

Parliamentary Retiring Allowances (Increases)

No. 75 of 1971

An Act to provide for Increases in certain Parliamentary Retiring Allowances.

[Assented to 1 October 1971]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1. This Act may be cited as the *Parliamentary Retiring Allowances (Increases) Act 1971*. Short title.

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

3.—(1.) A person—

(a) who was, immediately before the commencement of this Act, entitled to a pension in accordance with the *Parliamentary Retiring Allowances Act 1948–1955*; or

(b) who was, immediately before the commencement of this Act, entitled to a pension in accordance with the *Parliamentary Retiring Allowances Act 1948–1959* and in relation to whom, or, in the case of a person to whom pension was payable as a widow, in relation to whose deceased husband, section 18 of the *Parliamentary Retiring Allowances Act 1964–1966* applied,

is entitled to an increase in the rate of that pension in accordance with the following table:—

Weekly amount of pension	Weekly amount of increase in pension
\$	\$
48.16	13.98
56.89	16.78
57.79	16.78
63.79	16.78

Increases in rates of pensions in relation to persons who died or retired before 1 July, 1962.

(2.) Where a male person the rate of whose pension is increased under the last preceding sub-section dies, any pension to which his widow becomes entitled in accordance with paragraph (a) of sub-section (2.) of

section 19 of the *Parliamentary Retiring Allowances Act 1948–1955* or of the *Parliamentary Retiring Allowances Act 1948–1959*, as the case may be, shall be at the rate of Sixty-two dollars fourteen cents a week.

Increases in rates of pensions in relation to persons who died or retired on or after 1 July 1962 and before 1 November 1964.

4.—(1.) A person who was, immediately before the date of commencement of this Act, entitled to a pension in accordance with the *Parliamentary Retiring Allowances Act 1948–1959* and in relation to whose pension a provision of section 17 of the *Parliamentary Retiring Allowances Act 1964–1966* applied immediately before that date is entitled to an increase in the rate of that pension in accordance with the following table:—

Annual amount of pension	Annual amount of increase in pension
\$	\$
2,729.17	729.16
3,275.00	875.00
3,587.86	875.00

(2.) Where a male person the rate of whose pension is increased under the last preceding sub-section dies, any pension to which his widow becomes entitled in accordance with paragraph (a) of sub-section (2.) of section 19 of the *Parliamentary Retiring Allowances Act 1948–1959* shall be at the rate of Three thousand four hundred and fifty-eight dollars thirty-three cents a year.

Increases in rates of pensions of persons who died or retired on or after 1 November 1964 and before 1 December 1968.

5.—(1.) A person who was, immediately before the commencement of this Act, entitled to a pension in accordance with section 18 or section 19 of the *Parliamentary Retiring Allowances Act 1948–1968*, being a pension to which the person became entitled before the first day of December, One thousand nine hundred and sixty-eight, or to which the person became entitled on or after that date by reason of the death of a person who was in receipt of a pension immediately before that date, is entitled to an increase in the rate of that pension in accordance with the following table:—

Annual amount of pension	Annual amount of increase in pension
\$	\$
2,916.67	729.16
3,500.00	875.00
3,812.86	875.00

(2.) Where a male person the rate of whose pension is increased under the last preceding sub-section dies, any pension to which his widow becomes entitled in accordance with paragraph (a) of sub-section (2.) of section 19 of the *Parliamentary Retiring Allowances Act 1948–1968* shall be at the rate of Three thousand six hundred and forty-five dollars eighty-three cents a year.

6.—(1.) A person who was, immediately before the commencement of this Act, entitled to a pension in accordance with section 22H or section 22K of the *Parliamentary Retiring Allowances Act 1948–1966* is entitled to an increase in the rate of that pension in accordance with the following table:—

Weekly amount of pension	Weekly amount of increase in pension
\$	\$
15.00	7.12
18.00	8.54
20.00	10.33
23.33	11.36
28.00	13.63

Increases in rates of pensions in relation to certain office-holders.

(2.) Where a male person the rate of whose pension is increased under the last preceding sub-section dies, the rate of any pension to which his widow becomes entitled in accordance with sub-paragraph (i) of paragraph (a) of sub-section (2.) of section 22K of the *Parliamentary Retiring Allowances Act 1948–1966* shall be increased by five-sixths of the rate at which her deceased husband's pension was increased by virtue of the last preceding sub-section.

7. Where a person has become entitled before the commencement of this Act, or becomes entitled after the commencement of this Act, to a pension in accordance with section 22H or section 22K of the *Parliamentary Retiring Allowances Act 1948–1968*, being a person who—

Increases in rates of pension in relation to certain other office-holders.

(a) ceased to be an office-holder within the meaning of Part VA. of that Act, or, if he has been such an office-holder more than once, last ceased to be such an office-holder, before the first day of December, One thousand nine hundred and sixty-eight; or

(b) is the widow of a person who so ceased or last ceased to be an office-holder,

the rate of that pension is increased in accordance with the following table:—

Annual amount of pension	Annual amount of increase in pension
\$	\$
1,050	183.75
1,260	220.50
2,500	437.50
3,000	525.00

8. The rate of a pension payable under sub-section (2.) of section 19A of the *Parliamentary Retiring Allowances Act 1948–1968*, being a pension that became payable before the first day of March, One thousand nine hundred and fifty-nine, is increased by one-half.

Increases in rates of pensions payable to widows of certain former Prime Ministers.

Pension increases deemed to be payable under Parliamentary Retiring Allowances Act.

9. Where the rate of any pension payable in accordance with the *Parliamentary Retiring Allowances Act* 1948 or that Act as amended and in force at any time has been increased by virtue of the operation of this Act or of any Act passed before the commencement of this Act, the increase shall, for the purposes of the *Parliamentary Retiring Allowances Act* 1948–1968, be deemed to be, and to have been at all times, payable under that Act.

Commonwealth to reimburse Fund for increases in pensions.

10.—(1.) Where an amount of pension paid to a person (including a pension that becomes payable to the widow of a person who dies after the commencement of this Act) is, by virtue of this Act, greater than it would otherwise be—

(a) in the case of a pension payable under Part V. of the *Parliamentary Retiring Allowances Act* 1948–1968—

(i) the amount by which the amount of pension so paid is greater (in this paragraph referred to as “the amount of the increase”) shall, for the purposes of paragraphs (a) and (b) of section 14 of that Act, be deemed not to have been paid; and

(ii) the Commonwealth shall pay to the Parliamentary Retiring Allowances Fund an amount equal to the amount of the increase; and

(b) in the case of a pension payable under Part VA. of the *Parliamentary Retiring Allowances Act* 1948–1968—

(i) the amount by which the amount of pension so paid is greater (in this paragraph referred to as “the amount of the increase”) shall, for the purposes of section 22F of that Act, be deemed not to have been paid; and

(ii) the Commonwealth shall pay to the Ministerial Fund an amount equal to the amount of the increase.

(2.) The Consolidated Revenue Fund is, to the necessary extent, appropriated for the purposes of sub-paragraph (ii) of paragraph (a), and sub-paragraph (ii) of paragraph (b), of the last preceding sub-section.

Application of Parliamentary Retiring Allowances Act 1948–1968.

11.—(1.) The reference in sub-section (2.) of section 9 of the *Parliamentary Retiring Allowances Act* 1948–1968 to moneys paid into the Parliamentary Retiring Allowances Fund by the Commonwealth in pursuance of that Act shall be read as including a reference to moneys paid to that Fund by the Commonwealth in pursuance of this Act.

(2.) The reference in sub-section (3.) of section 9 of the *Parliamentary Retiring Allowances Act* 1948–1968 to pensions and other benefits provided by that Act shall be read as including a reference to increases in pensions under Part V. of that Act payable by virtue of this Act.

(3.) The reference in section 9B of the *Parliamentary Retiring Allowances Act 1948–1968* to payments by the Commonwealth to the Fund under that Act shall—

- (a) except in a case to which paragraph (b) of this sub-section applies, be read as including a reference to payments by the Commonwealth to the Parliamentary Retiring Allowances Fund under this Act; and
- (b) in the application of that section to and in relation to the Ministerial Fund by virtue of section 22C of that Act—be read as including a reference to payments by the Commonwealth to the Ministerial Fund under this Act.

(4.) The reference in sub-section (2.) of section 22B of the *Parliamentary Retiring Allowances Act 1948–1968* to moneys paid into the Ministerial Fund by the Commonwealth in pursuance of Part VA. of that Act shall be read as including a reference to moneys paid to that Fund by the Commonwealth in pursuance of this Act.

(5.) The reference in sub-section (3.) of section 22B of the *Parliamentary Retiring Allowances Act 1948–1968* to pensions provided by Part VA. of that Act shall be read as including a reference to increases in pensions under that Part payable by virtue of this Act.

12.—(1.) Increases in pensions payable by virtue of sub-section (1.) of section 3, sub-section (1.) of section 4, sub-section (1.) of section 5, sub-section (1.) of section 6 and section 8 of this Act have effect from and including the first fortnightly payment of pensions made after the date of commencement of this Act. Application.

(2.) Any increase payable by virtue of section 7 of this Act in a pension to which a person became entitled before the date of commencement of this Act has effect from and including the first fortnightly payment of that pension made after that date.