

AUSTRALIAN CAPITAL TERRITORY

1

No. 1 of 1974

AN ORDINANCE

To amend the *Police Pensions Ordinance 1958-1972*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1972*.

Dated this fifth day of February, 1974.

PAUL HASLUCK
Governor-General.

By His Excellency's Command,
LIONEL MURPHY
Attorney-General.

POLICE PENSIONS ORDINANCE 1974

1. (1) This Ordinance may be cited as the *Police Pensions Ordinance 1974*.^{*} Short title
and citation.
- (2) The *Police Pensions Ordinance 1958-1972*[†] is in this Ordinance referred to as the Principal Ordinance.
- (3) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Police Pensions Ordinance 1958-1974*.
2. (1) Section 4 of the Principal Ordinance is amended— Pensions
payable to
specified
persons.
 - (a) by omitting sub-section (1) and substituting the following sub-section:—

“ (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. ”;
 - (b) by omitting from sub-section (2) the words “ five-eighths of the rate of the pension payable under this Ordinance to her husband ” and substituting the words “ five-eighths of the rate of the pension that would have been payable to her husband if he had not died ”;
 - (c) by omitting from sub-section (4) the words “ Minister of State for the Interior ” and substituting the words “ Attorney-General ”; and

^{*} Notified in the *Australian Government Gazette* on 12 February 1974.

[†] Ordinance No. 1, 1958, as amended by No. 9, 1960; No. 19, 1963; Nos. 1 and 4, 1966; No. 7, 1968; and No. 8, 1972.

(d) by adding at the end thereof the following sub-section:—

“ (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.”

(2) The amendment effected by paragraph (1) (d) applies in relation to the instalment of pension falling due on the first pension pay-day occurring after 1 July 1973 and in relation to all subsequent instalments.

3. After section 4 of the Principal Ordinance the following section is inserted:—

Increases in pensions.

“ 4A. (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 sub-section (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 March quarter of the year immediately preceding the prescribed year; and
- D is 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 year earlier than the year immediately preceding the prescribed year but not being earlier than the year that commenced on 1 July 1972.

“ (4) For the purposes of this section, the non-contributory portion of a pension payable to a person specified in the Second Schedule is the amount ascertained by deducting from the amount of the annual pension the amount specified in Column 3 of that Schedule opposite to the name of that person.

“ (5) An increase payable by virtue of this section in the amount of a pension payable to a person under this Ordinance on the thirtieth day of June in a year applies in relation to the instalment of pension falling due on the first pension pay-day occurring after that day and in relation to all subsequent instalments.

“ (6) In this section, ‘ prescribed year ’ means the year commencing on 1 July 1974, or a subsequent year. ”.

Second
Schedule.

4. The Principal Ordinance is amended by omitting the Second Schedule and substituting the following Schedule:—

SECOND SCHEDULE

Section 4

First Column Name of Person	Second Column Rate of Pension per Annum	Third Column Deduction for purpose of sub- section 4A(4)
Sylvia Brodribb	\$ 1,667	\$ 69
Mary Josephine Hilton	1,960	111
Sydney Edgar Hush	1,719	70
Ivan Charles Perriman	2,496	104