



**STATUTES AMENDMENT (VISITING MEDICAL OFFICERS
SUPERANNUATION) ACT 1999**

No. 87 of 1999

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ELIZABETHAE II REGINAE

A.D. 1999

No. 87 of 1999

An Act to amend the Southern State Superannuation Act 1994 and the Superannuation (Visiting Medical Officers) Act 1993.

[Assented to 2 December 1999]

The Parliament of South Australia enacts as follows:

**PART 1
PRELIMINARY**

Short title

1. This Act may be cited as the *Statutes Amendment (Visiting Medical Officers Superannuation) Act 1999*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Interpretation

3. A reference in this Act to the principal Act is a reference to the Act referred to in the heading to the Part in which the reference occurs.

**PART 2
AMENDMENT OF SOUTHERN STATE SUPERANNUATION ACT 1994**

Insertion of s. 15A

4. The following section is inserted after section 15 of the principal Act:

Election by visiting medical officer

15A. (1) A person appointed as a visiting medical officer may elect to become a member of the Southern State Superannuation Scheme.

(2) If the election is made within one month after the date of the person's appointment as a visiting medical officer, the election takes effect on the date of the appointment.

(3) If subsection (2) does not apply and the election is made—

- (a) before 1 June in a financial year it takes effect at the commencement of the next financial year;
- (b) on or after 1 June in a financial year it takes effect at the commencement of the second financial year after it was made.

(4) An election under this section—

- (a) must be made in writing to the Board; and
- (b) may specify the rate (if any) at which the member elects to contribute to the scheme.

(5) In this section—

"visiting medical officer" has the same meaning as in the *Superannuation (Visiting Medical Officers) Act 1993*.

PART 3

AMENDMENT OF SUPERANNUATION (VISITING MEDICAL OFFICERS) ACT 1993

Amendment of s. 3—Interpretation

5. Section 3 of the principal Act is amended—

- (a) by striking out the definition of "the State Scheme" and substituting the following definition:

"the Board" means the South Australian Superannuation Board continued in existence by the *Superannuation Act 1988*;

- (b) by inserting the following definition after the definition of "teaching hospital":

"Triple S scheme" means the Southern State Superannuation Scheme established by the *Southern State Superannuation Act 1994*;

Substitution of s. 4

6. Section 4 of the principal Act is repealed and the following sections are substituted:

Membership of the VMO Fund

4. (1) Subject to this section a person who is appointed as a visiting medical officer after the commencement of this section is a member of the VMO Fund from the time of his or her appointment and for that purpose will be taken to have applied for and been accepted as a member under the trust deed of the Fund.

(2) A person does not become a member of the VMO Fund under subsection (1) if—

- (a) —
 - (i) at the time of his or her appointment as a visiting medical officer he or she was a contributor under the *Superannuation Act 1988*; and

- (ii) the employment on which his or her status as a contributor was based had not terminated or been terminated before that time; or
- (b) at the time of his or her appointment as a visiting medical officer he or she was a member of the Triple S scheme and fulfilled the requirements for membership of the scheme at that time.

(3) Subsection (2)(b) does not apply to a person who was a member of the Triple S scheme at the time of his or her appointment as a visiting medical officer by virtue only of a regulation made under section 14(6) of the *Southern State Superannuation Act 1994*.

(4) A person who becomes a member of the Triple S scheme on the date of his or her appointment as a visiting medical officer by election under section 15A of the *Southern State Superannuation Act 1994* does not become a member of the VMO Fund under subsection (1).

Contributions cease on election to Triple S scheme

4A. A visiting medical officer who is a member of the VMO Fund and who has become a member of the Triple S scheme by election under section 15A of the *Southern State Superannuation Act 1994* is not entitled to make contributions to the VMO Fund.

Substitution of s. 6

7. Section 6 of the principal Act is repealed and the following section is substituted:

Election by a contributor under the Superannuation Act 1988 or by a member of the Triple S scheme

6. (1) A visiting medical officer who is a contributor within the meaning of the *Superannuation Act 1988* or a member of the Triple S scheme but who is not a member of the VMO Fund may elect to become a member of the VMO Fund.

(2) If the election is made within one month after the date of the person's appointment as a visiting medical officer, the election takes effect on the date of the appointment.

(3) If subsection (2) does not apply and the election is made—

- (a) before 1 June in a financial year it takes effect at the commencement of the next financial year;
- (b) on or after 1 June in a financial year it takes effect at the commencement of the second financial year after it was made.

(4) A contributor within the meaning of the *Superannuation Act 1988* who has made an election under subsection (1) before employment on which his or her status as a contributor is based has terminated or been terminated will be taken, for the purposes of that Act—

- (a) to have resigned from employment and to have preserved his or her accrued superannuation benefits (whether he or she has reached the age of 55 years or not); and
- (b) not to reach the age of 55 years until he or she reaches that age and ceases to be employed in employment to which that Act applies.

(5) A member of the Triple S scheme who has made an election under subsection (1) is not entitled to make contributions under the *Southern State Superannuation Act 1994*.

(6) An election under this section must be made in writing to the Board.

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

E. J. NEAL Governor