



ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 79 of 1974

An Act to amend the Parliamentary Superannuation Act, 1974.

[Assented to 31st October, 1974]

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

Short titles.

1. (1) This Act may be cited as the "Parliamentary Superannuation Act Amendment Act, 1974".

(2) The Parliamentary 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 "Parliamentary Superannuation Act, 1974".

Enactment of
s. 14a of
principal Act—

2. The following section is enacted and inserted in the principal Act immediately after section 14 thereof:—

Member ceasing
to be in
receipt of
additional
salary.

14a. (1) Where a member ceases to be in receipt of additional salary, and immediately before he so ceased to be in receipt of that salary there was in force in relation to that additional salary an election under subsection (3) of section 14 of this Act, that member may elect to continue to contribute to the Fund, until he again becomes in receipt of additional salary, an amount not exceeding the amount that he was contributing in respect of that additional salary immediately before he ceased to be in receipt thereof and that member may at any time discontinue such contributions.

(2) A contribution under this section shall be paid to the Fund on each occasion that, had it not been for the fact that the member had ceased to be entitled to additional salary, a deduction would have been made by the Treasurer from the amount of that additional salary.

(3) For the purposes of section 17 of this Act contributions to the Fund made pursuant to an election under this section shall be regarded as contributions to the Fund made pursuant to an election under subsection (3) of section 14 of this Act.

3. Section 16 of the principal Act is amended—

Amendment of
principal Act,
s. 16—
Entitlement of
a pension on
retirement.

(a) by striking out paragraph (a) and inserting in lieu thereof the following paragraph:—

(a) has retired involuntarily having had not less than six years' service;;

and

(b) by striking out paragraph (c) and inserting in lieu thereof the following paragraph:—

(c) having attained the age of sixty years has retired voluntarily having had not less than six years' service,.

4. Section 17 of the principal Act is amended—

Amendment of
principal Act,
s. 17—
Amount of
pension on
retirement.

(a) by striking out from subsection (1) the passage "subsection (2) of";

(b) by striking out from subsection (1) the word "seventy" and inserting in lieu thereof the word "seventy-five";

and

(c) by inserting immediately after subsection (2) the following subsections:—

(3) Where a member who is entitled to a pension on his voluntary retirement retires at any time after—

(a) the day on which he first becomes so entitled;

or

(b) the day on which a determination made pursuant to the Parliamentary Salaries and Allowances Act, 1955-1966, in relation to his salary, last took effect,

whichever such day is the later, and at any time after that day and before the day on which he actually retires the amount of pension under this Act is adjusted pursuant to section 35 of this Act, the amount of pension that shall be payable to that member shall be the greater of—

(c) the amount of pension that would have been payable to him on the day he actually retired if he had retired on the day immediately following the later of the days mentioned in paragraphs (a) and (b) of this subsection;

or

(d) the amount of pension that would have been payable to him had this subsection not been enacted.

(4) Where a member who is entitled to a pension on his involuntary retirement retires involuntarily at any time after—

(a) the day on which he first became so entitled;

or

(b) the day on which a determination made pursuant to the Parliamentary Salaries and Allowances Act, 1955-1966, in relation to his salary, last took effect,

whichever such day is the later and at any time after that day and before the day on which he actually retires the amount of pension under this Act is adjusted pursuant to section 35 of this Act, the amount of pension that shall be payable to that member shall be the greater of—

(c) the amount of pension that would have been payable to him on the day he actually retired involuntarily if he had retired involuntarily on the day immediately following the later of the days mentioned in paragraphs (a) and (b) of this subsection;

or

(d) the amount of pension that would have been payable to him had this subsection not been enacted.

Amendment of
principal Act,
s. 21—
Commutation
of pension.

5. Section 21 of the principal Act is amended by striking out from subsection (1) the word "A" being the first word in that subsection and inserting in lieu thereof the passage "Subject to section 21a of this Act, a".

Enactment of
s. 21a of
principal Act—

6. The following section is enacted and inserted in Division II of Part IV of the principal Act immediately after section 21 thereof:—

Application of
section 21 to
certain member
pensioners.

21a. In the application of section 21 of this Act to a member pensioner who has had not less than twenty years' service the second schedule to this Act shall apply and have effect as if for the expression "30%" therein there was substituted the expression "40%".

Repeal of
s. 26 of
principal Act
and enactment
of section in
its place—
Spouse
pension.

7. Section 26 of the principal Act is repealed and the following section is enacted and inserted in its place:—

26. A spouse pension payable under this Division shall be payable for the life of the spouse.

Repeal of
s. 33 of
principal Act
and enactment
of section in
its place—
Spouse
pension
continued.

8. Section 33 of the principal Act is repealed and the following section is enacted and inserted in its place:—

33. A spouse pension continued under section 32 of this Act shall be payable for the life of the spouse.

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

M. L. OLIPHANT, Governor