

**NORTHERN TERRITORY OF AUSTRALIA**

**ADMINISTRATORS PENSIONS ACT**

As in force at 1 April 1995

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 April 1995

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## 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.

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**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.

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**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.

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**ENDNOTES**
**1****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

**2****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)

**3****LIST OF AMENDMENTS**

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