PROVINCE OF BRITISH COLUMBIA

THIRD REPORT

OF THE BUSINESS DONE IN
PURSUANCE OF THE

SUPERANNUATION ACT

FOR THE

YEAR ENDED MARCH 31ST

1924

PRINTED BY
AUTHORITY OF THE LEGISLATIVE ASSEMBLY.

VICTORIA, B.C.:
Printed by CHARLES F. BANFIELD, Printer to the King's Most Excellent Majesty.
1924.

To His Honour WALTER CAMERON NICHOL,

Lieutenant-Governor of the Province of British Columbia.

MAY IT PLEASE YOUR HONOUR:

The undersigned respectfully submits the Report of the business done in pursuance of the "Superannuation Act" during the fiscal year 1923–24.

J. D. MACLEAN,

Provincial Secretary.

Provincial Secretary's Office,

Victoria, B.C.

The Honourable J. D. MacLean, M.D.,

Provincial Secretary, Victoria, B.C.

SIR,—I have the honour to lay before you Report of the business done in pursuance of the "Superannuation Act" during the fiscal year 1923–24.

I have the honour to be,

Sir,

Your obedient servant,

W. H. MACINNES,

Civil Service Commissioner.

SUPERANNUATION REPORT, 1923-24.

Report of the business done in pursuance of the "Superannuation Act" during the fiscal year 1923–24.

Section 5.—Contributions were made by the employees of the B.C. Government of $120,548.70; by the employees of the City of Duncan of $166.60.

Section 6.—On April 1st, 1923, 229 persons were contributing more than 4 per cent. During the year seventeen additional persons were granted permission to make increased contributions; five of those making increased contributions were superannuated, four died, and five left the service, leaving 232 making increased contributions on March 31st, 1924.

Section 7.—Contributions were made by the Government and by the City of Duncan of a like amount to the contributions of their employees respectively.

Section 11.—Interest was credited at the rate of 5 per cent. per annum on the credit balance of the previous April 1st and October 1st respectively.

Section 12.—A statement of all moneys received and paid out under the provisions of this Act and the assets and liabilities appertaining to the granting of superannuation allowances under its provisions is given in Schedule No. 1.

Section 13.—(1.) (*a.*) The sum of $18,852.73 was refunded under sections 18, 19, and 38. A like amount was transferred from the B.C. Government Employer's Account to the Special Reserve Fund.

(3.) The debit balance of the account of the B.C. Government in the Special Reserve Fund amounted to $134,484.40 on March 31st, 1924. Interest at the rate of 5 per cent. per annum was charged on the debit balance of this account.

Section 14.—In the Superannuation Report of 1922–23 it was reported that by Order in Council No. 407, 1923, a superannuation allowance of $75.15 was granted to F. G. Richards, Sheriff, Victoria. By Order in Council No. 1199, 1923, this allowance was altered to $72.80 per month. In addition to Sheriff Richards, fourteen other persons were granted superannuation allowances as per Schedule No. 2.

Section 18.—Ten contributors died during the fiscal year and refunds were made to their legal representatives.

Section 19.—One hundred and sixty-seven contributors, on leaving the Service, secured refunds of the amount standing at their credit.

Section 20.—One of the contributors who left the Service had made voluntary contributions under section 9 and secured a refund of these special contributions.

Section 32.—(*b.*) Exemption from the provisions of the Act were granted to the following:

Order in Council No. 1271, 1923—Duncan, G. A.

Section 38.—Default having been made by three of the contributors, the amount standing at their credit was paid to the Minister of Finance.

W. H. MacINNES,

Civil Service Commissioner.

SCHEDULES.

SCHEDULE No. 1.

SUMMARY OF RECEIPTS AND EXPENDITURES.

Receipts.

Cash in Treasury, April 1st, 1923	$526,063 29
Contributions, B.C. Government employees	120,548 70
" " employers	120,548 70
" " Special Reserve	26,969 39
" City of Duncan employees	166 60
" " employer	166 60
" " Special Reserve	25 45
Voluntary contributions, section 9	16 10
Interest paid by B.C. Government	28,530 05
	$823,034 88

Expenditures.

Refunds, section 18	$ 2,187 55
" " 19	16,362 62
" " 20	13 24
" " 38	302 56
Superannuation allowances	24,524 37
	$ 43,390 34
Cash in Treasury, April 1st, 1924	779,644 54
	$823,034 88

BALANCE-SHEET AS AT MARCH 31ST, 1924.

Assets.

Cash in Treasury		$680,943 10
Cash in Treasury	$ 98,701 44	
B.C. Government Special Reserve (section 13 (1) (*a*) and (*b*)	134,484 40	
		233,185 84
		$914,128 94

Liabilities.

B.C. Government employees	$340,006 76	
" employer	340,006 76	
City of Duncan employees	425 36	
" employer	425 36	
" Special Reserve	58 63	
Special contributions	20 23	
Total, Current Accounts		$680,943 10
Present value of allowances in force March 31st, 1924	$228,051 79	
Balance, being difference between value of allowances in force March 31st, 1924, and amount at credit of Superannuation Allowance Account	5,134 05	
		233,185 84
		$914,128 94

Present Value of Superannuation Allowances in Force March 31st, 1924.

	Allowance per Month.	Present Value.	
Almond, S. R.	$ 73 33	$ 7,013 60	
Anderson, G.	15 00	1,854 00	
Armstrong, J. F.	125 56	8,226 70	
Arthur, Dr. E. C.	15 00	1,488 60	
Ballantyne, D. T.	56 30	5,994 00	
Bowman, T. M.	47 37	5,911 77	
Brown, J. R.	82 50	7,890 30	
Bunting, J. F. B.	1 80	224 64	
Burgess, T. A.	15 25	2,493 38	
Calbick, Thomas F.	15 66	1,955 20	
Callaghan, John	18 40	1,824 85	
Cambridge, J. J.	115 00	14,766 00	
Campbell, C. S.	104 50	12,652 86	
Clint, Jas.	45 86	4,551 14	
Cox, D. G.	58 06	6,395 88	
Creighton, J. W.	42 80	4,093 40	
Cullin, W. H.	98 75	10,508 41	
Davies, P. J.	15 00	1,654 20	
Delbridge, T.	15 00	1,542 60	
Evans, C. H.	8 85	910 22	
Fraser, J. A.	82 37	6,454 51	
Goepel, W. J.	187 29	18,586 65	
Hall, John	44 15	4,221 79	
Hanson, R. E.	28 60	2,838 26	
Henry, Thomas	20 35	2,019 53	
Lloyd, M. B.	21 65	2,227 34	
Mogee, A.	15 00	1,175 40	
Morley, H. A. S.	128 66	8,831 21	
Moseley, Levi	15 00	1,373 40	
McCabe, M. H.	15 00	1,434 60	
McGregor, J.	98 21	11,643 77	
McLean, Mrs. Marcella	52 00	7,587 84	
Packard, John R.	6 80	896 09	
Peers, J.	8 70	652 50	
Pottinger, J.	107 10	8,032 50	
Pye, W. T.	15 00	1,542 60	
Rant, W. J.	56 90	4,649 86	
Richards, F. G.	72 80	6,962 59	
Riley, W.	15 20	1,293 21	
Robertson, W. C.	19 35	1,513 66	
Shakespeare, F. N. E.	71 90	8,446 81	
Smith, C.	7 70	706 73	
Stanton, H. (Mrs.)	77 96	11,899 81	
Webb, C. N.	20 00	2,568 00	
Whitehouse, T. E.	31 90	3,253 80	
Williams, R. T.	55 90	4,011 38	
Young, R. H.	15 00	1,276 20	
	$2,260 48	$228,051 79	
Credit balance, Superannuation Allowance Account			$233,185 84
Balance		5,134 05	
		$233,185 84	$233,185 84

SCHEDULE No. 2.

SUPERANNUATION ALLOWANCES GRANTED BETWEEN APRIL 1ST, 1923, AND MARCH 31ST, 1924.

Date Effective.	O.C. No.	Name.	Position, Office, and Department.	Plan.	Amount per Month.
1-5-23	506/23	Williams, R. T.	Foreman, King's Printer, Prov. Sec.	Single life	$ 55 90
1-5-23	507/23	Pottinger, J.	Foreman, King's Printer, Prov. Sec.	Single life	107 10
1-5-23	508/23	Hall, J.	Compositor, King's Printer, Prov. Sec.	Single life	44 15
1-8-23	842/23	Lloyd, M.B.	Clerk, Public Works	Single life	21 65
1-6-23	843/23	Shakespeare, F. N. E.	Compositor, King's Printer, Prov. Sec.	Single life	71 90
1-4-23	940/23	Campbell, C. S.	Warden, Oakalla Prison, Attor.-Gen.	Single life	104 50
1-6-23	872/23	Packard, J. R.	Janitor, Govt. Agency, Alberni, Finance	Single life	6 80
1-3-23	1199/23	Richards, F. G.	Sheriff, Victoria, Attor.-Gen.	Single life	72 80
1-9-23	1227/23	Burgess, T. A.	Lino-Oper., King's Printer, Prov. Sec.	Guar. 10 yrs.	15 25
1-11-23	1252/23	Ballantyne, D.T.	Comp., King's Printer, Prov. Sec.	Single life	56 30
1-10-23	42/24	Smith, C.	Att., Ment. Hosp., Esson, Prov. Sec.	Single life	7 70
1-4-24	296/24	Robertson, W. C.	Eng., Ment. Hosp., New West., Prov. Sec.	Single life	19 35
1-4-24	311/24	Callaghan, J.	Att., Ment. Hosp., New West., Prov. Sec.	Single life	18 40
1-4-24	366/24	Evans, C. H.	Attend., Ment. Hosp., Esson, Prov. Sec.	Single life	8 85
1-4-24	367/24	Cullin, W. H.	King's Printer, Prov. Sec.	Single life	98 75

"SUPERANNUATION ACT."

HIS HONOUR the Lieutenant-Governor in Council has been pleased to approve the following regulations:—

"SUPERANNUATION ACT."

REGULATIONS MADE PURSUANT TO SECTION 31.

1. The rate of interest to be credited, paid, and charged by the Minister of Finance shall be five per centum.

2. The following shall be the tables for determining the value of superannuation allowances. For ages other than those shown the Commission shall determine rates equable with the rates shown.

Table A.—Single Life, payable for the Life of the Contributor.

Age last Birthday.	Value of a Superannuation Allowance of $100 per Annum for Life.		Age last Birthday.	Value of a Superannuation Allowance of $100 per Annum for Life.	
	Male.	Female.		Male.	Female.
20	$1,926	$1,943	64	$ 918	$1,028
25	1,860	1,881	65	887	994
30	1,782	1,808	66	857	961
35	1,691	1,725	67	827	927
40	1,586	1,633	68	797	893
45	1,466	1,533	69	767	859
46	1,441	1,512	70	738	825
47	1,415	1,490	71	709	792
48	1,388	1,468	72	681	759
49	1,361	1,446	73	653	727
50	1,334	1,423	74	625	695
51	1,306	1,400	75	598	664
52	1,278	1,376	76	572	634
53	1,249	1,351	77	546	604
54	1,220	1,326	78	521	576
55	1,190	1,299	79	496	548
56	1,160	1,272	80	472	521
57	1,131	1,244	81	449	495
58	1,100	1,216	82	427	469
59	1,070	1,186	83	405	445
60	1,040	1,156	84	384	421
61	1,009	1,125	85	364	399
62	979	1,093	90	265	290
63	948	1,061	95	157	175

Table B.—Guaranteed Allowance, payable for the Life of the Contributor or for the Term of Years stated, whichever Period shall be the Longer.

Age last Birthday.	Value of a Superannuation Allowance of $100 per Annum.							
	Guaranteed 5 Yrs.		Guaranteed 10 Yrs.		Guaranteed 15 Yrs.		Guaranteed 20 Yrs.	
	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.
50	$1,346	$1,433	$1,388	$1,470	$1,457	$1,527	$1,548	$1,601
51	1,319	1,410	1,363	1,448	1,437	1,508	1,534	1,585
52	1,291	1,387	1,339	1,426	1,417	1,488	1,519	1,569
53	1,263	1,362	1,314	1,403	1,397	1,468	1,505	1,553
54	1,236	1,337	1,290	1,380	1,378	1,448	1,492	1,538
55	1,207	1 312	1,265	1,356	1,359	1,428	1,479	1,523
56	1,179	1,285	1,241	1,332	1,341	1,407	1,467	1,508
57	1,150	1,258	1,217	1,307	1,323	1,387	1,456	1,494
58	1,122	1,230	1,193	1,282	1,306	1,367	1,445	1,480
59	1,093	1,202	1,169	1,256	1,289	1 347	1,436	1,467
60	1,065	1,172	1,145	1,230	1,272	1,327	1,427	1,455
61	1,036	1,142	1,122	1,204	1,256	1,308	1,418	1,443
62	1,007	1,112	1,100	1,178	1,241	1,289	1,411	1,433
63	979	1,081	1,078	1,152	1,227	1,271	1,404	1,423
64	951	1,049	1,057	1,127	1,214	1,254	1,398	1,415
65	923	1,018	1,036	1,102	1,203	1,238	1,393	1,407
66	896	987	1,016	1,077	1,192	1,223	.....	.....
67	869	955	997	1,054	1,182	1,209	.....	.....
68	842	924	979	1 030	1,173	1,196	.....	.....
69	816	893	962	1,009	1,165	1,185	.....	.....
70	791	863	946	988	1,157	1,175	.....	.....
71	766	834	930	969	.....	.....	.....	.....
72	742	805	916	951	.....	.....	.....	.....
73	719	777	903	934	.....	.....	.....	.....
74	696	751	892	918	.....	.....	.....	.....
75	675	725	881	904	.....	.....	.....	.....
76	654	700	.....	.....	.....	.....	.....	.....
77	634	677	.....	.....	.....	.....	.....	.....
78	616	654	.....	.....	.....	.....	.....	.....
79	598	633	.....	.....	.....	.....	.....	.....
80	582	613	.....	.....	.....	.....	.....	.....

Table C.—Joint Life and Last Survivor, payable during the Joint Life of the Contributor and any Person nominated by him prior to the granting of the Superannuation Allowance, and during the Life of the Survivor.

Age last Birthday.	Value of a Superannuation Allowance of $100 per Annum.							
	Beneficiary.							
	50.	55.	60.	65.	70.	75.	80.	85.
Dependent.								
40	$1,793	$1,754	$1,721	$1,694	$1,673	.....	.....	.....
45	1,725	1,678	1,638	1,606	1,581	$1,563	.....	.....
50	1,656	1,599	1,550	1,511	1,481	1,459	$1,445	.....
55	1,588	1,518	1,457	1,408	1,370	1,344	1,325	$1,314
60	1,523	1,438	1,362	1,299	1,250	1,214	1,190	1,175
65	.....	1,365	1,272	1,191	1,125	1,076	1,043	1,021
70	.....	.....	1,196	1,096	1,011	945	898	867
75	.....	.....	.....	1,021	918	834	771	727
80	.....	.....	.....	.....	850	749	669	611
85	.....	.....	.....	.....	.....	688	594	523

3. When a person wishes to apply for a superannuation allowance he shall send to the Commission a notice in writing, duly signed, requesting that he be granted the superannuation allowance to which he may be entitled under the "Superannuation Act." The Commission shall forthwith make inquiry to find whether that person comes within the scope of the Act and whether he is entitled to receive a superannuation allowance under the provisions of the Act. This inquiry may consist of searching the record of the person kept in the office of the Commission or of requiring information to be given by affidavit or otherwise, at the discretion of the Commission.

4. Each of the following may be deemed to be a group of contributors for the purposes of section 26:—

(*a.*) Civil Service exclusive of the Provincial Police:

(*b.*) Provincial Police:

(*c.*) Police in any municipality:

(*d.*) Firemen in any municipality:

(*e.*) City Hall staff in any municipality:

(*f.*) Employee of a municipality exclusive of the Police, Firemen, and City Hall staff:

(*g.*) Teachers employed by any School Board:

(*h.*) Employees, other than teachers, of any School Board:

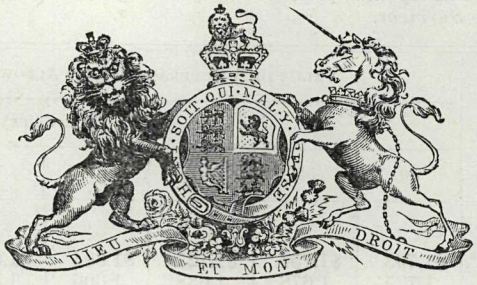
5. A person holding a permanent position in the Civil Service who wishes to be exempted shall:—

(1.) Prove that he has ample provision for his old age; and

(2.) Agree that he will sign an undertaking that he will not make any claim for superannuation allowance or a gratuity upon the Government.

W. H. MacINNES,
Civil Service Commissioner.

Victoria, B.C., October 7th, 1924.



CHAPTER 247.

An Act respecting Superannuation.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Preliminary.

Short title.

1. This Act may be cited as the "Superannuation Act." 1921, c. 60, s. 1.

Interpretation.

2. In this Act, unless the context otherwise requires:—

"Board of School Trustees" means the Board of School Trustees of any municipal school district within the meaning of the "Public Schools Act":

"Civil Service" shall have the meaning assigned to that expression by section 2 of the "Civil Service Act":

"Commission" means the Civil Service Commission constituted under the "Civil Service Act":

"Contributor" means any employee who has contributed to the Superannuation Fund pursuant to the provisions of this Act:

"Employee" means a person in receipt of a salary as compensation for service rendered to another:

"Employer" means the person directly or indirectly responsible for the payment of the salary of an employee, and in respect of any employee within the scope of Part II. includes the Crown in right of the Province:

"Prescribed" means prescribed by this Act or by the regulations:

"Regulations" means regulations made by the Lieutenant-Governor in Council under this Act:

"Salary" includes wages:

"Superannuation allowance" includes every allowance or sum mentioned or referred to in section 14 which may be granted or be payable to any person under the provisions of this Act. 1921, c. 60, s. 2 (*altered*).

3. This Act is divided into five parts, relating to the following subjects:— Division of Act into parts.

Part.	Section.
I.—Superannuation	4–31
II.—Provincial Government Employees	31–41
III.—Municipal Employees	42–45
IV.—School Board Employees	46–49
V.—Employees not within the Scope of Part II. or III. or IV.	50–52

1921, c. 60, s. 3.

PART I.

Superannuation.

Application.

4. This Part shall apply to every person to whom any subsequent Part of this Act applies, including the Crown in right of the Province. 1921, c. 60, s. 4. Application of Part.

Superannuation Fund.

5. From the salary from time to time payable to each employee to whom this Act applies his employer shall cause to be deducted an amount equal to four per centum of the amount of the salary, and shall forthwith forward the amount deducted to the Minister of Finance as a contribution from that employee to the Superannuation Fund. Where the Crown is the employer, the deductions shall be made and retained by the Minister of Finance. 1921, c. 60, s. 5. Contributions by deductions from salary of employees.

6. With the approval of the Commission, any employee who is of the age of thirty-five years or upwards when this Act first applies to him may file with his employer a notice in writing signed by the employee, requesting that the deductions from his salary as his contribution to the Superannuation Fund be made at a percentage greater than four per centum, but not exceeding in any case eight per centum of the amount of his salary; and his employer shall cause the deductions to be made in the case of that employee at the rate per centum named in the notice: Provided that the rate per centum named in the notice shall not be greater than seven per Provision for contributions at increased rates.

centum if the employee is under fifty years of age, nor greater than six per centum if the employee is under forty-five years of age, nor greater than five per centum if the employee is under forty years of age. 1921, c. 60, s. 6.

Contributions of employers.

7. Each employer shall forward to the Minister of Finance with the contributions of his employees arising from the deductions made from their salaries an amount equal to the aggregate amount of their contributions as his contribution to the Superannuation Fund. Where the Crown is the employer, the contribution shall be paid by the Minister of Finance from moneys appropriated for that purpose by the Legislature or, if no appropriation is available for that purpose, from the Consolidated Revenue Fund. 1921, c. 60, s. 7.

Discontinuance of contributions.

8. In the case of any contributor from whose salary deductions have been made pursuant to this Act for a period of not less than thirty-five years, if his employer or the contributor files with the Commission a written request that no further deductions be made from the salary of that contributor, the Commission shall forthwith notify the employer and the contributor of the filing of the request, and the employer shall not cause any amount to be deducted under this Act from the salary of that contributor after the receipt of the notice. Where the Crown is the employer, the written request may be filed by the Minister of Finance. 1921, c. 60, s. 8.

Special contributions.

9. The Minister of Finance may receive special voluntary contributions made by or on behalf of any contributor in addition to the contributions arising from the prescribed deductions from salary. 1921, c. 60, s. 9.

Superannuation Fund.

10. All contributions in the hands of the Minister of Finance shall be placed in a fund in the Treasury Department to be known as the "Superannuation Fund," and shall be accounted for as part of the Consolidated Revenue Fund. 1921, c. 60, s. 10.

Separate accounts and interest additions.

11. A separate account shall be kept for each employee and each employer showing the amount at his credit in the Superannuation Fund. Interest shall be credited by the Minister of Finance to each account on the last day of March and September in each year, computed on the amount at the credit of the account on the next preceding first day of October and April respectively. Until otherwise prescribed, the rate of interest shall be five per centum per annum. 1921, c. 60, s. 11.

General accounting

12. Account shall be kept of all moneys received and paid out under the provisions of this Act, and of the assets and liabilities appertaining to the grant of superannuation allowances under those provisions; and among the liabilities included in the account at the

end of each fiscal year shall appear the present value of the superannuation allowances in force at the end of that fiscal year. 1921, c. 60, s. 12.

Special reserve.

13. (1.) There shall be in the Superannuation Fund a special reserve to meet the additional allowances which may be granted under the provisions of this Act to certain contributors in respect of their services as employees prior to the time at which this Act becomes applicable to them. The special reserve shall be provided as follows:—

(*a.*) Whenever a contributor or his legal representatives receive a refund under section 18 or 19, a like amount shall be transferred from his employer's account to the special reserve:

(*b.*) Each employer shall forward to the Minister of Finance with each contribution forwarded by him under section 7 a further amount equal to one per centum of the pay-roll of his employees to whom this Part applies, which amount shall be placed in the special reserve. Where the Crown is the employer, the amount required under this clause shall be paid by the Minister of Finance from moneys appropriated for that purpose by the Legislature or, if no appropriation is available for that purpose, from the Consolidated Revenue Fund:

(*c.*) A separate account shall be kept for each employer showing the amount at his credit in the special reserve, and interest shall be credited by the Minister of Finance at the prescribed rate to each account on the last day of March and September in each year, computed on the minimum balance of the account during the next preceding six months.

Discontinuance of contributions to special reserve.

(2.) When sufficient funds have been accumulated in any employer's account in the special reserve under this section to meet the additional allowances that can be charged to that account under this Act, the contributions required under this section from that employer shall cease.

Loans to special reserve accounts.

(3.) If at any time there are not sufficient funds in an account in the special reserve to meet the claims made on that account, the Minister of Finance may loan to that account from the Consolidated Revenue Fund the amount necessary, which amount shall be repayable from that account, with interest at the prescribed rate. 1921, c. 60, s. 13.

Superannuation Allowances.

Provisions for determining amount of superannuation allowance.

14. (1.) When a contributor becomes entitled to a superannuation allowance under the provisions of this Act, he shall be granted a superannuation allowance of the sum which the amount at his credit in the Superannuation Fund, arising from deductions from

his salary and accrued interest, together with a like amount taken from his employer's account, would entitle him to according to the prescribed tables then in force.

Additional sum based on special contributions.

(2.) There shall be added to the amount of the superannuation allowance granted to a contributor under subsection (1) such further sum as the total of the special contributions (if any) made by him or on his behalf under section 9, together with accrued interest, would entitle him to according to the prescribed tables then in force.

Additional allowance from special reserve.

(3.) There shall also be added to the superannuation allowance such additional allowance (if any) as is payable to the contributor under the provisions of this Act from the special reserve established under section 13. 1921, c. 60, s. 14.

Plans of superannuation allowance.

15. The superannuation allowance may be granted in accordance with the prescribed tables on any of the following plans:—

(*a.*) Single life, payable for the life of the contributor:

(*b.*) Guaranteed allowance, payable for the life of the contributor, or for a term of years certain, whichever period shall be the longer:

(*c.*) Joint life and last survivor, payable during the joint life of the contributor and any person nominated by him prior to the granting of the superannuation allowance, and during the life of the survivor. 1921, c. 60, s. 15.

Provisions as to payment.

16. (1.) Every superannuation allowance shall be paid monthly from the Superannuation Fund.

Assignment of superannuation allowance prohibited.

(2.) No superannuation allowance may be assigned, charged, or attached by process in any Court. 1921, c. 60, s. 16.

Provisions to meet any deficiency in Superannuation Fund.

17. Any deficiency between the amounts paid by the contributors and employers to the Superannuation Fund and the amounts required to pay the superannuation allowances and other amounts payable from the Superannuation Fund under this Act, including all interest credited or paid pursuant to this Act, shall be paid from the Consolidated Revenue Fund. 1921, c. 60, s. 17.

Refunds.

Refund in case of death.

18. If a contributor dies before he has been granted a superannuation allowance, the amount at his credit in the Superannuation Fund shall be paid to his legal representatives. 1921, c. 60, s. 18.

Refund in case of dismissal or resignation.

19. Where a contributor has been dismissed or has resigned from service, if he makes application therefor, the amount at the credit of his account in the Superannuation Fund shall be paid to him. 1921, c. 60, s. 19.

Refund of special contributions.

20. There shall be added to the sum payable to a contributor or his legal representatives by way of refund under any other section of this

Act the total of the special contributions (if any) made by him or on his behalf, together with the interest accrued thereon. 1921, c. 60, s. 20.

Administration.

21. The Department of the Provincial Secretary shall be charged with the administration of this Act. 1921, c. 60, s. 21.

Department of Provincial Secretary charged with administration.

22. The Provincial Secretary shall lay before the Legislature within fifteen days after the commencement of each annual session a return containing a full and clear statement and accounts of all business done in pursuance of this Act during the fiscal year next previous to such session, and showing the condition of the Superannuation Fund. 1921, c. 60, s. 22.

Annual return to Legislature.

23. All salaries and expenses necessarily incurred in the administration of this Act shall, in the absence of any special appropriation of the Legislature available for that purpose, be paid from the Consolidated Revenue Fund. 1921, c. 60, s. 23.

Expenses of administration.

24. Subject to the provisions of this Act and the regulations, the Commission may:—

(*a.*) Determine whether or not any person is within the scope of this Act and entitled to receive a superannuation allowance thereunder:

(*b.*) Determine the amount of any superannuation allowance granted under this Act. 1921, c. 60, s. 24.

Powers of Commission.

25. No superannuation allowance shall be granted to any person until the Commission, after inquiry in the manner prescribed by the regulations, has found:—

(*a.*) That the person is within the scope of this Act; and

(*b.*) That the person is entitled to receive the superannuation allowance under the provisions of this Act, and the grounds upon which he is so entitled. 1921, c. 60, s. 25.

Inquiry by Commission in all cases.

26. Upon the filing with the Commission of a notice signed by at least twenty per centum of the members of any group of contributors defined by the regulations, stating their intention to adopt the provisions of this section, that group shall be entitled to elect a representative to act in an advisory capacity to the Commission in the administration of this Act as affecting the contributors in that group. Whenever any group of contributors elect a representative under this section, the employers of the contributors in that group shall also be entitled to elect a representative to act in a like capacity in the interests of the employers. 1921, c. 60, s. 26.

Representation of contributors' and employers' interests.

27. Payment of every sum of money which an employer, other than the Crown, is required by this Act to pay or forward to the Minister

Enforcement of payments from employers.

of Finance may be enforced by action in any Court, in the name of the Attorney-General, as for a debt due by that employer to the Crown. 1921, c. 60, s. 27.

Right to demand refunds.

28. Except as expressly provided in this Act, nothing in this Act shall be construed to confer upon any person any right to demand or enforce the repayment of any amount contributed by him to the Superannuation Fund, or the payment of any interest thereon. 1921, c. 60, s. 28.

Reports by beneficiaries.

29. Every person receiving a superannuation allowance under this Act shall keep the Commission informed of his whereabouts, and at least once each year shall report in person, or furnish such credentials as the Commission may require. 1921, c. 60, s. 29.

Power of dismissal not impaired.

30. Nothing in this Act contained shall impair or affect the right or power of any employer to remove or dismiss from service any person. 1921, c. 60, s. 30.

Regulations.

General power to make regulations.

31. (1.) For the purpose of carrying into effect the provisions of this Act according to their true intent, the Lieutenant-Governor in Council may make such regulations, not inconsistent with the spirit of this Act, as are deemed necessary or advisable. All regulations so made shall forthwith be published in the Gazette, and thereupon shall have the same force and effect as if incorporated in this Act.

Special power to make regulations.

(2.) Without thereby limiting the generality of the provisions contained in subsection (1), it is declared that the power of the Lieutenant-Governor in Council to make regulations shall extend to:—

(*a.*) Prescribing the rate of interest to be credited, paid, and charged by the Minister of Finance pursuant to this Act:

(*b.*) Prescribing tables for determining the value of superannuation allowances:

(*c.*) Regulating the manner of making application for and the granting of superannuation allowances:

(*d.*) Prescribing forms to be used for the purposes of this Act or of the regulations:

(*e.*) Prescribing the method of proving any fact necessary to be proved for the purpose of granting or paying superannuation allowances or for any purpose of the administration of this Act:

(*f.*) Defining groups of contributors for the purposes of section 26, and prescribing as to the mode of election, term of office, and duties of representatives elected under that section:

(*g.*) Prescribing the manner of entering into agreements between employers and employees for the purposes of securing the benefits of this Act, and defining the groups of

employees with whom agreements may be entered into for that purpose:

(*h.*) Providing for the inspection of pay-rolls of employers to whom any part of this Act applies, and for reports to be made by employers for the purposes of this Act; and prescribing penalties for the breach of any regulations made under this clause:

(*i.*) Prescribing the conditions under which a person holding a permanent position in the Civil Service at the date of the commencement of this Act shall be exempt from having this Act apply to him. 1921, c. 60, s. 31.

PART II.

PROVINCIAL GOVERNMENT EMPLOYEES.

Application.

Application of Part II.

32. This Part shall apply to:—

(*a.*) The Crown in right of the Province:

(*b.*) Every person holding a permanent position in the Civil Service at the date of the commencement of this Act, unless he is exempted under the provisions of the regulations:

(*c.*) Every person who is appointed to a permanent position in the Civil Service after the date of the commencement of this Act:

(*d.*) Every person in receipt of a salary payable from revenue, within the meaning of the "Revenue Act," to whom this Act is declared to apply by any other Act, or by any Order of the Lieutenant-Governor in Council. 1921, c. 60, s. 32.

Superannuation Allowance.

Persons entitled to superannuation allowance.

33. Each contributor to whom this Part applies shall be entitled to a superannuation allowance:—

(*a.*) If, being a person to whom section 39 of the "Civil Service Act" applies, he is retired from the Civil Service under the provisions of that section; or

(*b.*) If, being a person to whom section 39 of the "Civil Service Act" does not apply, and having attained the age of sixty-five years, he is retired from service by any competent authority; or

(*c.*) If, being a male between sixty and sixty-five years of age or a female between fifty-five and sixty-five years of age, upon his or her own application or upon the recommendation of a Minister of the Crown, he or she is retired from service by Order of the Lieutenant-Governor in Council; or

(*d.*) If, being under sixty years of age, he has become incapacitated by mental or physical disability from properly performing his duties, and upon the recommendation of a Minister of the Crown he is retired from service by Order of the Lieutenant-Governor in Council;

but no superannuation allowance shall be granted to any person retired pursuant to clause (*c*) or (*d*) of this section unless the retirement and superannuation of that person are approved by the Commission as being in the public interest. 1921, c. 60, s. 33.

Additional allowance in certain cases.

34. In the case of any contributor to whom this Part applies by virtue of clause (*b*) or (*d*) of section 32, the Lieutenant-Governor in Council may, on the report of the Commission, increase the superannuation allowance by the addition thereto of such additional allowance as the Lieutenant-Governor in Council deems advisable, but the additional allowance shall not exceed as many fiftieths of that contributor's average salary for the ten years immediately prior to the second day of April, 1921, or for the period of his employment prior to that date if less than ten years, as he has been years in permanent employment in the Civil Service prior to that date. The sum necessary to provide for this additional allowance shall be taken from the special reserve in the Superannuation Fund. 1921, c. 60, s. 34.

Notice of retirement.

35. (1.) Where any contributor is to be retired from service under the provisions of clause (*c*) or (*d*) of section 33, the Commission shall give notice thereof to that contributor not less than six months prior to the date on which the retirement is to take effect.

Compulsory retirement.

(2.) Retirement from service shall be compulsory on every contributor to whom notice is given pursuant to this section, and to whom superannuation allowance as provided by this Act is offered. No notice given or offer made under this section shall be considered as implying any censure upon the contributor to whom it is given or made. 1921, c. 60, s. 35.

Medical examination on retirement

36. Every contributor recommended or applying for retirement from service who is under sixty-five years of age shall be medically examined by a duly qualified medical practitioner approved by the Commission, and the practitioner's report of that examination shall be furnished to the Commission for consideration in dealing with the case. 1921, c. 60, s. 36.

Effect of absence from duty without leave.

37. Where any contributor who has not been dismissed or granted leave of absence absents himself from duty, he shall, on the report of a Minister of the Crown stating the facts and filed with the Commission, be deemed to have resigned from the service. 1921, c. 60, s. 37.

Power to retain moneys in case of defaulting employee.

38. Where any money is payable under this Act to or in respect of a contributor who has made default in accounting for any public

moneys entrusted to him or under his control, the Minister of Finance may retain the amount so payable or such part thereof as is necessary for the repayment of the public moneys so in default. 1921, c. 60, s. 38.

39. If on the resignation or dismissal or superannuation of any contributor he is in the opinion of the Commission unfit to manage his own affairs, the amount payable to the contributor may be dealt with for the benefit of the contributor or of his wife or children in such manner as the Commission determines. 1921, c. 60, s. 39.

Payment where contributor unfit to manage his own affairs.

40. Every contributor in receipt of a superannuation allowance who is under the age of sixty years, and is not disabled by mental or physical disability, may be required by the Commission to fill in any part of the Province any public office or position for which his previous services render him eligible and which is not lesser in rank or emolument than that from which he retired; and if he refuses or neglects to accept and perform the duties of that office or position he shall forfeit all further superannuation allowances, but shall be paid a sum equal to the amount of his contributions, with accrued interest, less the total of the superannuation allowances that have been paid to him. 1921, c. 60, s. 40.

Power to require service from certain superannuants.

41. No person, so long as he continues to hold any position in the Civil Service or any position the salary of which is paid from revenue within the meaning of the "Revenue Act," shall have any claim or right to any part of the Superannuation Fund. 1921, c. 60, s. 41.

Persons in service barred from any claim on Superannuation Fund.

PART III.

MUNICIPAL EMPLOYEES.

Application.

42. This Part shall apply to:—

Application of Part III

(*a.*) Every municipality which has entered into an agreement in writing with all of its employees, or with any group of its employees, in the manner prescribed by the regulations, for the purpose of securing the benefits of this Act, and which has filed with the Commission an original of the agreement, accompanied by a notice signed by the Municipal Clerk, stating that the municipality has adopted the provisions of this Part:

(*b.*) Every person employed by a municipality to which this Part applies, and who is within the scope of the agreement filed by that municipality with the Commission under this section. 1921, c. 60, s. 43.

Power of municipalities to adopt provisions of Part

43. Every municipality may from time to time enter into an agreement in writing with all of its employees, or with any one or more groups of its employees, in the manner prescribed by the regulations, for the purpose of securing the benefits of this Act; and may adopt the provisions of this Part, and may pay from its revenues all contributions required by this Act from it as an employer. 1921, c. 60, s. 44.

Superannuation Allowance.

Persons entitled to superannuation allowance.

44. Each contributor to whom this Part applies shall be entitled to a superannuation allowance:—

(*a.*) If, being a fireman who has attained the age of fifty years, or a policeman who has attained the age of fifty-five years, or a female who has attained the age of fifty-five years, or a male who has attained the age of sixty years, he is retired from service by any competent authority, or on his own behalf makes application for superannuation; or

(*b.*) If, being a person who has become incapacitated by mental or physical disability from properly performing his duties, he is retired from service by any competent authority. 1921, c. 60, s. 45.

Additional allowance in certain cases.

45. In the case of any contributor to whom this Part applies, who was an employee of the municipality prior to the date on which this Part became applicable to him, there shall be added to the superannuation allowance payable to him under subsection (1) of section 14 an additional allowance equal to as many seventy-fifths of his average salary for the ten years immediately prior to that date, or for the period of his employment prior to that date if less than ten years, as he has been years in the employ of the municipality prior to that date. The sum necessary to provide for this additional allowance shall be taken from the special reserve in the Superannuation Fund. 1921, c. 60, s. 46.

PART IV.

SCHOOL BOARD EMPLOYEES.

Application.

Application of Part. IV.

46. This Part shall apply to:—

(*a.*) Every Board of School Trustees which, with the approval of the Municipal Council, has entered into an agreement in writing with all of its employees, or with any group of its employees, in the manner prescribed by the regulations, for the purpose of securing the benefits of this Act, and which has filed with the Commission an original of

the agreement, accompanied by a notice signed by the Secretary of the Board, stating that the Board has adopted the provisions of this Part:

(*b.*) Every person employed by a Board of School Trustees to which this Part applies and who is within the scope of the agreement filed by that Board with the Commission under this section. 1921, c. 60, s. 47.

Power of Boards of School Trustees to adopt provisions of Part.

47. Every Board of School Trustees may from time to time enter into an agreement with all of its employees, or with any one or more groups of its employees, in the manner prescribed by the regulations, for the purpose of securing the benefits of this Act, and it may adopt the provisions of this Part and may pay from its revenues all contributions required by this Act from it as employer. 1921, c. 60, s. 48.

Superannuation Allowance.

Persons entitled to superannuation allowance.

48. Each contributor to whom this Part applies shall be entitled to a superannuation allowance:—

(*a.*) If, being a female who has attained the age of fifty-five years, or a male who has attained the age of sixty years, he or she is retired from service by any competent authority or on his or her own behalf makes application for superannuation; or

(*b.*) If, being a person who has become incapacitated by mental or physical disability from properly performing his duties, he is retired from service by any competent authority. 1921, c. 60, s. 49.

Additional allowance in certain cases.

49. In the case of any contributor to whom this Part applies, who was an employee of the Board of School Trustees prior to the date on which this Part became applicable to him, there shall be added to the superannuation allowance payable to him under subsection (1) of section 14 an additional allowance equal to as many hundredths of his average salary for the ten years immediately prior to that date, or for the period of his employment prior to that date if less than ten years, as he has been years in the employ of the Board prior to that date. The sum necessary to provide for this additional allowance shall be taken from the special reserve in the Superannuation Fund. 1921, c. 60, s. 50.

PART V.

EMPLOYEES NOT WITHIN THE SCOPE OF PART II. OR III. OR IV.

Application.

Application of Part V.

50. This Part shall apply to:—

(*a*.) Every employer not within the scope of Part II. or III. or IV., who has entered into an agreement in writing with all of his employees, or with any group of his employees, in the manner prescribed by the regulations, for the purpose of securing the benefits of this Act, and who has filed with the Commission an original of the agreement, accompanied by a notice signed by him, stating that he has adopted the provisions of this Part:

(*b*.) Every person employed by an employer to whom this Part applies and who is within the scope of the agreement filed by that employer with the Commission under this section. 1921, c. 60, s. 51.

Enabling Powers.

Power of employers to adopt provisions of Part.

51. Every employer may from time to time enter into an agreement with all of his employees, or with any one or more groups of his employees, in the manner prescribed by the regulations, for the purpose of securing the benefits of this Act, and he may adopt the provisions of this Part and may pay from his revenues all contributions required by this Act from him as employer. 1921, c. 60, s. 52.

Superannuation Allowance.

Persons entitled to superannuation allowance.

52. Each contributor to whom this Part applies shall be entitled to a superannuation allowance:—

(*a*.) If, being a female who has attained the age of fifty-five years, or a male who has attained the age of sixty years, he or she is retired from service by any competent authority or on his or her own behalf makes application for superannuation; or

(*b*.) If, being a person who has become incapacitated by mental or physical disability from properly performing his duties, he is retired from service by any competent authority. 1921, c. 60, s. 53.

VICTORIA, B.C.:
Printed by CHARLES F. BANFIELD, Printer to the King's Most Excellent Majesty.
1924.