

South Australia



# STATUTES AMENDMENT (CLOSURE OF SUPERANNUATION SCHEMES) ACT 1994

No. 46 of 1994

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**ELIZABETHAE II REGINAE**

A.D. 1994

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**No. 46 of 1994**

**An Act to amend the Superannuation Act 1988 and the Police Superannuation Act 1990.**

[Assented to 9 June 1994]

The Parliament of South Australia enacts as follows:

**PART 1  
PRELIMINARY**

**Short title**

1. This Act may be cited as the *Statutes Amendment (Closure of Superannuation Schemes) Act 1994*.

**Commencement**

2. (1) Subject to subsection (2), this Act will be taken to have come into operation on 3 May 1994.

(2) Part 4 will come into operation on 1 October 1994.

**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 SUPERANNUATION ACT 1988**

**Amendment of s. 7—Functions of the Board**

4. Section 7 of the principal Act is amended by striking out subsection (2).

**Amendment of s. 22—Entry of contributors to the scheme**

5. Section 22 of the principal Act is amended by inserting after subsection (9) the following subsections:

(10) Subject to subsection (11), an application for acceptance as a contributor under subsection (1) must be made on or before 3 May 1994.

(11) A person who commenced employment to which this Act applies on or after 3 February 1994 pursuant to a written offer received by the person on or before 3 May 1994 may make an application for acceptance as a contributor under subsection (1) on or before 3 August 1994 or the expiration of three months after the employment commenced whichever is the later.

(12) An application under subsection (1) will be taken to have been made on the day on which the application was received by the Board.

### PART 3 AMENDMENT OF POLICE SUPERANNUATION ACT 1990

#### **Amendment of s. 16—Contributors**

6. Section 16 of the principal Act is amended by inserting after subsection (1) the following subsections:

(1a) Subject to subsection (1b), a person who becomes a member of the police force on or after 4 May 1994 is not entitled and is not obliged to contribute to the Scheme.

(1b) Subsection (1a) does not apply to—

- (a) a person who becomes a member of the police force pursuant to a written offer of employment as a member of the police force made before 4 May 1994;
- (b) a person who becomes a member of the police force following a period of cadetship that commenced on or before 31 May 1994.

#### **Amendment of s. 20—Application of this Part**

7. Section 20 of the principal Act is amended—

- (a) by inserting after "of this Act" in subsection (2) "but before 1 June 1994";
- (b) by striking out from subsection (3) "A cadet" and substituting "A cadet referred to in subsection (2)".

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**PART 4**  
**FURTHER AMENDMENT OF SUPERANNUATION ACT 1988 AND**  
**POLICE SUPERANNUATION ACT 1990**

**Amendment of Superannuation Act 1988**

8. The *Superannuation Act 1988* is amended by striking out subsections (10), (11) and (12) of section 22.

**Amendment of Police Superannuation Act 1990**

9. The *Police Superannuation Act 1990* is amended—

- (a) by striking out subsections (1a) and (1b) of section 16;
- (b) by striking out from subsection (2) of section 20 "but before 1 June 1994";
- (c) by striking out from subsection (3) of section 20 "referred to in subsection (2)".

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

ROMA MITCHELL Governor