

TASMANIA.



1942.

ANNO SEXTO

GEORGII VI. REGIS.

No. 12.

ANALYSIS.

1. Short title.
2. Amendment of 2 Geo. VI. No. 41.
 - Section 7.
 - Section 21.
 - Section 60.
 - Section 69.
3. Retrospective operation of certain provisions.

AN ACT to amend the *Superannuation Act* 1938. A.D. 1942
 [25 February, 1942.]

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:—

1 This Act may be cited as the *Superannuation Act* 1942. Short title.

6d.]

Superannuation.

A.D. 1942.

2 The Principal Act is hereby amended—Amendment
of 2 Geo. VI.
No. 41.

Section 7.

- I. By inserting at the end of section seven thereof the following new subsection (7)—

“(7) The members of the Board as such shall not be subject to the *Public Service Act 1923*.”:

Section 21.

- II. By inserting at the end of subsection (6) of section twenty-one thereof the words “Provided that in any case to which the provisions of paragraph II. of subsection (5) hereof apply the Board may extend the time for election for any period not exceeding three months”:

Section 60.

- III. By inserting after the word “aforesaid” in subsection (2) and after the word “Treasurer” in subsection (3) of section sixty thereof the words “or by the relevant instrumentality or authority”: and

Section 69.

- IV. As to section sixty-nine thereof by inserting—

(a) “(1)” at the commencement: and

(b) “(2) Where any person has received any payment under this Act and it is subsequently discovered that owing either to miscalculation of matters to be ascertained actuarially or to some mistake of fact for which such person is in no way responsible such payment was in excess of the amount properly payable the Board in its discretion may—

I. Waive repayment: or

II. Allow repayment to be made on such terms as the Board thinks just—

of the whole or any part of such excess payment if, in the opinion of the Board, the repayment of the same would cause undue hardship or that the enforcement thereof would be inequitable.”

Retrospective
operation of
certain
provisions.

- 3** The Board may apply the provisions of paragraph II. of section two in any case in which an election might have been allowed if that paragraph had been in operation from the commencement of subsection (5) of section twenty-one of the Principal Act.