amount that would have been the amount of that payment of pension if the pension had been payable at the rate of Two hundred and eight dollars per annum;

B is the amount that, if the widow or the wife had survived or had not been divorced and a payment of pension had been made to her by virtue of paragraph (a) of sub-section (1.) of section forty-six, or paragraph (a) of sub-section (1.) of section forty-seven, of this Act, as the case may be, for the same period as the period for which the payment of pension in respect of the child was made, would have been payable by the Commonwealth to the Fund in respect of the payment of pension to the widow or wife; and

\* Act No. 33, 1922, as amended by No. 45, 1924; No. 22, 1930; No. 10, 1931; No. 45, 1934; No. 28, 1937; No. 53, 1942; No. 18, 1943; Nos. 15 and 30, 1945; No. 2, 1946; Nos. 1 and 35, 1947; No. 19, 1948; No. 76, 1950; Nos. 49 and 62, 1951; No. 92, 1952; No. 11, 1954; No. 27, 1955; Nos. 19 and 112, 1956; No. 94, 1957; No. 45, 1958; No. 102, 1959; No. 102, 1963; and Nos. 97 and 154, 1965.

C is the number that, in relation to the pension payable in respect of the child, is the divisor for the purposes of sub-section (3.) of section forty-six, sub-section (3.) of section forty-seven, or sub-section (1AA.) of section forty-eight, of this Act, whichever sub-section is applicable.”.

4. Section 46 of the Principal Act is amended—

- (a) by adding at the end of sub-section (2.) the words “ or at a rate of such amount per annum as is determined in accordance with the next succeeding sub-section, whichever rate is the higher ”; and

Pension to widow and children on death of contributor.

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

“ (3.) The amount to be determined for the purposes of the last preceding sub-section is an amount ascertained by dividing by four (or, if the number of eligible children of the widow and of the male contributor in respect of whom pension is payable under this section is greater than four, by the number of those children) the amount of the annual rate of the pension that, but for her death, would, by virtue of paragraph (a) of sub-section (1.) of this section, have been payable to the widow.”.

5. Section 47 of the Principal Act is amended—

- (a) by adding at the end of sub-section (2.) the words “ or at a rate of such amount per annum as is determined in accordance with the next succeeding sub-section, whichever rate is the higher ”; and

Pension to widow and children on death of pensioner.

- (b) by inserting after sub-section (2.) the following sub-section:—

“ (3.) The amount to be determined for the purposes of the last preceding sub-section is an amount ascertained by dividing by four (or, if the number of eligible children of the widow and of the male pensioner in respect of whom pension is payable under this section is greater than four, by the number of those children) the amount of the annual rate of the pension that, but for her death, would, by virtue of paragraph (a) of sub-section (1.) of this section, have been payable to the widow.”.

6. Section 48 of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the words “ at the rate of Five hundred and twenty dollars per annum in respect of each child ” and inserting in their stead

Pension to orphans on death of contributor or pensioner.

the words “ in respect of each child at the rate of Five hundred and twenty dollars per annum or at a rate of such amount per annum as is determined in accordance with the next succeeding sub-section, whichever rate is the higher ”;

(b) by inserting after sub-section (1.) the following sub-sections:—

“(1AA.) The amount to be determined for the purposes of the last preceding sub-section is the sum of Two hundred and eight dollars and an amount ascertained by dividing by four (or, if the number of eligible children of the male contributor or pensioner and of his wife in respect of whom pension is payable under this section is greater than four, by the number of those children) the amount of the annual rate of the pension that, but for her death or divorce, would, by virtue of paragraph (a) of sub-section (1.) of section forty-six of this Act or paragraph (a) of sub-section (1.) of the last preceding section, as the case may be, have been payable to his wife.

“(1AB.) In the application of sub-section (1.) of this section in relation to a deceased male pensioner who remarried after he became a pensioner, the reference in that sub-section to the wife of a pensioner shall be read as not including a reference to the person who became the wife of the pensioner on that remarriage.”; and

(c) by omitting from sub-section (1A.) the words “ the last preceding sub-section ” and inserting in their stead the words “ sub-section (1.) of this section ”.

Certain contributors who change the nature of their employment to continue as contributors.

7. Section 53 of the Principal Act is amended by inserting in paragraph (a) of sub-section (2.), after the word “ Act ” (second occurring), the words “ or is a member of the Police Force of the Australian Capital Territory ”.

Certain contributors to Provident Account who change the nature of their employment to continue as contributors.

8. Section 86 of the Principal Act is amended by inserting in paragraph (a) of sub-section (2.), after the word “ Act ” (second occurring), the words “ or is a member of the Police Force of the Australian Capital Territory ”.

Application of amendments.

9. Increased pensions payable by virtue of the amendments made by this Act are payable as from the first fortnightly payment of pensions made after the date on which this Act receives the Royal Assent.