



Australian National Airlines Amendment Act 1988

No. 1 of 1988

**An Act to amend the *Australian National Airlines Act 1945*,
and for related purposes**

[Assented to 1 March 1988]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title etc.

1. (1) This Act may be cited as the *Australian National Airlines Amendment Act 1988*.

(2) In this Act, "Principal Act" means the *Australian National Airlines Act 1945*¹.

Commencement

2. (1) Sections 1, 2 and 4 shall come into operation on the day on which this Act receives the Royal Assent.

(2) Section 3 shall be deemed to have come into operation on 1 July 1987.

Superannuation

3. Section 32E of the Principal Act is amended by omitting subsections (3) and (4) and substituting the following subsection:

“(3) Section 145 of the *Superannuation Act 1922* does not apply to the Commission.”.

Transitional provision

4. (1) In this section:

“determination or arrangement” means a determination or arrangement made under section 159 of the *Superannuation Act 1976* and applying to the Australian National Airlines Commission;

“period of contributory service” has the same meaning as in the *Superannuation Act 1976*.

(2) The first determination or arrangement made after the commencement of this section may be expressed to have effect as if it had been made on 1 July 1987 and, if so expressed, shall be regarded as having been so made.

(3) Where, under subsection (2), a determination or arrangement is to be regarded as having been made on 1 July 1987, any payments made, since 30 June 1987, by the Commission under subsection 32E (3) of the Principal Act shall be regarded as having been made by the Commission on account of amounts payable by it under section 159 of the *Superannuation Act 1976* by virtue of the determination or arrangement.

(4) Subsection 159 (1) or (1A) of the *Superannuation Act 1976* does not apply to the Commission so as to render it liable to pay to the Commonwealth, in respect of an amount paid out of the Consolidated Revenue Fund on or after 1 July 1987, an amount exceeding the amount calculated in accordance with the formula:

$$P \times CS$$

where:

P is the amount paid out of the Consolidated Revenue Fund; and

CS is the fraction that represents the part of the period of contributory service of the eligible employee to whom the last-mentioned amount relates that is after 30 June 1987.

NOTE

1. No. 31, 1945, as amended. For previous amendments, see No. 90, 1947; No. 102, 1952; No. 105, 1956; No. 70, 1958; No. 3, 1959; No. 71, 1961; No. 93, 1966; No. 55, 1970; No. 130, 1972; Nos. 92 and 216, 1973; No. 56, 1975; No. 91, 1976; No. 36, 1978; No. 28, 1980; No. 115, 1983; No. 68, 1984; No. 65, 1985; and No. 76, 1986.

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***(Minister's second reading speech made in—
Senate on 19 November 1987
House of Representatives on 17 February 1988)***