



ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 62 of 1974

An Act to amend the Superannuation Act, 1974.

[Assented to 26th September, 1974]

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, 1974". Short title.

(2) The Superannuation Act, 1974, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Superannuation Act, 1974".

2. This Act shall be deemed to have come into operation on the first day of July, 1974. Commencement.

3. Section 18 of the principal Act is amended by inserting in subsection (3) after the passage "for re-appointment" the passage "or re-election". Amendment of principal Act, s. 18—
The Board.

4. Section 20 of the principal Act is amended—

(a) by striking out from subsection (1) the word "who" and inserting in lieu thereof the passage "two of whom";

and

(b) by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) The other member of the Board shall be elected in the prescribed manner by contributors and contributor pensioners and for the purposes of this Act the nominated member of the Board referred to in subsection (2) of section 11 of the repealed Act and in office immediately before the commencement of this Act shall, as to the balance of his term of office remaining after that commencement, be deemed to have been elected pursuant to this subsection.

Amendment of principal Act, s. 20—
Membership of the Board.

Amendment of
principal Act,
s. 21—
Term of office.

5. Section 21 of the principal Act is amended—

- (a) by inserting in subsection (1) after the passage “members of the Board” the passage “appointed by the Governor”;
- (b) by inserting in subsection (1) after the passage “and any” the word “such”;

and

- (c) by inserting after subsection (1) the following subsections:—

(1a) Except as is provided in subsection (1b) of this section, the term of office of the member of the Board referred to in subsection (2) of section 20 of this Act shall be seven years and any such member shall be eligible for re-election.

(1b) The term of office of the member deemed to have been elected pursuant to subsection (2) of section 20 of this Act shall be the balance of his term of office referred to in that subsection and that member shall be eligible for re-election.

Amendment of
principal Act,
s. 24—
Extraordinary
vacancies.

6. Section 24 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage “Subject to subsection (2) of this section, where” and inserting in lieu thereof the word “Where”;

- (b) by inserting in subsection (1) after the passage “member of the Board” the passage “appointed by the Governor”;

and

- (c) by striking out from subsection (2) the passage “the person appointed to fill the vacancy shall be appointed from persons nominated in the prescribed manner by contributors and contributor pensioners” and inserting in lieu thereof the passage “a member of the Board shall be elected as provided by that subsection”.

Amendment of
principal Act,
s. 28—
Remuneration
of President,
members and
deputies.

7. Section 28 of the principal Act is amended—

- (a) by striking out the passage “and the other” and inserting in lieu thereof the passage “, the other”;

and

- (b) by inserting after the word “members” the passage “and the deputies of members”.

Enactment of
s. 34a of
principal Act—

8. The following section is enacted and inserted in the principal Act immediately after section 34 thereof:—

Appointment
of deputy
of Trustee.

34a. Where for any reason a Trustee is unable to perform his duties as such, the Governor may appoint a person to act as deputy of the Trustee and while so acting that person shall have and may exercise all the powers and functions of that Trustee and in the case of the deputy of the Trustee who is the chairman of the Trust that deputy shall have and may exercise all the powers and functions of the chairman of the Trust.

9. Section 42 of the principal Act is amended—

- (a) by inserting after the word “Trustees” the passage “and the deputies of Trustees”;
and
(b) by inserting after the word “remuneration” the word “respectively”.

Amendment of principal Act, s. 42—
Remuneration of Trustees and deputies.

10. Section 49 of the principal Act is amended by inserting after the passage “authority of a contributor” the passage “and upon receipt by him of a report of the Board on such a recommendation”.

Amendment of principal Act, s. 49—
Attributed contribution months.

11. Section 51 of the principal Act is amended by striking out the passage “the day on which having attained the age of retirement he attains three hundred and sixty contribution months” and inserting in lieu thereof the passage—

Amendment of principal Act, s. 51—
Cessation of contributions by new contributor.

- (a) in the case of such a new contributor who attained three hundred and sixty contribution months on or before he attains the age of retirement, the day on which he attains the age of retirement;
and
(b) in the case of such a new contributor who had not attained three hundred and sixty contribution months on or before he attained the age of retirement, the day on which he attains three hundred and sixty contribution months.

12. Section 69 of the principal Act is amended by striking out from subsection (2) the passage “after he had attained those three hundred and sixty contribution months” and inserting in lieu thereof the passage—

Amendment of principal Act, s. 69—
Amount of pension on retirement for new contributor.

- (a) in the case of such a contributor who had attained those three hundred and sixty contribution months on or before he attains the age of retirement, after he attains the age of retirement;
and
(b) in the case of such a contributor who had not attained those three hundred and sixty contribution months on or before he attained the age of retirement, after he attains those three hundred and sixty contribution months.

13. Section 79 of the principal Act is amended—

- (a) by inserting in subsection (1) after the letter and symbol “N =” the passage “five or”;
and
(b) by inserting in subsection (1) after the passage “the number of whole years comprised in the prescribed period” the passage “, whichever is the greater number”.

Amendment of principal Act, s. 79—
Other benefits general.

14. Section 81 of the principal Act is amended—

- (a) by inserting in subsection (1) after the letter and symbol “N =” the passage “five or”;
and

Amendment of principal Act, s. 81—
Provision where contributions exceed benefits.

(b) by inserting in subsection (1) after the passage “on which he ceased to be a contributor” the passage “, whichever is the greater number”.

Amendment of
principal Act,
s. 103—
Benefit
payable from
the Provident
Account.

15. Section 103 of the principal Act is amended—

(a) by inserting in subsection (2) after the letter and symbol “N =” the passage “five or”;

and

(b) by inserting in subsection (2) after the passage “contributing to the Provident Account” the passage “, whichever is the greater number”.

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

M. L. OLIPHANT, Governor