



ANNO DECIMO TERTIO

## ELIZABETHAE II REGINAE

A.D. 1964

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### No. 41 of 1964

An Act to amend the Police Pensions Act, 1954-1960.

[Assented to 22nd October, 1964.]

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, 1964". Short title.
- (2) The Police Pensions Act, 1954-1960, as amended by this Act, may be cited as the "Police Pensions Act, 1954-1964".
- (3) The Police Pensions Act, 1954-1960, is hereinafter referred to as "the principal Act".
  
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
  
3. This Act shall come into force on a day to be fixed by the Governor by proclamation. Commencement.
  
4. Section 11 of the principal Act is amended— Amendment of principal Act, s. 11—
  - (a) by inserting therein after the passage "that is to say—" the following paragraph :— Contributions by Government.
    - (a1) An amount equal to the sum of seventy per centum of the total amount of pensions and children's allowances paid from the fund during

that year in respect of pensions and allowances which commenced before the commencement of the Police Pensions Act Amendment Act, 1964 ;

(b) by renumbering paragraph (a) thereof as paragraph (a2) ;

(c) by striking out the passage "children's allowances and pensions" in the said paragraph (a) thereof ;

(d) by inserting therein after the said paragraph thereof so renumbered (a2) the following paragraph :—

(a3) An amount equal to the sum of two-thirds of the total amounts of pensions and children's allowances paid from the fund during that year in respect of all members or former members who became members of the force before the first day of July, 1959, and which commenced on or after the commencement of the Police Pensions Act Amendment Act, 1964 ;

(e) by striking out the passage "children's allowances and pensions" in paragraph (b) thereof ;

(f) by inserting therein after paragraph (b) thereof the following paragraph :—

(c) An amount equal to the sum of three-fifths of the total amount of pension and children's allowances paid from the fund during that year in respect of all members and former members of the force who became members on or after the first day of July, 1959, and which commenced on or after the commencement of the Police Pensions Act Amendment Act, 1964.

Amendment of  
principal Act,  
s. 12—  
Liability to  
contribute.

5. Subsection (2) of section 12 of the principal Act is amended by inserting therein at the end thereof the following further proviso :—

Provided further that any person who becomes a member of the force on or after the date of commencement of the Police Pensions Act Amendment Act, 1964, and who is under the age of twenty-one years at the date of so becoming a member, shall commence to contribute to the fund on the date upon which he attains the age of twenty-one years.

6. Section 14 of the principal Act is amended by striking out subsections (1), (2) and (3) thereof and inserting in lieu thereof the following subsections :—

Repeal and re-enactment of s. 14 of principal Act—  
Amount of contribution.

(1) The fortnightly contribution payable by a member who commenced to contribute to the fund before the date of commencement of the Police Pensions Act Amendment Act, 1964, shall be in accordance with the following table :—

Age at commencing to contribute	Amount of fortnightly contribution					
	Males			Females		
	£	s.	d.	£	s.	d.
Under 21 . . . . .	2	2	0	1	15	0
Exact age 21 . . . . .	2	2	0	1	15	0
Over 21 and under 22 . . . . .	2	4	0	1	17	0
Over 22 and under 23 . . . . .	2	6	0	1	19	0
Over 23 and under 24 . . . . .	2	8	0	2	1	0
Over 24 and under 25 . . . . .	2	10	0	2	3	0
Over 25 and under 26 . . . . .	2	13	0	2	5	0
Over 26 . . . . .	2	16	0	2	7	0

(2) The fortnightly contributions payable by a member who commences to contribute to the fund on or after the commencement of the Police Pensions Act Amendment Act, 1964, shall be in accordance with the following table :—

Age at commencing to contribute	Amount of fortnightly contribution					
	Males			Females		
	£	s.	d.	£	s.	d.
Exact age 21 . . . . .	2	2	0	1	15	0
Over 21 and under 22 . . . . .	2	4	0	1	17	0
Over 22 and under 23 . . . . .	2	6	0	1	19	0
Over 23 and under 24 . . . . .	2	8	0	2	1	0
Over 24 and under 25 . . . . .	2	10	0	2	3	0
Over 25 and under 26 . . . . .	2	13	0	2	5	0
Over 26 and under 27 . . . . .	2	16	0	2	7	0
Over 27 and under 28 . . . . .	2	18	0	2	8	0
Over 28 and under 29 . . . . .	3	0	0	2	10	0
Over 29 and under 30 . . . . .	3	2	0	2	12	0
Over 30 and under 31 . . . . .	3	5	0	2	14	0
Over 31 and under 32 . . . . .	3	8	0	2	16	0
Over 32 and under 33 . . . . .	3	12	0	2	19	0
Over 33 and under 34 . . . . .	3	16	0	3	2	0
Over 34 . . . . .	4	0	0	3	6	0

The fortnightly contribution payable by a member holding the rank of sergeant or any higher rank shall be the amount prescribed by subsection (1) or (2) (as the case may be) of this section plus a proportion of that amount varying with the rank of the member in accordance with the following table :—

Salary or Rank of Member.	Proportion
1. Sergeant of any grade ...	Three-twentieths
2. Inspector 3rd Class .....	Three-tenths
3. Inspector 2nd Class .....	Two-fifths
4. Inspector 1st Class .....	One-half
5. Senior Inspector .....	Three-fifths
6. Superintendent .....	Thirteen-twentieths
7. Deputy Commissioner ...	Eight-Sevenths
8. Commissioner .....	Ten-sevenths

(3) Notwithstanding subsections (1) and (2) of this section a member who was in the force on the first day of January, one thousand nine hundred and thirty, shall not be obliged to contribute more than the following amount per fortnight :—

- (a) in the case of a member other than a commissioned officer—two pounds nine shillings;
- (b) in the case of a commissioned officer—four pounds twelve shillings.

Amendment of  
principal Act,  
s. 15—  
Deductions of  
contributions.

**7. Section 15 of the principal Act is amended—**

- (a) by striking out the word “annually” therein and inserting in lieu thereof the word “fortnightly”;
- (b) by striking out all the words therein after the word “member” (second occurring) therein.

Amendment of  
principal Act,  
s. 19—  
Retiring age.

**8. Section 19 of the principal Act is amended by inserting at the end thereof the following subsection (the former portion of the section being designated as subsection (1) thereof) :—**

- (2) Any member who has served in the force for ten years or more and who has attained the age of fifty-five years may, with the consent of the Commissioner, retire from the force before attaining the age of sixty years.

Amendment of  
principal Act,  
s. 20—  
Pension and  
benefit on  
retirement after  
retiring age.

**9. Section 20 of the principal Act is amended—**

- (a) by striking out the words “one thousand five hundred” in paragraph (a) of subsection (1) thereof and inserting in lieu thereof the words “one thousand six hundred and fifty”;

(b) by striking out paragraph (b) of the said subsection (1) thereof and inserting in lieu thereof the following paragraph :—

(b) to a pension of five hundred and seventy pounds a year ;

(c) by inserting therein after subsection (1) thereof the following subsections :—

(2) Any member who elects to retire from the force before attaining the age of retirement under the provisions of subsection (2) of section 19, shall be entitled, on retirement, to receive the following benefits :—

(a) A cash payment which bears the same proportion to the sum of one thousand six hundred and fifty pounds, as the number of completed months of service of the member on the day of his retirement from the force bears to the number of complete months he would have served in the force had he retired upon attaining the age of sixty years ;

(b) A pension of the amount prescribed by the regulations based upon his nearest age at the date when he commenced to contribute to the fund and his age at the date of his retirement.

(3) Any member may, by notice in writing given to the Public Actuary within twenty-eight days after the date of his retirement, elect to exercise any of the following options :—

(a) To exchange the whole or any part of the cash payment to which he is entitled under the provisions of this section for either—

(i) a pension commencing on the date of his retirement and ceasing on the date of his death ; or

(ii) a pension commencing on the date of his retirement and ceasing either on the date of

his death or the date upon which he attains the age of sixty-five years, whichever first happens; or

- (b) To exchange not more than twenty-five per centum of the pension to which he is entitled under the provisions of this section for a pension commencing on the date of his retirement and ceasing on the date of his death or on the date when he attains the age of sixty-five years, whichever first happens.

The rate for which any part of a cash payment may be exchanged for a pension under the provisions of paragraph (a) of this subsection or for which any part of a pension may be exchanged under the provisions of paragraph (b) of this subsection shall be prescribed by regulations.

Amendment of  
principal Act,  
s. 21—  
Pension and  
benefit on  
retirement  
through injury  
in course of  
duty.

**10.** Section 21 of the principal Act is amended—

- (a) by striking out the words “four hundred and eighty” in paragraph (b) of subsection (1) thereof and inserting in lieu thereof the words “five hundred and seventy”;
- (b) by striking out the words “five hundred” in paragraph (b) of subsection (2) thereof and inserting in lieu thereof the words “six hundred”;
- (c) by striking out the word “fifty” in the said paragraph (b) of the said subsection (2) thereof and inserting in lieu thereof the word “sixty”;
- (d) by striking out the words “one thousand five hundred” in the proviso to the said subsection (2) thereof and inserting in lieu thereof the words “one thousand six hundred and fifty”.

Amendment of  
principal Act,  
s. 22—  
Pension and  
benefit on  
retirement  
due to  
invalidity.

**11.** Section 22 of the principal Act is amended—

- (a) by striking out the words “two hundred and forty” in paragraph (b) of subsection (1) thereof and inserting in lieu thereof the words “three hundred”;
- (b) by striking out the passage “five hundred plus fifty pounds” in the said paragraph (b) of the said subsection (1) thereof and inserting in lieu thereof the passage “six hundred pounds plus sixty”;

- (c) by striking out the passage "two hundred and forty pounds a year plus thirteen" in paragraph (c) of the said subsection (1) thereof and inserting in lieu thereof the passage "three hundred pounds a year plus fifteen";
- (d) by striking out the passage "four hundred and eighty pounds a year and a cash payment of five hundred pounds plus fifty" and inserting in lieu thereof the passage "five hundred and seventy pounds a year and a cash payment of six hundred pounds plus sixty";
- (e) by striking out the words "one thousand five hundred" in subsection (2) thereof and inserting in lieu thereof the words "one thousand six hundred and fifty".

**12.** Section 27 of the principal Act is amended by inserting therein after subsection (1) thereof the following subsection :—

(1a) If any member resigns from the force after he has attained the age of fifty-five years he shall be deemed to have elected to retire under the provisions of subsection (2) of section 19 of this Act : Provided that if the Commissioner does not consent to the member's retirement, the member shall be entitled to receive a refund of all contributions paid by him to the fund under this Act.

Amendment of  
principal Act,  
s. 27—  
Benefits on  
leaving force  
in cases not  
otherwise  
provided for.

**13.** Section 29 of the principal Act is amended—

- (a) by striking out the words "two hundred and forty" in paragraph (a) of subsection (1) thereof and inserting in lieu thereof the words "three hundred and forty-two";
- (b) by striking out the passage "five hundred pounds plus fifty" in paragraph (b) of the said subsection (1) thereof and inserting in lieu thereof the passage "six hundred pounds plus sixty";
- (c) by striking out the words "one thousand five hundred" at the end of the said subsection (1) thereof and inserting in lieu thereof the words "one thousand six hundred and fifty";
- (d) by striking out the words "two hundred and forty" in paragraph (a) of subsection (2) thereof and inserting in lieu thereof the words "three hundred and forty-two";

Amendment of  
principal Act,  
s. 29—  
Benefits for  
widows and  
children of  
members and  
pensioners.

(e) by inserting at the end of the said subsection (2) thereof the following proviso :—

Provided that, if the pensioner was a member who retired, with the consent of the Commissioner, under the provisions of subsection (2) of section 19, the pension payable to his widow shall be an annual sum equal to sixty per centum of the pension to which the member became entitled under the provisions of paragraph (b) of subsection (2) of section 20.

Enactment of  
s. 30ca of  
principal Act—

14. The following section is inserted in the principal Act after section 30c thereof :—

Amount of  
cash payment  
and pension  
for senior  
members.

30ca. (1) The amount of any cash payment (other than a refund of contributions or of twice the amount of contributions) or of any limit of a cash payment and the rate of any pension payable pursuant to this Act to a member of the force who at the time of his retirement holds a rank not lower than that of sergeant and who retires from the force on or after the commencement of the Police Pensions Act Amendment Act, 1964, and the rate of pension and cash payment (if any) payable to the widow of a member of the force who at the time of his death or retirement held a rank not lower than that of sergeant and who on or after the said commencement retired from the force or dies while still a member of the force shall be the amount or rates fixed by the other provisions of this Act and in addition a proportion of such amount or amounts varying with the rank of the officer in accordance with the following table :—

Salary or Rank.	Proportion.
1. Sergeant . . . . .	Three-twentieths
2. Inspector 3rd Class . . . . .	Three-tenths
3. Inspector 2nd Class . . . . .	Two-fifths
4. Inspector 1st Class . . . . .	One half
5. Senior Inspector . . . . .	Three-fifths
6. Superintendent . . . . .	Thirteen-twentieths
7. Deputy Commissioner . . . . .	Eight-sevenths
8. Commissioner . . . . .	Ten-sevenths

(2) If the Commissioner or Deputy Commissioner retires from the force after the commencement of the Police Pensions Act Amendment Act, 1964, and after attaining the age of sixty years, the pension to which he would have been entitled under the provisions of this Act as in force



on the date upon which he attained the age of retirement shall be increased by a percentage according to the following table :—

Age at Retirement.	Percentage Increase.
Over 60 and under 61 . . . . .	Nil
Over 61 and under 62 . . . . .	Nine per cent
Over 62 and under 63 . . . . .	Eighteen per cent
Over 63 and under 64 . . . . .	Twenty-seven per cent
Over 64 and under 65 . . . . .	Thirty-six per cent
Over 65 . . . . .	Forty-five per cent

(3) If the Commissioner or Deputy Commissioner dies after attaining the age of sixty years and after the commencement of the Police Pensions Act Amendment Act, 1964, and while in office, the pension payable to his widow shall be sixty per centum of the pension to which he would have been entitled had he retired on the day of his death.

**15.** Section 30d of the principal Act is amended—

Amendment of  
principal Act,  
s. 30d.

- (a) by striking out the passage “paid by him before such reduction” in the sixteenth line thereof and inserting in lieu thereof the passage “from time to time applicable to such higher rank” ;
- (b) by striking out the figures and letter “30c” therein and inserting in lieu thereof the figures and letters “30ca”.
- (c) by inserting at the end thereof the passage “A member who elected to continue to pay contributions under this section as the same was in force prior to the commencement of the Police Pensions Act Amendment Act, 1964, shall, from and after such commencement, pay contributions at the rate from time to time applicable to the higher rank in respect of which he had elected to contribute.”

**16.** The following section is inserted in the principal Act after section 32b thereof :—

Enactment of  
s. 32c of  
principal Act—

32c. (1) From and after the commencement of the Police Pensions Act Amendment Act, 1964, the pension payable to an officer who retired from the force before such commencement shall be at an annual rate equal to one hundred and seven and one-half per centum of the annual rate at which it was being paid immediately before the said commencement. Every such rate shall be calculated to the nearest pound.

Increase of  
existing  
pensions.

(2) From and after the commencement of the Police Pensions Act Amendment Act, 1964, the pension payable to the widow of a member or pensioner who died before such commencement shall be at an annual rate equal to one hundred and twenty-nine per centum of the annual rate at which it was being paid immediately before the said commencement. Every such rate shall be calculated to the nearest pound.

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

**EDRIC BASTYAN, Governor.**