



ANNO DECIMO

**GEORGII VI REGIS.**

A.D. 1946.

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**No. 50 of 1946.**

An Act to amend the Superannuation Act, 1926-1942.

[Assented to 19th December, 1946.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Superannuation Act Amendment Act, 1946". Short titles.

(2) The Superannuation Act, 1926-1942, as amended by this Act, may be cited as the "Superannuation Act, 1926-1946".

(3) The Superannuation Act, 1926-1942, is hereinafter referred to as "the principal Act".

2. Section 8 of the principal Act is amended—

(a) by striking out the words "by employees" in the fourth line thereof; and

(b) by adding at the end of subsection (1) thereof the words "by employees and pensioners who were contributors at the time of becoming entitled to pension".

Amendment of  
principal  
Act, s. 8—  
Appointment  
of board.

3. Section 21 of the principal Act is amended—

(a) by striking out the words "and every pensioner (not being a child under sixteen years of age)" in the third and fourth lines of subsection (3) thereof; and

(b) by striking out the words, "in the case of a contributor, be deducted from his salary, and, in the case of a

Amendment of  
principal  
Act, s. 21—  
Cost of  
management.

pensioner, from his pension" in subsection (4) thereof and by inserting in lieu thereof the words "be deducted from the salary of every contributor".

Amendment of  
principal  
Act, s. 23—  
Time for  
commencing  
contributions.

4. Section 23 of the principal Act is amended by inserting after the word "from" in the sixth line thereof the words "the first day of the month next after".

Amendment of  
principal Act,  
s. 24—  
Scale of units.

5. Section 24 of the principal Act is amended—

(a) by striking out the word "eight" in the second line of subsection (2) thereof and by inserting in lieu thereof the word "sixty":

(b) by striking out the words "or four units" in the fourth line of subsection (2) thereof and by inserting in lieu thereof the words "four, or five units":

(c) by adding at the end of subsection (2) thereof the words "If a person who at the time of the passing of the Superannuation Act Amendment Act, 1946, is a contributor for four units and whose annual salary at the said time does not exceed two hundred and sixty pounds and who at the said time is over the age of thirty years, elects before the thirtieth day of June, nineteen hundred and forty-seven, to contribute for an additional unit, he may subscribe at the rate prescribed for the age of thirty for half of that additional unit":

(d) by inserting after the word "month" in the eighteenth line of subsection (4) the words "next after the month":

Enactment of  
s. 24d of  
principal Act—

Provision as  
to future  
employees and  
future  
increases of  
contributions.

6. The following section is enacted and inserted in the principal Act after section 24c thereof:—

24d. (1) Notwithstanding any other provision of this Act, if any male employee under the age of forty years being an officer of the public service appointed pursuant to the Public Service Act, 1936-1945, a teacher appointed pursuant to the Education Act, 1915-1945, or a salaried railways officer appointed pursuant to the South Australian Railways Commissioner's Act, 1936-1941, after the passing of the Superannuation Act Amendment Act, 1946, becomes entitled to contribute for more than four units or to increase his contributions for units more than four units, he may, by notice in writing given to the board within one month of the time he becomes so entitled, elect to contribute for any less number of units than the number for which he is entitled to contribute, but the number

of units for which he shall contribute shall be not less than four.

(2) Notwithstanding any other provision of this Act, if any employee (other than an employee such as is described in subsection (1) hereof) becomes entitled to contribute for any units, he may, by notice in writing given to the board within one month of being so entitled, elect not to become a contributor or elect to contribute for any less number of units than the number for which he is entitled to contribute, and if any such employee being a contributor becomes entitled to increase his contributions for further units, he may, by notice in writing given to the board within one month of being so entitled, elect not to contribute for such further units or for any of such further units.

(3) If pursuant to subsection (2) hereof, any employee elects not to become a contributor he shall thereafter, whilst continuing to be an employee, not be permitted to become a contributor, except that an employee who is under the age of twenty-one years at the time of making such election may within three months after attaining the age of twenty-one years by notice in writing to the board again elect to be a contributor.

(4) If an employee pursuant to this section elects not to contribute for any units to which he is entitled to contribute, the maximum number of units for which he shall thereafter be entitled to contribute shall be reduced by the number of units with respect to which he elected as aforesaid.

(5) If an employee entitled to make any election pursuant to this section fails to make such election, he shall contribute to the fund such contributions as are otherwise required by this Act.

7. The following section is enacted and inserted in Division II. of Part V. of the principal Act after section 26e thereof :—

Enactment of  
s. 26f of  
principal  
Act—

26f. (1) Any male contributor being an officer of the public service appointed pursuant to the Public Service Act, 1936-1945, a teacher appointed pursuant to the Education Act, 1915-1945, or a salaried railways officer appointed pursuant to the South Australian Railways Commissioner's Act, 1936-1941, and who is a contributor for more than four units, may, before the first day of April, nineteen hundred and forty-seven, by notice in writing given to the board, elect to surrender any units in excess of four for which he is contributing.

Right to  
surrender  
units.

(2) Any other employee who is a contributor for more than two units, may, before the first day of April, nineteen hundred and forty-seven, elect to surrender any units or half units in excess of two for which he is contributing.

(3) Any election under this section if duly notified to the board within the period provided by this section shall take effect from the first day of July, nineteen hundred and forty-seven.

(4) The contributions paid by the contributor in respect of any surrendered units shall be retained by the board and shall be placed to the credit of the contributor by the board which shall credit him with interest at the rate of three pounds per centum per annum on the balance of the said contributions retained as aforesaid for the time being not applied towards payment of contributions as hereinafter mentioned. The amount to the credit of the contributor shall be applied by the board in full payment of contributions for the units or half units for which the contributor continues to contribute until the amount is exhausted.

(5) If a contributor who has surrendered units under this section dies, resigns, or retires before the whole amount placed to his credit has been applied in payment of contributions as provided by subsection (4), any balance remaining shall be paid to the contributor or, as the case may be, to his personal representative and any such balance shall not, for any purpose of this Act, be deemed to be a contribution paid by the employee.

(6) If an employee pursuant to this section elects to surrender any units, the maximum number of units for which he shall thereafter be entitled to contribute shall be reduced by the number of units so surrendered.

Amendment of  
principal Act,  
s. 28—  
Scale of  
contributions.

8. Section 28 of the principal Act is amended by inserting therein after subsection (1) thereof the following subsection :—

(1a) Until other tables of contributions are prescribed as hereinafter in this section provided, the tables of contributions for men and women according to ages, set out in schedules III. and IV. to this Act shall be in force as hereinafter provided in this subsection, and shall apply to male and female employees accordingly. The said tables of contribution shall, as from the first day of July, nineteen hundred and forty-seven, apply to all contributions to be made by employees who first become contributors on or after the said day and shall, if the contributions of any employee are increased after the said

day by reason of the employee contributing for further units or half units, apply to contributions in respect of those further units or half units, but the said tables of contributions shall not apply to any other contributions.

**9.** Section 40 of the principal Act is amended—

Amendment of  
principal Act,  
s. 40—  
Pension on  
invalidity.

(a) by striking out the words “in the service for at least seven” in the first and second lines thereof and by inserting in lieu thereof the words “a contributor for at least three”:

(b) by striking out the words “in the service for less than seven” in the first and second lines of subsection (2) thereof and by inserting in lieu thereof the words “a contributor for less than three”.

**10.** Section 42 of the principal Act is amended by adding at the end thereof the following subsections (the preceding portion of the said section being read as subsection (1) thereof):—

Amendment of  
principal Act,  
s. 42—  
Pension to  
widow of  
contributor.

(2) If any pension payable to any widow under paragraph (a) of subsection (1) ceases and determines upon her re-marriage, and if she subsequently again becomes a widow, the pension payable to her before her re-marriage shall again be payable to her whilst she remains a widow and no other pension shall be payable to her pursuant to the said paragraph.

(3) If any widow who is not the first wife of the contributor was married to the contributor prior to his first becoming a contributor, the pension payable to the widow shall not be reduced as provided by the proviso to subsection (1).

**11.** Section 43 of the principal Act is amended by adding at the end thereof the following subsections (the preceding portion of the said section being read as subsection (1) thereof):—

Amendment of  
principal Act,  
s. 43—  
Pension to  
widow of  
pensioner.

(2) If any pension payable to any widow under paragraph (a) of subsection (1) ceases and determines upon her re-marriage, and if she subsequently again becomes a widow, the pension payable to her before her re-marriage shall again be payable to her whilst she remains a widow and no other pension shall be payable to her pursuant to the said paragraph.

(3) If any widow who is not the first wife of the pensioner was married to the pensioner prior to his first becoming a contributor, the pension payable to the widow shall not be reduced as provided by the further proviso to subsection (1).

Amendment of  
principal Act,  
s. 58—  
Fortnightly  
payment of  
pension.

**12.** Section 58 of the principal Act is amended by adding at the end thereof the words " Provided that the Treasurer, after consulting with the board, may authorize the board to pay pensions fortnightly and any such fortnightly payment shall be an amount equal to one-twentysixth of the annual pension payable "

Amendment of  
principal Act,  
s. 72—  
Remission of  
stamp duty  
on with-  
drawals of  
voluntary  
savings.

**13.** Section 72 of the principal Act is amended by adding at the end thereof the words " Stamp duty shall not be payable on any receipt given by an employee to the board and relating to any such withdrawal "

Amendment of  
principal Act,  
s. 83—  
Regulations.

**14.** Section 83 of the principal Act is amended by inserting therein after paragraph (d) thereof the following paragraph :—

(d1) with respect to any persons who immediately prior to becoming employees within the meaning of this Act were employed by the Commonwealth or another State and were contributors to a superannuation fund or other scheme of the Commonwealth or other State, prescribing conditions upon which such employees may become contributors to the fund under this Act, including any special provisions as to the payment to the board by the employees of amounts derived by the employees from any such superannuation fund or scheme of the Commonwealth or other State, the amount of contributions to be paid by such employees to the fund under this Act, the benefits to be derived by such employees from the fund under this Act, the proportion of any pensions payable to such employees which is to be paid to the fund as the contribution by the Government to the fund, and any other matters for the purpose of enabling such employees to become contributors to the fund under this Act :

Enactment of  
schedules in  
principal Act.

**15.** The following schedules are enacted and inserted in the principal Act after schedule II. thereof :—

## SCHEDULE III.

RATES OF ANNUAL CONTRIBUTION TO BE PAID AS PROVIDED BY  
SUBSECTION (1a) OF SECTION 28 BY MEN MEMBERS BASED ON A  
RETIRING AGE OF 65.

Age Next Birthday at Entry.	First £52 Pension to Member; £26 to Widow; £13 to each Child up to Age 16.	Subsequent Increments £52 Pension to Member; £26 to Widow.
	£ s. d.	£ s. d.
16 .....	3 1 0	2 17 0
17 .....	3 3 0	2 19 0
18 .....	3 6 0	3 2 0
19 .....	3 9 0	3 5 0
20 .....	3 12 0	3 8 0
21 .....	3 15 0	3 11 0
22 .....	3 19 0	3 15 0
23 .....	4 3 0	3 19 0
24 .....	4 7 0	4 2 0
25 .....	4 11 0	4 6 0
26 .....	4 15 0	4 10 0
27 .....	5 0 0	4 15 0
28 .....	5 5 0	4 19 0
29 .....	5 10 0	5 4 0
30 .....	5 15 0	5 9 0
31 .....	6 1 0	5 15 0
32 .....	6 7 0	6 1 0
33 .....	6 13 0	6 7 0
34 .....	7 0 0	6 14 0
35 .....	7 8 0	7 1 0
36 .....	7 16 0	7 9 0
37 .....	8 4 0	7 17 0
38 .....	8 13 0	8 6 0
39 .....	9 3 0	8 16 0
40 .....	9 13 0	9 6 0
41 .....	10 4 0	9 17 0
42 .....	10 16 0	10 9 0
43 .....	11 8 0	11 2 0
44 .....	12 2 0	11 16 0
45 .....	12 18 0	12 12 0
46 .....	13 16 0	13 10 0
47 .....	14 15 0	14 9 0
48 .....	15 16 0	15 10 0
49 .....	17 0 0	16 14 0
50 .....	18 8 0	18 2 0
51 .....	19 19 0	19 13 0
52 .....	21 14 0	21 8 0
53 .....	23 15 0	23 9 0
54 .....	26 4 0	25 18 0
55 .....	29 1 0	28 15 0
56 .....	32 12 0	32 6 0
57 .....	37 0 0	36 14 0
58 .....	42 13 0	42 7 0
59 .....	50 4 0	49 18 0
60 .....	60 18 0	60 11 0
61 .....	77 1 0	76 13 0
62 .....	104 13 0	104 4 0
63 .....	154 4 0	153 11 0
64 .....	312 17 0	311 17 0
65 .....	314 14 0	313 14 0

## SCHEDULE IV.

RATES OF ANNUAL CONTRIBUTION TO BE PAID AS PROVIDED BY  
SUBSECTION (1a) OF SECTION 28 BY FEMALE MEMBERS BASED ON  
A RETIRING AGE OF 60.

Age Next Birthday at Entry.	Contribution for £52 Pension.		
	£	s.	d.
16	3	2	0
17	3	6	0
18	3	10	0
19	3	15	0
20	4	0	0
21	4	5	0
22	4	11	0
23	4	17	0
24	5	4	0
25	5	12	0
26	5	19	0
27	6	6	0
28	6	13	0
29	7	1	0
30	7	8	0
31	7	19	0
32	8	6	0
33	8	15	0
34	9	5	0
35	9	16	0
36	10	8	0
37	11	1	0
38	11	15	0
39	12	10	0
40	13	7	0
41	14	5	0
42	15	5	0
43	16	8	0
44	17	14	0
45	19	3	0
46	20	16	0
47	22	14	0
48	24	19	0
49	27	12	0
50	30	15	0
51	34	13	0
52	39	10	0
53	45	15	0
54	54	3	0
55	65	18	0
56	83	15	0
57	114	6	0
58	179	18	0
59	344	9	0
60	348	4	0

In the name and on behalf of His Majesty, I hereby  
assent to this Bill.

C. W. M. NORRIE, Governor.