



AUSTRALIAN CAPITAL TERRITORY

## **Police Pensions Ordinance 1958**

**Ordinance No. 1 of 1958 as amended**

made under the

*Seat of Government (Administration) Act 1910*

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## **An Ordinance relating to Pensions for Members of the Police Force of the Australian Capital Territory**

### **1 Short title** [see Note 1]

This Ordinance may be cited as the *Police Pensions Ordinance 1958*.

### **2 Commencement**

This Ordinance shall come into operation on the thirtieth day of January, One thousand nine hundred and fifty-eight.

### **3 Repeal and saving**

- (1) The Ordinances specified in the First Schedule to this Ordinance are repealed.
- (2) Notwithstanding the last preceding subsection, a person referred to in paragraph (b) of subsection (1) of section three of the *Police Superannuation Ordinance 1928-1950* who is a member of the Police Force of the Australian Capital Territory at the commencement of this subsection has the rights and entitlement (otherwise than in respect of the time of his retirement) that he would have, and shall make to the Consolidated Revenue Fund the contributions that he would be required to make, under section three of that Ordinance if that section had not been repealed.

### **4 Pensions payable to specified persons**

- (1) A person whose name is specified in the Second Schedule shall be paid, in lieu of the pension payable to that person under the *Police Superannuation Ordinance 1928-1950* a pension under this Ordinance.
- (2) Where a male person whose name is specified in the first column of the Second Schedule to this Ordinance dies and is survived by a widow (being his wife at the date of his

retirement from the Police Force of the Australian Capital Territory), the widow shall be paid a pension at a rate equal to 67 per cent of the rate of the pension that would have been payable to her husband if he had not died.

- (3) The provisions of sections fourteen, fifteen and fifteen A of the *Police Superannuation Ordinance 1928-1950*, and the rules contained in paragraphs fourteen, sixteen, seventeen and eighteen of Part III of the Schedule to that Ordinance, apply to and in relation to a pension payable under this Ordinance:
  - (a) in the case of a pension payable to a male person — in the same manner as they apply to superannuation allowance payable under that first-mentioned Ordinance; and
  - (b) in the case of a pension payable to a female person — in the same manner as they apply to widow's allowance payable under that Ordinance.
- (4) In the application of the provisions and rules referred to in the last preceding subsection to a pension payable under this Ordinance, a reference to 'the Minister' or to 'the Police Superannuation Board' shall be read as a reference to the Minister of State for the Capital Territory.
- (5) Subject to this Ordinance, the pension payable to a person specified in the Second Schedule is at the rate specified in Column 2 of that Schedule opposite to the name of that person.

#### **4A Pension increases for years 1974 and 1975**

- (1) If:
  - (a) the all groups consumer price index number for the weighted average of the six State capital cities published by the Commonwealth Statistician in respect of the March quarter of the year immediately preceding a prescribed year exceeds the highest all groups consumer price index number for the weighted average of the six State capital cities published by the Commonwealth Statistician in respect of the March quarter of any earlier year not being a year that commenced earlier than 1 July 1972; and
  - (b) the estimate of the seasonally adjusted average weekly earnings per employed male unit throughout Australia

published by the Commonwealth Statistician in respect of the March quarter of the year immediately preceding that prescribed year exceeds the highest estimate of the seasonally adjusted average weekly earnings per employed male unit throughout Australia published by the Commonwealth Statistician in respect of the March quarter of any earlier year not being a year earlier than the year that commenced on 1 July 1972;

the rate at which a pension would, but for this section, be payable to a person specified in the Second Schedule is, by virtue of this section, increased.

- (2) The increase provided for by subsection (1) in the rate at which a pension is payable under this Ordinance is the prescribed percentage of the non-contributory portion of the pension.
- (3) For the purposes of this section, the prescribed percentage is:
- (a) 1.4 times the percentage ascertained in accordance with the formula  $\frac{100(A - B)}{B}$ ; or
- (b) the percentage ascertained in accordance with the formula

$$\frac{100(C - D)}{(D)}$$

whichever is the lower percentage, where:

**A** is the all groups consumer price index number for the weighted average of the six State capital cities published by the Commonwealth Statistician in respect of the March quarter of the year immediately preceding the prescribed year.

**B** is the highest all groups consumer price index number for the weighted average of the six State capital cities published by the Commonwealth Statistician in respect of the March quarter of any year earlier than the year immediately preceding the prescribed year not being a year earlier than the year that commenced on 1 July 1972.

**C** is the estimate of the seasonally adjusted average weekly earnings per employed male unit throughout Australia published by the Commonwealth Statistician in respect of the