



# Defence Force Superannuation Legislation Amendment Act 1991

No. 126 of 1991

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# **Defence Force Superannuation Legislation Amendment Act 1991**

**No. 126 of 1991**

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**An Act to amend certain Acts providing retirement and  
death benefits for members of the Defence Force, and for  
related purposes**

*[Assented to 2 September 1991]*

The Parliament of Australia enacts:

## **PART 1—PRELIMINARY**

### **Short title**

**1.** This Act may be cited as the *Defence Force Superannuation Legislation Amendment Act 1991*.

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**Commencement**

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

(2) Subsection 4 (1) and sections 15, 18 and 22 are taken to have commenced on 1 July 1990.

**PART 2—AMENDMENTS OF THE DEFENCE FORCE  
RETIREMENT AND DEATH BENEFITS ACT 1973**

**Principal Act**

3. In this Part, “**Principal Act**” means the *Defence Force Retirement and Death Benefits Act 1973*<sup>1</sup>.

**Interpretation**

4. (1) Section 3 of the Principal Act is amended by inserting in subsection (1) the following definitions:

“**Board**” means the Commonwealth Superannuation Board of Trustees No. 1 established by section 20 of the *Superannuation Act 1990*;

“**Rules for the administration of the Superannuation (1990) Scheme**” means the rules for the administration of that scheme set out in the Schedule to the deed by which that scheme was established;

“**Superannuation (1990) Scheme**” means the Superannuation Scheme established by deed under the *Superannuation Act 1990*”.

(2) Section 3 of the Principal Act is amended by inserting in the definition of “contributing member” in subsection (1) “or 18A” after “section 18”.

**Constitution of Authority**

5. Section 8 of the Principal Act is amended:

(a) by inserting after paragraph (2) (a) the following paragraph:

“(ab) the Deputy Chairman of the Authority who is to be appointed by the Minister; and”;

(b) by omitting from paragraph (2) (b) “4” and substituting “3”;

(c) by omitting from subsection (3) “Governor-General” and substituting “Minister”;

(d) by omitting paragraph (3) (a);

(e) by inserting in subsection (4) “as Deputy Chairman or” and “or she” after “reappointed” (first occurring) and “he” respectively;

(f) by omitting from subsection (5) “each member referred to in paragraph (2) (b)” and substituting “a member referred to in paragraph (2) (ab) or (b)”;

(g) by omitting from subsection (5) “his”.

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**Deputies of members**

6. Section 9 of the Principal Act is amended:

- (a) by omitting from subsection (1) “Governor-General” and substituting “Minister”;
- (b) by omitting subsection (2).

**Termination of appointment**

7. Section 11 of the Principal Act is amended by omitting “the Governor-General” and “he” and substituting in each case “the Minister”.

**Resignation of members**

8. Section 12 of the Principal Act is amended:

- (a) by omitting “his”;
- (b) by omitting “Governor-General” (wherever occurring) and substituting “Minister”.

**Meetings of Authority**

9. Section 14 of the Principal Act is amended by omitting subsection (5) and substituting the following subsection:

“(5) In the absence of the Chairman from a meeting of the Authority:

- (a) if the deputy of the Chairman is present—he or she is to preside at the meeting; and
- (b) if the deputy of the Chairman is not present—the Deputy Chairman is to preside at the meeting.”.

**Contributions by members of scheme**

10. Section 17 of the Principal Act is amended by omitting from subsection (1) “section 18” and substituting “sections 18 and 18A”.

11. After section 18 of the Principal Act the following section is inserted:

**Contributions not to be paid after 40 years of effective service**

“18A. An eligible member of the Defence Force whose total period of effective service is 40 years or more is not required or permitted to pay any fortnightly contributions.”.

**Commutation of retirement pay**

12. Section 24 of the Principal Act is amended by adding at the end the following subsections:

“(5) Where:

- (a) a person becomes entitled to retirement pay under subsection 23 (1); and

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- (b) the person had on a previous occasion become entitled to retirement pay under that section; and
- (c) on that occasion the person had made an election under subsection (1) of this section (in this section called the **'previous election'**) to commute a portion of his or her retirement pay; and
- (d) the person's retirement pay was subsequently cancelled under subsection 62 (1) on his or her again becoming an eligible member of the Defence Force;

then, subject to subsection (7), subsection (3) applies to the person as if:

- (e) the person:
  - (i) were entitled to make an election under subsection (1) to commute a portion of his or her retirement pay; and
  - (ii) has made the election on the day immediately following the day on which the person retired; and
- (f) the election specified the amount prescribed by subsection (6) as the amount that is to be payable to the person because of the commutation.

“(6) For the purposes of paragraph (5) (f), the prescribed amount is:

- (a) if the previous election made by the person had specified the maximum amount (in this subsection called the **'previous maximum amount'**) that could have been specified in that election in accordance with subsection (2A)—an amount equal to the maximum amount (in this subsection called the **'putative maximum amount'**) that the person could (under subsection (2A)) specify in an election made under subsection (1) if the person were entitled to make the election on his or her becoming entitled to the retirement pay; or
- (b) if the previous election made by the person had specified a lesser amount than the previous maximum amount—an amount calculated by using the formula:

$$\frac{\text{lesser amount}}{\text{previous maximum amount}} \times \text{putative maximum amount.}$$

“(7) Where, because of subsection (5), subsection (3) applies to a person (in this subsection called the **'recipient member'**), there must be deducted from the amount that, apart from this subsection, would be payable to the recipient member under paragraph (3) (a) an amount equal to the sum of:

- (a) the amount that was paid to the recipient member under that paragraph as a result of the previous election made by him or her; and

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- (b) any increase in that amount that the recipient member would have received if, on each occasion after the payment of the amount on which a person to whom a pension benefit was payable was entitled under section 98B to an increase in the rate of that pension benefit, the recipient member had been entitled to an increase in that amount calculated under that section in the same way as the increase in the rate of pension benefit was calculated.”.

**Classification in respect of incapacity**

**13.** Section 30 of the Principal Act is amended:

- (a) by inserting after subsection (1) the following subsections:

“(1A) Where:

- (a) a member of the scheme (other than a member to whom section 36 applies) who is entitled to invalidity benefit dies; and  
(b) at the time of his or her death, the Authority has not made a determination in respect of the member under subsection (1);

the Authority must:

- (c) determine what was, immediately before the member’s death, his or her percentage of incapacity in relation to civil employment; and  
(d) classify the member under subsection (1) according to that percentage of incapacity, as if the member had not died.

“(1B) Where a deceased member of the scheme is classified under this section, the classification is taken to have had effect at all times on and after his or her retirement.”;

- (b) by omitting from paragraph (2)(c) “is the cause of” and “incapacity by reason of which he has been retired has diminished” and substituting “caused” and “incapacity because of which he or she was retired has or had diminished” respectively.

**Reclassification in respect of incapacity**

**14.** Section 34 of the Principal Act is amended:

- (a) by inserting after subsection (1) the following subsection:

“(1AA) If, at a time when the Authority is reviewing, but has not yet determined, for the purposes of subsection (1), the percentage of incapacity in relation to civil employment of a recipient member, the recipient member dies:

- (a) the Authority must determine what was, immediately

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- before the member's death, his or her percentage of incapacity in relation to civil employment; and
- (b) where the Authority is satisfied, having regard to that percentage of incapacity, that, if the member had not died, the member would be reclassified and given a classification higher than that of the member at the time of his or her death, the Authority must reclassify the member under subsection (1) according to that percentage of incapacity, as if the member had not died.”;
- (b) by omitting from subsection (1A) all words to and including “recipient member,” (first occurring) and substituting the following words and paragraphs:
- “In determining:
- (aa) what is the percentage of incapacity in relation to civil employment of a recipient member; or
  - (aab) what was, immediately before his or her death, the percentage of incapacity in relation to civil employment of a recipient member who has died.”;
- (c) by inserting in paragraph (1A) (c) “or had” after “has”;
  - (d) by inserting in subsection (1B) “or a deceased member who was immediately before his or her death a recipient member” after “recipient member” (first occurring);
  - (e) by omitting from paragraphs (1B) (a) and (b) “recipient” (wherever occurring);
  - (f) by omitting from paragraph (1B) (a) “has”;
  - (g) by inserting after subsection (2) the following subsection:

“(2A) Where a deceased member is reclassified under this section:

    - (a) the Authority must specify the day from which the reclassification has effect; and
    - (b) the member is taken, for the purposes of this Part, to have been classified under section 30 accordingly on and after that day.”;
  - (h) by inserting in subsection (3) “(other than a member to whom section 37 applies)” after “member” (first occurring).

**Invalidity benefits payable to certain contributors under Superannuation Act or the *Superannuation Act 1990***

15. Section 36 of the Principal Act is amended by adding at the end of paragraph (1) (b) the following word and subparagraph:

- “; or (iii) is a member of the Superannuation (1990) Scheme whose liability to make contributions under that scheme has been deferred under Rule 3.1.17 of the Rules for the administration of the Superannuation (1990) Scheme”.

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**Widow's pension on death of recipient member**

16. Section 39 of the Principal Act is amended by adding at the end the following subsection:

“(2) In spite of subsection (1), if, on any of the 7 pay-days immediately following the death of a recipient member, the rate at which pension would, apart from this subsection, be payable to the widow of the member is less than the rate (in this subsection called the ‘**putative rate**’) at which retirement pay or invalidity pay (as the case may be) would be payable to the deceased member on that day if he had not died, the widow is entitled to a pension at a rate equal to the putative rate.”.

17. After section 39 of the Principal Act the following section is inserted:

**Set off against widow's pension in certain circumstances**

“40. Where:

- (a) the widow of a deceased member of the scheme who was a recipient member immediately before his death is entitled to a pension under subsection 39 (2); and
- (b) there is paid into an account with a bank, credit union or building society (in this section called the ‘**financial institution**’) an amount purporting to be an instalment of retirement pay or invalidity pay (as the case may be) payable to the member in respect of a period in respect of which a pension is payable to the widow under subsection 39 (2); and
- (c) the financial institution pays, out of that account, to the widow an amount not exceeding the amount so paid into the account;

then, in spite of any other law:

- (d) the financial institution is not liable to the Commonwealth, the personal representative of the deceased member or anyone else for any loss incurred because of the payment of that amount to the widow; and
- (e) an amount equal to the amount so paid by the financial institution to the widow must be set off against any amount of pension payable to her under subsection 39 (2).”.

**Superannuation Act and the *Superannuation Act 1990***

18. Section 46 of the Principal Act is amended by omitting all words from and including “at the time” and substituting the following words and paragraphs:

“immediately before his or her death, was:

- (a) an eligible employee for the purposes of the Superannuation Act whose liability to make contributions under that Act was deferred by virtue of section 54 of that Act; or

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- (b) a person whose entitlement to pension under that Act was suspended by force of subsection 117 (1) of that Act; or
- (c) a member of the Superannuation (1990) Scheme whose liability to make contributions under that scheme was deferred under Rule 3.1.17 of the Rules for the administration of the Superannuation (1990) Scheme.”.

**Death of recipient member etc. due to retirement disabilities etc.**

19. Section 47 of the Principal Act is amended by omitting paragraphs (1) (a) and (b) and substituting the following paragraphs:

- “(a) a member of a scheme dies and, immediately before dying, the member:
- (i) was in receipt of invalidity pay and classified as Class B or Class C under section 30; or
  - (ii) was entitled to invalidity benefit and classified as Class C (under section 30) because of a reclassification under subsection 34 (1) but was not entitled to invalidity pay; and
- (b) the Authority is satisfied that the death of the member was due to:
- (i) a physical or mental impairment that was the cause, or one of the causes, of the invalidity or physical or mental incapacity by reason of which the member was retired; or
  - (ii) a physical or mental impairment causally connected with a physical or mental impairment referred to in subparagraph (i);”.

**Lump sum payments on or after death—members with only one period of effective service**

20. Section 48 of the Principal Act is amended by inserting before subsection (1) the following subsection:

- “(1A) This section applies:
- (a) where a member of the scheme dies; and
  - (b) there is only one period of effective service in relation to the member.”.

21. After section 48 of the Principal Act the following section is inserted:

**Lump sum payments on or after death—members with more than one period of effective service**

- “48A. (1) This section applies:
- (a) where a member of the scheme dies; and

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- (b) there are 2 or more periods of effective service in relation to the member.

“(2) Where:

- (a) a member of the scheme dies before retirement; and
- (b) on his or her death, no pension benefit is payable under this Part;

a lump sum payment equal to 1.5 times the member’s contributions in respect of the last period of effective service of the member is payable in respect of the member.

“(3) Where:

- (a) a recipient member dies; and
- (b) on his or her death, no pension benefit is payable under this Part; and
- (c) the total amount of benefits paid or payable to the member after he or she last became a recipient member is less than 1.5 times the member’s contributions in respect of the last period of effective service of the member;

a lump sum payment equal to the difference is payable in respect of the member.

“(4) Where a lump sum is payable under subsection (2) or (3) in respect of a deceased member of a scheme, no benefit is payable in respect of that member under any other section of this Act.

“(5) Where:

- (a) a member of the scheme died before retirement and, on or after his or her death, pension benefit was payable under this Part in respect of the member; and
- (b) no person is any longer entitled to such pension benefit; and
- (c) the total amount of pension benefit paid or payable in respect of the member under this Part is less than 1.5 times the member’s contributions in respect of the last period of effective service of the member;

a lump sum payment equal to the difference is payable in respect of the member.

“(6) Where:

- (a) on or after the death of a recipient member, pension benefit was payable under this Act in respect of the member; and
- (b) no person is any longer entitled to such pension benefit; and
- (c) the sum of:
  - (i) the total amount of benefits paid or payable to the member after he or she last became a recipient member; and

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(ii) the total amount of pension benefit paid or payable in respect of a member under this Part;

is less than 1.5 times the member's contributions in respect of the last period of effective service of the member;

a lump sum payment equal to the difference is payable in respect of a member.

“(7) If:

(a) a member of the scheme dies; and

(b) the total amount of benefits paid to the member before he or she last became a contributing member is less than 1.5 times the member's contributions in respect of the period, or periods, of effective service (other than the last period of effective service) of the member;

a lump sum payment equal to the difference is payable in respect of the member in addition to the amount payable under subsection (2), (3), (5) or (6) (as the case may be) in respect of the member.

“(8) A lump sum payable in respect of a member of the scheme under this section is to be paid to the personal representatives of the member or to such person or persons (if any) as the Authority determines.”.

22. After section 61 of the Principal Act the following section is inserted:

**Payment of refund of contributions or of lump sum payment to Board in discharge of liability under the *Superannuation Act 1990***

“61A. Where:

(a) the liability of a person to make contributions under the Superannuation (1990) Scheme has been deferred under Rule 3.1.17 of the Rules for the administration of the Superannuation (1990) Scheme; and

(b) because of the retirement or death of the person, the amount of the deferred contributions has become payable; and

(c) the whole or any part of the amount so payable has not been paid; and

(d) benefit has become payable to or in respect of the person under subsection 32 (2) or section 48 or 56 of this Act;

the amount of the benefit so payable must, to the extent that it does not exceed the amount of the deferred contributions payable, be paid to the Board and, upon being so paid, the amount of the deferred contributions payable is, to the extent of that payment, taken to have been paid to the Board under Rule 3.1.17 of the Rules for the administration of the Superannuation (1990) Scheme.”.

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**Recipient member who becomes eligible member**

23. Section 62 of the Principal Act is amended by omitting from subsection (4) “a portion of his retirement pay in accordance with section 24 of this Act or”.

**Rate of invalidity pay payable on reclassification during a prescribed year**

24. Section 98F of the Principal Act is amended by adding at the end the following subsection:

“(3) Where:

- (a) at the commencement of a prescribed year, a member of the scheme entitled to invalidity benefit was classified as Class C under section 30 (whether on retirement or because of a reclassification under section 34) but was not entitled to invalidity pay; and
- (b) during the prescribed year the member is reclassified as Class A or Class B;

the rate at which pension benefit, being invalidity pay, is payable to the member on or after the day from which the reclassification has effect is the rate at which the benefit would be payable to the member on that day if, at all times during the period during which the member was classified as Class C, the member had been classified as Class A or Class B (as the case may be).”.

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RETIREMENT BENEFITS ACT 1948**

**Principal Act**

25. In this Part, “Principal Act” means the *Defence Forces Retirement Benefits Act 1948*<sup>2</sup>.

**Classification in respect of incapacity**

26. Section 51 of the Principal Act is amended by inserting after subsection (2) the following subsections:

“(2A) Where:

- (a) a person (other than a person to whom section 52A applies) who is entitled to benefit by virtue of subsection (1) dies; and
- (b) at the time of his or her death, the Authority has not made a determination in respect of the person under subsection (2);

the Authority must:

- (c) determine what was, immediately before the person’s death, his or her percentage of incapacity in relation to civil employment; and

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- (d) classify the person under subsection (1) according to that percentage of incapacity, as if the person had not died.

“(2B) Where a deceased member of the scheme is classified under this section, the classification is taken to have had effect at all times on and after his or her retirement.”.

**Reclassification in respect of incapacity**

**27.** Section 53 of the Principal Act is amended:

- (a) by inserting after subsection (1) the following subsection:

“(1AA) If, at a time when the Authority is reviewing, but has not yet determined, for the purposes of subsection (1), the percentage of incapacity in relation to civil employment of a pensioner, the pensioner dies:

- (a) the Authority must determine what was, immediately before the pensioner’s death, his or her percentage of incapacity in relation to civil employment; and
- (b) where the Authority is satisfied, having regard to that percentage of incapacity, that, if the pensioner had not died, the pensioner would be reclassified and given a classification higher than that of the pensioner at the time of his or her death, the Authority must reclassify the pensioner under subsection (1) according to that percentage of incapacity, as if the pensioner had not died.”;

- (b) by omitting from subsection (1A) all words to and including “pensioner,” (first occurring) and substituting the following words and paragraphs:

“In determining:

(aa) what is the percentage of incapacity in relation to civil employment of a pensioner; or

(aab) what was, immediately before his or her death, the percentage of incapacity in relation to civil employment of a pensioner who has died;”;

- (c) by inserting in paragraph (1A) (c) “or had” after “has”;
- (d) by inserting in subsection (1B) “or a deceased pensioner” after “pensioner” (first occurring);
- (e) by omitting from paragraph (1B) (a) “has”;
- (f) by inserting after subsection (2) the following subsection:

“(2A) Where a deceased person is reclassified under this section:

- (a) the Authority must specify the day from which the reclassification has effect; and

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- (b) the person is taken, for the purposes of section 52, to have been classified accordingly on and after that day.”.

**Pension on death of pensioner etc.**

**28.** Section 57 of the Principal Act is amended:

- (a) by omitting from subsection (3) all words to and including “retirement” (first occurring) and substituting the following word and paragraphs:

“If:

- (a) the male pensioner, at the time of his death, was in receipt of a pension, being invalidity benefit; and  
(b) the Authority is satisfied that his death was due to:  
(i) a physical or mental impairment that was the cause, or one of the causes, of the invalidity or the physical or mental incapacity by reason of which the member was retired; or  
(ii) a physical or mental impairment causally connected with a physical or mental impairment referred to in subparagraph (i);”;

- (b) by inserting after subsection (3) the following subsections:

“(3A) If:

- (a) a male person who is entitled to invalidity benefit dies and, at the time of his death, he was classified as Class C under subsection 51 (2) as a result of a reclassification under section 53 but was not entitled to a pension; and  
(b) the Authority is satisfied that his death was due to:  
(i) a physical or mental impairment that was the cause, or one of the causes, of the invalidity or the physical or mental incapacity by reason of which the member was retired; or  
(ii) a physical or mental impairment causally connected with a physical or mental impairment referred to in subparagraph (i);

pension is payable to his widow at the rate or rates at which, under section 55, pension is payable to the widow of a married member who was a contributor and died before retirement.

“(3B) In spite of subsections (1), (2), (3) and (3A), if, on any of the 7 pay-days immediately following the death of a male pensioner, the rate at which pension would, apart from this subsection, be payable to his widow is less than the rate (in this subsection called the ‘putative rate’) at which the pension payable to him immediately before his death would be payable to him on that day if he had not died, the widow is entitled to a pension payable at a rate equal to the putative rate.”.

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29. After section 57 of the Principal Act the following section is inserted:

**Set off against widow's pension in certain circumstances**

“57A. Where:

- (a) the widow of a deceased male pensioner is entitled to a pension under subsection 57 (3A); and
- (b) there is paid into an account with a bank, credit union or building society (in this section called the ‘**financial institution**’) an amount purporting to be an instalment of pension payable to the pensioner in respect of a period in respect of which a pension is payable to the widow under subsection 57 (3A); and
- (c) the financial institution pays, out of that account, to the widow an amount not exceeding the amount so paid into the account;

then, in spite of any other law:

- (d) the financial institution is not liable to the Commonwealth, the personal representative of the deceased pensioner or anyone else for any loss incurred because of the payment of that amount to the widow; and
- (e) an amount equal to the amount so paid by the financial institution to the widow must be set off against any amount of pension payable to her under subsection 57 (3A).”.

**Special invalidity benefit to members under 18 years of age**

30. Section 73 of the Principal Act is amended:

(a) by inserting after subsection (1) the following subsections:

“(1A) If, before the Authority has determined, for the purposes of subsection (1) the percentage of incapacity in relation to civil employment of a person, the person dies, the Authority must:

- (a) determine what was, immediately before the person's death, his or her percentage of incapacity in relation to civil employment; and
- (b) classify the person under subsection (1) according to that percentage of incapacity, as if the person had not died.

“(1B) Where a deceased person is classified under this section, the classification is taken to have had effect at all times on and after his or her retirement.”;

(b) by inserting after subsection (3) the following subsection:

“(3AA) If, at a time when the Authority is reviewing, but has not yet determined, for the purposes of subsection (3), the percentage of incapacity in relation to civil employment of a pensioner, the pensioner dies:

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- (a) the Authority must determine what was, immediately before the pensioner's death, his or her percentage of incapacity in relation to civil employment; and
- (b) where the Authority is satisfied, having regard to that percentage of incapacity, that, if the pensioner had not died, the pensioner would be reclassified and given a classification higher than that of the pensioner at the time of his or her death, the Authority must reclassify the pensioner under subsection (1) according to that percentage of incapacity, as if the pensioner had not died.”;
- (c) by omitting from subsection (3A) all words to and including “pensioner,” (first occurring) and substituting the following words and paragraphs:
  - “In determining:
    - (aa) for the purposes of subsection (3), what is the percentage of incapacity in relation to civil employment of a pensioner; or
    - (aab) for the purposes of subsection (3AA), what was, immediately before his or her death, the percentage of incapacity in relation to civil employment of a pensioner who has died;”;
- (d) by inserting in paragraph (3A) (c) “or had” after “has”;
- (e) by inserting in subsection (3B) “or a deceased pensioner” after “pensioner” (first occurring);
- (f) by omitting from paragraph (3B) (a) “has”;
- (g) by inserting after subsection (4) the following subsection:
  - “(4A) Where a deceased person is reclassified under subsection (3AA):
    - (a) the Authority must specify the day from which the reclassification has effect; and
    - (b) the person is taken, for the purposes of subsection (2), to have been classified accordingly on and after that day.”.

**Rate of invalidity pension payable on reclassification during a prescribed year**

**31.** Section 84E is amended by adding at the end the following subsection:

- “(3) Where:
  - (a) at the commencement of a prescribed year a person entitled to invalidity benefit was classified as Class C under subsection 51 (2) but was not entitled to pension under section 52; and
  - (b) during the prescribed year the person is reclassified as Class A or Class B;

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the rate at which a pension is payable to the person on or after the day from which the reclassification has effect is the rate at which the pension would be payable to the person on that day if, at all times during the period during which the person was classified as Class C, the person had been classified as Class A or Class B (as the case may be).”.

**PART 4—AMENDMENTS OF THE DEFENCE  
(PARLIAMENTARY CANDIDATES) ACT 1969**

**Principal Act**

32. In this Act, “**Principal Act**” means the *Defence (Parliamentary Candidates) Act 1969*<sup>3</sup>.

**Interpretation**

33. Section 5 of the Principal Act is amended by inserting in subsection (1) the following definition:

“**Superannuation Rules**” means the Rules for the administration of the superannuation scheme established under the *Military Superannuation and Benefits Act 1991*.

**Re-instatement of officers**

34. Section 10 of the Principal Act is amended by inserting in subsection (2) “Rules 62 and 63 of the Superannuation Rules,” after “provided by”.

**Re-instatement of enlisted members**

35. Section 11 of the Principal Act is amended by inserting in subsection (2) “Rules 62 and 63 of the Superannuation Rules,” after “provided by”.

**Re-instatement of members rendering continuous full-time service**

36. Section 12 of the Principal Act is amended by inserting in subsection (2) “Rules 62 and 63 of the Superannuation Rules,” after “provided by”.

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**NOTES**

1. No. 81, 1973, as amended. For previous amendments, see No. 59, 1974; No. 96, 1975; Nos. 33 and 37, 1976; Nos. 13 and 161, 1977; No. 36, 1978; Nos. 15 and 135, 1979; Nos. 61, 92 and 144, 1981; No. 164, 1984; No. 65, 1985; No. 93, 1986; No. 65, 1987; Nos. 100 and 104, 1988; and No. 125, 1989.
2. No. 31, 1948, as amended. For previous amendments, see No. 37, 1949; No. 73, 1950; No. 29, 1951; No. 93, 1952; No. 80, 1953; No. 20, 1954; No. 19, 1955; No. 24, 1956; No. 95, 1957; No. 46, 1958; No. 103, 1959; No. 67, 1962; No. 103, 1963; Nos. 25, 98 and 135, 1965; No. 70, 1966; Nos. 55, 56 and 128,

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**NOTES—continued**

1968; No. 61, 1969; No. 34, 1970; No. 47, 1971; No. 82, 1973; No. 216, 1973 (as amended by No. 20, 1974); No. 96, 1975; Nos. 13 and 161, 1977; No. 36, 1978; Nos. 15 and 135, 1979; No. 92, 1981; Nos. 76 and 164, 1984; No. 65, 1985; No. 93, 1986; No. 65, 1987; and No. 104, 1988.

3. No. 60, 1969, as amended. For previous amendments, see Nos. 84 and 216, 1973; No. 59, 1974; No. 96, 1975; No. 37, 1976; and No. 61, 1981.

*[Minister's second reading speech made in—  
House of Representatives on 13 March 1991  
Senate on 16 April 1991]*