

NORTHERN TERRITORY OF AUSTRALIA

ADMINISTRATORS PENSIONS ACT

As in force at 1 April 1995

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 April 1995

ADMINISTRATORS PENSIONS ACT

An Act to provide for the payment of pensions to former administrators and to their spouses

1 Short title

This Act may be cited as the *Administrators Pensions Act*.

2 Commencement

This Act shall be deemed to have come into operation on 1 January 1981.

3 Definition

In this Act **Administrator** does not include an Acting Administrator.

4 Pension payable

Subject to sections 6 and 7, there is payable to a person who became the Administrator at any time after the commencement of this Act and who:

- (a) held that office for a period of not less than 5 years; or
- (b) held that office for a period of less than 5 years:
 - (i) where the Commissioner, within the meaning of the *Public Sector Employment and Management Act*, is satisfied that his ceasing to hold the office arose from a mental or physical incapacity to perform the duties of that office; or
 - (ii) where he ceased to hold that office for reasons other than voluntary retirement or the expiration of the period of his appointment,

an annual pension for life equal to 50% of the annual basic salary payable to him immediately before he ceased to hold that office.

5 Pension of spouse

Subject to sections 6 and 7, where an Administrator in office, or a former Administrator receiving or entitled to receive a pension under this Act, dies leaving a surviving spouse, there shall be payable to that spouse for life or until she or he remarries, a pension at two-thirds of the rate of pension:

- (a) that would have been payable to the Administrator had he retired immediately before the date of his death and been eligible to receive a pension under this Act; or
- (b) payable to the former Administrator (disregarding any amount of reduction of pension pursuant to section 7) immediately before the date of his death,

as the case may be.

6 Variation of amount of pension

A pension payable under this Act shall be adjusted at such times and by the same percentage as the basic salary payable to the Administrator for the time being.

7 Reduction of amount where other pension payable

- (1) Subject to subsection (2), the amount of pension that, but for this section, would be payable under this Act to a person in respect of a period shall be reduced by the amount of pension or retiring allowance payable to that person in respect of that period out of moneys provided in whole or in part by the Crown in right of the Territory, the Commonwealth or a State or another Territory in respect of any remunerative activity undertaken by the former Administrator.
- (2) For the purposes of calculating the amount of pension payable in accordance with subsection (1), the Treasurer shall determine, after considering such actuarial advice as he thinks fit, the appropriate rate at which any lump sum payment out of moneys provided in whole or in part by the Crown in right of the Territory, the Commonwealth or a State or another Territory in respect of any remunerative activity undertaken by the former Administrator, and payable as a result of his retirement or death, shall be taken into account, and it shall be taken into account accordingly as if it were a pension or retiring allowance.

8 Appropriation

An amount payable under this Act shall be paid monthly, or at such shorter intervals as the Treasurer directs, out of the public moneys of the Territory and the Allocation for that purpose is hereby established or increased to the extent necessary.

ENDNOTES

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KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

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LIST OF LEGISLATION

Administrators Pensions Act 1981 (Act No. 96, 1981)

Assent date	12 November 1981
Commenced	1 January 1981 (s 2)

Public Sector Employment and Management (Consequential Amendments) Act 1993 (Act No. 28, 1993)

Assent date	30 June 1993
Commenced	1 July 1993 (s 2, s 2 <i>Public Sector Employment and Management Act 1993</i> (Act No. 11, 1993) and Gaz S53, 29 June 1993)

Financial Management (Consequential Amendments) Act 1995 (Act No. 5, 1995)

Assent date	21 March 1995
Commenced	1 April 1995 (s 2, s 2 <i>Financial Management Act 1995</i> (Act No. 4, 1995) and Gaz S13, 31 March 1995)

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LIST OF AMENDMENTS

s 4	amd No. 28, 1993, s 3
s 8	amd No. 5, 1995, s 19