

# Hospitals Superannuation Bill

No.

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*Clause*

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# LEGISLATIVE ASSEMBLY

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Read 1 13 April 1988

*(Brought in by Mr Jolly and Mr Fordham)*

## A BILL

to provide improved benefits under the Hospitals Superannuation Fund, to repeal the *Hospitals Superannuation Act* 1965 and certain other Acts and for other purposes.

## Hospitals Superannuation Act 1988

The Parliament of Victoria enacts as follows:

### PART 1—PRELIMINARY

#### Purpose.

1. The purpose of this Act is to—
  - 5 (a) provide improved benefits under the Hospitals Superannuation Fund to employees of participating institutions; and
  - (b) repeal the *Hospitals Superannuation Act* 1965.

#### Commencement.

- 10 2. This Act comes into operation on a day to be proclaimed.

#### Definitions.

3. (1) In this Act—

“Actuary” means—

  - (a) the Government Actuary; or

(b) a Fellow of the Institute of Actuaries of Australia approved by the Treasurer.

“Adjusted member contributions” means the sum of—

(a) the total contributions which would have been made by a member if the salary of the member had always been equal to the salary of the member at the date he or she ceased to be employed; and 5

(b) a percentage of salary at the date he or she ceased to be employed determined by the Board having regard to the period of membership and contributions under a public sector superannuation fund and any benefits paid to the member from that fund; and 10

(c) a percentage of salary at the date he or she ceased to be employed determined by the Board having regard to any money or other assets transferred from an approved superannuation arrangement. 15

“Adjusted final Fund salary” means the lesser of—

(a) a member’s Fund salary immediately before the member became entitled to a benefit or attained the age of 65 years (whichever sooner occurs); and 20

(b) the greater of—

(i) a member’s average Fund salary during the last 3 years before the member became entitled to a benefit or attained the age of 65 years, whichever sooner occurred (or any lesser period for which the member was a pension contributor); and 25

(ii) the sum referred to in sub-paragraph (i) multiplied by  $\frac{A + B}{2B}$ , where—

A is such Average Weekly Earnings Index as the Treasurer on the recommendation of the Government Actuary from time to time determines, being an Index that is published by the Commonwealth Statistician in respect of the last full quarter before the member became entitled to the benefit or attained the age of 65 years, as the case requires; 30 35

B is such Average Weekly Earnings Index as the Treasurer on the recommendation of the Government Actuary from time to time determines, being an Index that is published by the Commonwealth Statistician in respect of the corresponding quarter 3 years earlier or, if the member was a contributor for less than 3 years before the member became entitled to the benefit or attained the age of 65 years, as the case requires, the last 40 45

complete corresponding quarter before the member became a contributor.

5        **“Board”** means the Hospitals Superannuation Board constituted by the *Hospitals Superannuation Act 1965* and continued under this Act.

**“Contributor”** means—

- 10        (a) a member who makes contributions under this Act; and  
       (b) any person who is to be taken to be a contributor for the purposes of this Act by this or any other Act; and  
       (c) a member who has made contributions but elects to cease to make contributions.

**“Dependant”** means in relation to a deceased member or former member—

- 15        (a) the spouse or any child of the member or former member; or  
       (b) any other person who in the opinion of the Board was at the date of death of the member or former member wholly or partially dependent on the member or former member or who at that date had a legal right to look to the member or former member for financial support.

20        **“Disability”**, in relation to a member, means the inability of the member before the age of 60 years due to a continuing or recurring injury, disease or infirmity to perform his or her duties or any other duties for which he or she is suited by education, training or experience or for which he or she would be suited as a result of retraining.

25        **“Fund”** means the Hospitals Superannuation Fund established under the *Hospitals Superannuation Act 1965* and continued under this Act.

30        **“Fund salary”** in relation to a member means—

- (a) his or her salary on the day he or she became a member; or  
       (b) where the Board has fixed his or her salary for the purposes of this Act—that salary.

35        **“Government Actuary”** means the Government Statist under the *Statistics Act 1958* in the capacity of Government Actuary.

**“Hospitals Superannuation Act 1965”** means the *Hospitals Superannuation Act 1965* as in force immediately before the commencement of section 60 (1).

40        **“Member”** means an employee of a participating institution.

**“Minimum retirement age”** means the age of 55 years.

**“Prescribed”** means prescribed by the regulations.

45        **“Resignation”** means the termination of service (however expressed) by a member before he or she has attained the minimum retirement age.

**“Retrenchment” means—**

- (a) the compulsory termination of the service of a member who has not attained the minimum retirement age—
- (i) for the reason that in the opinion of the Board the member’s service or position is not necessary; or 5
  - (ii) for the reason that in the opinion of the Board the work for which the member was engaged is finished (except in the case of the expiration of a contracted period of service or the completion of a contracted task); or
  - (iii) for the reason that in the opinion of the Board the quantity of work has diminished and has rendered necessary a reduction in the number of employees; or 10
  - (iv) in the case of an employee who is an apprentice or trainee nurse, by the non-employment of the apprentice or the trainee nurse by a participating institution or a prescribed person or body within 6 months of the expiry of the period of apprenticeship or traineeship; or 15
- (b) the voluntary termination of service by a member who has not attained the minimum retirement age which in the opinion of the Board is effected in anticipation of a compulsory termination as is referred to in paragraph (a). 20

**“Salary”** means the pecuniary emoluments payable to a member as prescribed.

**“Service”** means service or employment as a member within the meaning of this Act and in relation to any qualifying period of service includes any service or employment recognised by the Board. 25

**“Spouse”** in relation to a deceased member or pensioner means the widow or widower of that member or pensioner.

(2) A reference in this Act to periods of service or contributory membership in years includes fractions for any completed months. 30

#### **Application of Act.**

4. (1) This Act does not apply to an employee while he or she is a member of a prescribed superannuation scheme.

(2) Basic benefits under section 35 (1) are payable in accordance with this Act on and from 1 January 1988. 35

(3) Any employee of a participating institution who for any reason left that employment on or after 1 January 1988 but before the commencement of this Act is entitled to apply to the Board for the prescribed benefits. 40

**PART 2—HOSPITALS SUPERANNUATION BOARD****Hospitals Superannuation Board.**

5. (1) There is established a body corporate called the Hospitals Superannuation Board.

(2) The Board—

- 5 (a) has perpetual succession; and  
(b) has a common seal; and  
(c) may sue and be sued in its corporate name; and  
10 (d) is capable of taking, purchasing, leasing, holding, selling, exchanging and disposing of real and personal property for the purposes of this Act; and  
(e) may do and suffer all acts and things which a body corporate may by law do and suffer and which are necessary or expedient for the purposes of this Act.

(3) The common seal of the Board—

- 15 (a) can only be attached to a document if the Board so resolves; and  
(b) must be authenticated by the signature of 1 member of the Board and an officer authorised by the Board.

**Objectives and duties of the Board.**

20 6. (1) The following are the objectives of the Board:

- (a) To collect contributions;  
(b) To manage and invest the Fund so as to maximize the return earned on the Fund having regard to—  
25 (i) the need to provide for payments out of the Fund; and  
(ii) the need to exercise reasonable care and prudence so as to maintain the integrity of the Fund;  
(c) To administer the payment of benefits having due regard to the need for equity among members, pensioners and beneficiaries.

30 (2) It is the duty of the Board to—

- (a) establish policies in respect of the administration of this Act and the investment of money standing to the credit of the Fund and to adopt strategies designed to achieve those policies; and  
35 (b) determine, authorise or approve programs for the administration of this Act and the investment of money standing to the credit of the Fund; and  
(c) ensure that the decisions and operations of the Board are directed towards achieving its objectives; and

- (d) ensure that the Board has, or has access to, the skills, facilities and resources required to achieve its objectives; and
  - (e) subject to sub-section (3), inform members about the management and investment of the Fund including making available to members at least once in each year a summary of information relating to the management and investment of the Fund; and 5
  - (f) subject to sub-section (3), liaise with relevant industrial organisations concerning the interests of members and inform those organisations about the management and investment of the Fund; and 10
  - (g) ensure that the Board conducts its operations in an efficient manner.
- (3) In performing its duties under sub-sections (2) (e) and (2) (f) the Board must have regard to the need to protect information the disclosure of which could adversely affect the financial position of the commercial or other operations of the Board. 15
- (4) If the Treasurer at any time gives to the President—
- (a) a statement of government policy on any matter that is relevant to the performance of the duties of the Board; and 20
  - (b) a request that the Board consider that policy in the performance of its duties—
- the Board must ensure that consideration is given to that policy.
- (5) The Board must publish any statement under sub-section (4) in its next annual report together with the results of its consideration. 25

#### **Membership of Board.**

7. (1) The Board is to consist of 7 members appointed by the Governor in Council of whom 1 is to be appointed as President on the nomination of the Treasurer.
- (2) Of the persons (other than the President) appointed to the Board— 30
- (a) 3 (of which at least 1 must be a female and 1 a male) must be nominated by the Treasurer; and
  - (b) 3 (of which at least 1 must have been a contributor for a continuous period of at least 3 years before being elected) must be members of the Fund elected by members of the Fund. 35
- (3) Elections for the purposes of this section must be held in accordance with the regulations.
- (4) If there is no candidate at an election or if for any reason no person is elected in an election, the Governor in Council may appoint a person to be a member even though that person has not been elected. 40



(5) The members of the Board in office immediately before the commencement of this section continue in office for the remainder of their terms of appointment under section 4 of the *Hospitals Superannuation Act 1965*.

#### 5 Term of office.

8. (1) An elected member of the Board is to be a member for 5 years from the date of appointment.

10 (2) A member of the Board (other than an elected member) is to be appointed for a term not exceeding 5 years as is specified in the member's instrument of appointment.

(3) A member of the Board is eligible for re-appointment.

#### Vacancies on Board.

9. (1) A member of the Board ceases to be a member if that person—

15 (a) becomes bankrupt; or

(b) is absent, without leave first granted by the Board, from 3 consecutive meetings of which reasonable notice has been given to that member personally or by post; or

(c) attains the age of 70 years; or

20 (d) being an elected member, ceases to be a member of the Fund; or

(e) resigns his or her office by writing signed and addressed to the Governor in Council; or

25 (f) becomes permanently incapable of performing the duties of office.

(2) If a member of the Board (other than an elected member) dies or otherwise ceases to be a member, the Governor in Council may appoint a person to fill the vacancy.

30 (3) Subject to sub-section (4), if an elected member dies or ceases to be a member or is removed from office, the Governor in Council must as soon as possible appoint a person who has been elected to fill the vacancy for the remainder of the term of the vacant office.

(4) An election is not required under sub-section (3) if the remainder of the term is not more than 6 months.

#### 35 Deputies.

10. (1) In the case of the illness, suspension or absence of the President or any other member of the Board, the Governor in Council may appoint a deputy to act for the President or member as the case may be during the illness, suspension or absence.

(2) If the member is an elected member, the deputy must be a person who is eligible for election to that member's position on the Board.

(3) A deputy has while acting as the President or a member the powers and authority of the President or member.

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#### **Removal or suspension of members.**

11. A member of the Board may be removed or suspended from office by the Governor in Council for misbehaviour or incompetence while performing the duties of that person as a member.

#### **Payment of members.**

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12. Each member of the Board is entitled to be paid remuneration as the Governor in Council fixes for each member from time to time.

#### **Procedure of Board.**

13. (1) Except as otherwise provided, all powers, duties and authorities of the Board may be exercised or performed at any meeting of the Board at which not less than 5 members are present.

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(2) No business can be transacted unless there are at least 5 members present.

(3) During any vacancy in the Board the continuing members may subject to there being a quorum act as if there were no vacancy.

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(4) The Board may hold its meetings at any time and place it appoints and may adjourn a meeting.

(5) The President must preside at all meetings of the Board at which the President is present.

(6) If the President is not present at any meeting of the Board, the member who is senior in order of date of first appointment must preside at the meeting.

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(7) The President or other member presiding at any meeting of the Board has a deliberative vote only.

#### **Staff of the Board.**

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14. (1) Subject to the approval of the Treasurer, the Board may—

(a) appoint a secretary and any other staff necessary for the purposes of this Act; and

(b) fix the salaries or other remuneration to be paid to them.

(2) The Board may engage an actuary to advise it in relation to the administration of the Fund.

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**Delegation.**

15. The Board may, by an instrument of delegation under its common seal, delegate—

- 5 (a) to the President, a member of the Board or a member of the staff of the Board, any power or duty of the Board under this Act, other than this power of delegation; or
- 10 (b) to the President, a member of the Board or a member of the staff of the Board or to any other person or corporation approved by the Treasurer for the purposes of this section, any power or duty of the Board under the *Borrowing and Investment Powers Act 1987*.

**PART 3—HOSPITALS SUPERANNUATION FUND****Hospitals Superannuation Fund.**

15 16. (1) The Fund called the “Hospitals Superannuation Fund” is continued under this Act.

(2) Income derived from investment of the Fund forms part of the Fund.

(3) Unless otherwise provided in this Act, all assets coming into the possession of the Board form part of the Fund.

- 20 (4) Any amount standing to the credit of—
- (a) the Additional Payments Fund established under section 32B of the *Hospitals Superannuation Act 1965*; and
- (b) the Pension Contributors’ Fund established under section 35v of the *Hospitals Superannuation Act 1965*; and
- 25 (c) the Institutions’ Fund established under section 35w of the *Hospitals Superannuation Act 1965*; and
- (d) the Pensions Fund established under section 35x of the *Hospitals Superannuation Act 1965*; and
- 30 (e) members’ accounts under the *Hospitals Superannuation Act 1965*—

immediately before the commencement of this Act is to be transferred to the Fund.

**The Management Account.**

35 17. (1) The Board must keep an account called the Management Account.

- (2) The Board must credit to the Management Account—
- (a) any money appropriated from time to time by the Board from the Fund; and
- 40 (b) any amount standing to the credit of the Management Account established under section 15 of the *Hospitals*

*Superannuation Act* 1965 immediately before the commencement of this Act.

- (3) The Board must debit to the Management Account—
- (a) the remuneration paid to members of the Board; and
  - (b) the salaries or other remuneration paid to persons employed by the Board; and 5
  - (c) the expenses (including rent paid for the use of premises) which the Board incurs in administering the Fund and carrying out its functions under this Act.

**The Welfare Account.** 10

18. (1) The Board may keep an account called the Welfare Account.

(2) The Board may credit to the Welfare Account—

- (a) any amount standing to the credit of the Welfare Account established under section 14 of the *Hospitals Superannuation Act* 1965 immediately before the commencement of this Act; and 15
- (b) any money appropriated from time to time by the Board from the Management Account which the Board considers is not necessary for the expenses of the Board in administering the Fund and carrying out its functions under this Act and should be credited to the Welfare Account. 20

(3) The Board may make a grant or loan from the Welfare Account for the relief of distress and hardship due to sickness or any other cause to—

- (a) a contributor; or 25
- (b) a former contributor; or
- (c) any dependants of a contributor or former contributor.

(4) A loan or grant may be—

- (a) made with or without security; and
- (b) subject to any terms or conditions the Board considers appropriate. 30

(5) The Board may credit to the Management Account any amount the Board considers is not required for the purposes of sub-section (3) standing to the credit of the Welfare Account.

**Borrowing and investment powers.** 35

19. The Board has the powers conferred on it by the *Borrowing and Investment Powers Act* 1987.

**Accounts and records.**

- 5       **20.** (1) The Board must ensure that there are kept proper accounts and records of the transactions and affairs of the Board and any other records as will sufficiently explain the financial operations and financial position of the Board.
- (2) The Board must do all things necessary to—
- (a) ensure that all money payable to the Board is properly collected; and
- 10       (b) ensure that all money expended by the Board is properly expended and properly authorised; and
- (c) ensure that adequate control is maintained over assets owned by or in the custody of the Board; and
- (d) ensure that all liabilities incurred by the Board are properly authorised; and
- 15       (e) ensure efficiency and economy of operations and the avoidance of waste and extravagance; and
- (f) develop and maintain an adequate budgeting and accounting system; and
- (g) develop and maintain an adequate internal audit system.

**20 Annual report.**

- 21.** (1) The Board must, in respect of each financial year, prepare an annual report containing—
- (a) a report of its operations during the financial year; and
- 25       (b) financial statements for the financial year—
- and submit the report to the Treasurer not later than 30 November next following the financial year.
- (2) The report of operations referred to in sub-section (1) (a) must—
- (a) be prepared in a form and contain information determined by the Board to be appropriate; and
- 30       (b) contain any further information required by the Treasurer.
- (3) The financial statements referred to in sub-section (1) (b) must—
- (a) contain information determined by the Treasurer to be appropriate; and
- 35       (b) be prepared in a manner and form approved by the Treasurer; and
- (c) present fairly the results of the financial transactions of the Board during the financial year to which they relate and the financial position as at the end of that year; and
- 40       (d) be signed by the principal accounting officer (by whatever name called) of the Board and by the President and one other member of the Board who must—

- (i) state whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Board during the financial year to which they relate and whether they sufficiently explain the financial position of the Board as at the end of the financial year; and 5
- (ii) state whether, at the date of signing the financial statements, they were aware of any circumstances that render any particulars included in the statements misleading or inaccurate and, if so, particulars of the circumstances; and 10
- (e) be audited as required by section 22 (1).
- (4) The Treasurer must cause each annual report submitted to the Treasurer under this section to be laid before the Legislative Council and the Legislative Assembly before the expiration of the seventh sitting day of the Legislative Council or the Legislative Assembly, as the case may be, after the annual report has been received by the Treasurer. 15
- (5) If the Board fails to submit an annual report to the Treasurer—
- (a) if an extension has not been granted under sub-section (7)—by 30 November in any year; or 20
- (b) if an extension has been granted—by the date to which the extension was granted—
- the Treasurer must report or cause to be reported that failure and the reasons for the failure to each House of the Parliament.
- (6) The Board may apply in writing to the Treasurer for an extension of the date by which an annual report is to be submitted to the Treasurer. 25
- (7) The Treasurer may in writing grant to the Board an extension to a date determined by the Treasurer.
- (8) The Treasurer must advise or cause to be advised each House of the Parliament of each extension granted under this section and the reasons for the extension. 30
- (9) This section does not apply to the Board if, as a result of an order made under the *Annual Reporting Act* 1983, the Board is required to submit an annual report under that Act.
- Audit.** 35
22. (1) The financial statements referred to in section 21 must be audited by the Auditor-General.
- (2) The Auditor-General has, in respect of the audit of those financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts. 40
- (3) Without limiting the generality of sub-section (2), the Auditor-General and each officer of the Auditor-General—

(a) has right of access at all times to the books of the Board; and

5 (b) may require from a member of staff of the Board any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit.

(4) The Board must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.

#### 10 Actuarial investigation of the Fund.

23. (1) The Board must arrange for an actuarial investigation into the financial position of the Fund as at 30 June 1989 and at the end of each following period of 3 years to be made by an actuary appointed by the Board.

15 (2) The Board must submit the actuary's report of the investigation to the Treasurer within 12 months after the end of each period of 3 years.

20 (3) The Treasurer must cause each actuary's report submitted to him or her to be laid before the Legislative Council and the Legislative Assembly before the expiration of the seventh sitting day of the Legislative Council or the Legislative Assembly, as the case may be, after the actuary's report has been received by the Treasurer.

#### PART 4—PART-TIME AND CASUAL EMPLOYEES

##### Definitions applying to this Part only.

25 24. (1) In this Part—

“Casual employee” means a casual employee as defined by the relevant award determinations.

30 “Comparable full-time employee” in relation to a casual or part-time employee means an employee who is employed in similar employment to the casual or part-time employment on a full-time basis, whether or not there is such an employee.

35 “Full-time employee” means an employee who is deemed by the Board to have been employed on a full-time basis throughout the year.

“Part-time employee” means an employee (not being a full-time employee)—

40 (a) in respect of whom his or her employer certifies in writing to the Board is employed at any time on a basis which requires him or her to render part-time service; or

(b) who is deemed by the Board to be a part-time employee.

**“Pro rata”** in relation to a casual or part-time employee means—

$$\frac{A}{B} \text{ where—}$$

A is the total service of the casual or part-time employee;

B is the total service that the casual or part-time employee would have rendered if he or she had been a comparable full-time employee throughout his or her service as a casual or part-time employee. 5

**“Total service”** in relation to an employee means the total in years of his or her continuous service, whether as a full-time, casual or part-time employee, and where that total is relevant to the calculation of benefits on death or retirement on grounds of disability, includes prospective service. 10

(2) The service of a casual or part-time employee is to be the proportion that his or her actual part-time service bears to the service that a comparable full-time employee would have been required to render. 15

(3) The prospective service of a casual or part-time employee at any time is to be calculated on the proportion that his or her average service over the preceding 3 years or his or her period of membership of the Fund (whichever is the lesser) bears to the service which would have been required of a comparable full-time employee over the same period. 20

**Act applies subject to principles and rules for casual and part-time employees.**

25. (1) This Act applies to a casual or part-time employee subject to and in accordance with the principles and subject to the rules and modifications provided in this section. 25

(2) If—

(a) the service of a casual or part-time employee follows continuously upon his or her service as a full-time employee; or 30

(b) the service of a full-time employee follows continuously upon his or her service as a casual or part-time employee—

his or her period of service as a full-time employee is to be added to his or her period of service as a casual or part-time employee. 35

(3) The contributions to be paid by a part-time employee are that proportion of the contributions that would be payable by a comparable full-time employee which the service of the part-time employee at the time the contributions fall due bears to the service of a comparable full-time employee. 40



(4) If a contributor has been a full-time employee and a part-time employee his or her benefits on retirement or death are to be calculated pro-rata to the benefits payable to a comparable full-time employee.

#### PART 5—CONTRIBUTIONS

##### 5 **Participating institutions.**

26. (1) With the approval of the Treasurer the Board may declare that an institution be admitted as a participating institution.

(2) The declaration must specify whether a participating institution is Class A or Class B.

10 (3) A declaration must specify the day on which an institution becomes a participating institution.

(4) The Board may admit a Class B institution subject to any terms and conditions it considers appropriate.

15 (5) The Board may vary the terms and conditions under sub-section (4).

20 (6) If a member has resigned or been granted leave of absence to undertake full-time employment as an official with a trade union or professional employee association approved by the Minister that trade union or professional employee association may be treated as a participating institution in relation to that contributor.

##### **Transfer between classes of participating institutions.**

27. (1) With the approval of the Treasurer the Board may declare that—

25 (a) a class A participating institution is to be a Class B participating institution; or

(b) a Class B participating institution is to be a Class A participating institution.

(2) The declaration must specify the day on which the transfer of classification is to take effect.

##### 30 **Withdrawal of Class B participating institutions.**

28. (1) After giving the Board at least 6 months notice of its intention to withdraw from the Fund, a Class B participating institution may cease to be a participating institution.

35 (2) If the Treasurer is satisfied that there is a special reason he or she may permit a Class B participating institution to give less than 6 months notice subject to any terms and conditions specified by the Treasurer.

(3) The Board may make any determination or arrangement it considers appropriate to secure the rights of any contributor employed by an institution that has ceased to be a participating institution.

**Contributions by participating institutions.**

29. (1) The Board may determine the contributions to be paid into the Fund by a participating institution in respect of each of its employees. 5
- (2) Contributions under sub-section (1) may be calculated—
- (a) as a percentage of salary; or
  - (b) as a multiple of an employee's contribution; or 10
  - (c) as a proportion of the benefit payable; or
  - (d) any combination of the methods specified in paragraphs (a), (b) and (c).
- (3) The Board may determine separately a contribution for— 15
- (a) basic benefits; and
  - (b) optional contributory benefits.
- (4) The Board may make separate determinations for—
- (a) Class A participating institutions; and
  - (b) Class B participating institutions; and
  - (c) any particular Class B participating institution. 20

**Contributions by members.**

30. (1) Except as provided in section 31, a member not being a casual employee, must make contributions to the Fund at a rate specified in the following Table at the election of the member:

**TABLE OF CONTRIBUTIONS** 25

**Contribution as a percentage of salary.**

Nil

3.0%

6.0%

(2) Subject to section 31, until a member makes an election he or she is to be treated as having elected not to contribute. 30

(3) A member may elect to change his or her rate of contribution not more than once a year.

(4) An election continues in force until another election is made in accordance with this section. 35

(5) If a member becomes entitled to the maximum accrued retirement benefit or attains the age of 65 years no further contributions are to be made.

**Contributions by existing members.**

- 5        31. (1) Despite section 30, a person who is a member immediately before the commencement of this Act may with the approval of the Board elect within 3 months of that commencement to continue to contribute at the rate that he or she was contributing before that commencement.
- 10       (2) Until an election is made under section 30 or sub-section (1), a person who is a member immediately before the commencement of this Act is to be treated as having elected to continue to contribute at the rate that he or she was contributing before that commencement.

**Supplementary contributions by members.**

- 15       32. (1) The Board may accept a supplementary contribution from a contributor made in accordance with the regulations.
- (2) A contributor who makes supplementary contributions is entitled to the prescribed additional benefits.

**PART 6—BENEFITS**

20       **Basic benefit.**

33. (1) Except in the case of death or disability, a member is entitled to a basic benefit equal to 3 per cent of the salary of the member for each year and completed month of membership on or after 1 January 1988 and interest at the prescribed rate.
- 25       (2) In the case of death or disability, a member is entitled to a basic benefit equal to—
- (a) the basic benefit under sub-section (1); and
- (b) 3 per cent of adjusted final Fund salary multiplied by the number of years from the date of death or disability until age 60.
- 30       (3) A basic benefit under this section is payable—
- (a) on the death of the member; or
- (b) on the disability of the member; or
- 35       (c) on the request of the member at any time after ceasing to be employed by a participating institution from the age of 55 years; or
- (d) at any time on the resignation of the member in cash at the request of the member if the basic benefit is equal to less than 10 percent of the adjusted Final Fund Salary—
- 40       whichever first occurs.

(4) The basic benefit under sub-section (2) is payable—

- (a) in the case of the death of the member, to his or her dependants; and
- (b) in the case of the disability of the member, to the member.

(5) The basic benefit under sub-section (1) is payable in the case of the death of the member to his or her personal representative if there are no dependants. 5

**Contributory benefit on retirement due to age.**

34. (1) The accrued retirement benefit of a contributor is the sum of— 10

- (a) 9 per cent of the adjusted final Fund salary of the member for each year of membership in which he or she contributed 3 per cent of salary to the Fund; and
- (b) 18 per cent of the adjusted final Fund salary of the member for each year of membership in which he or she contributed 6 per cent of salary to the Fund. 15

(2) The accrued retirement benefit of a contributor must not exceed 7.2 times the adjusted final Fund salary of that member.

(3) Subject to sub-section (2), on the retirement of a contributor, the Board must pay to him or her a lump sum equal to his or her accrued retirement benefit. 20

**Contributory benefit on death before retirement.**

35. (1) On the death of a contributor who has not attained the age of 60 years before retirement the Board must apportion between those of his or her dependants that the Board considers appropriate a lump sum equal to the accrued retirement benefit which would have become payable if the contributor had retired at 60 years of age and was contributing at 6 per cent of salary from the date of death until the date of retirement as if his or her salary at death had been his or her salary at age 60 and counting the service recognised by the Board which would have been completed by that age. 25 30

(2) On the death of a contributor who has attained the age of 60 years before retirement the Board must apportion between those of his or her dependants that the Board considers appropriate a lump sum equal to his or her accrued retirement benefit. 35

(3) If on the death of a contributor before retirement there are no dependants, the Board must pay to his or her personal representative a lump sum equal to—

- (a) the amount referred to in section 33 (1); and
- (b) adjusted member contributions. 40

(4) A contributor may register the names of persons which he or she considers to be his or her dependants (other than a spouse or child) with the Board for the purposes of this section.

5 (5) The Board may assume that there are no dependants for the purposes of sub-section (3) if—

(a) no dependants have been registered under sub-section (4);  
and

(b) the Board has not received any claims by dependants within 12 months of the death of the member.

### 10 **Contributory benefit on retirement through disability.**

15 36. (1) If a contributor retires on the ground of disability before the age of 60 years he or she is entitled to a pension for life at the rate of one-twelfth of the accrued retirement benefit which would have been payable if the member had retired at 60 years of age and was contributing at 6 per cent of salary from the date of retirement until the date on which he or she would attain 60 years of age as if his or her salary at the date of retirement had been his or her salary at age 60 and counting the service recognised by the Board which would have been completed by that age.

20 (2) If a contributor continues to receive a pension under sub-section (1) until he or she attains 65 years of age, he or she may elect to receive a lump sum equal to his or her accrued retirement benefit calculated at the date of disability instead of continuing to receive a pension under sub-section (1).

25 (3) Despite sub-sections (1) and (2), the Board may at its discretion determine that instead of the pension at the rate under sub-section (1) the member is to receive—

(a) a lump sum equal to a part of the accrued retirement benefit;  
and

30 (b) a pension at the rate of one-twelfth of the balance of the accrued retirement benefit—

in the proportions determined by the Board.

35 (4) If the member dies before attaining the age of 65 years the Board must pay to the dependants or other persons that it determines a lump sum equal to  $D \frac{(312 - X)}{312}$

where—

D means the accrued retirement benefit that would have been payable if he or she had died on the date of retirement;

X means the number of instalments of pension already paid.

**Contributory benefit on resignation.**

37. (1) If a contributor resigns he or she is entitled to—

(a) a cash benefit equal to the adjusted member contributions;  
and

(b) for each year of service whether before or after the commencement of this Act in excess of 5 years, 5 percent of the balance of the accrued retirement benefit up to a maximum of 100 percent of the balance of the accrued retirement benefit after 25 years of service. 5

(2) For the purposes of sub-section (1) (b) "service" includes up to 10  
12 months unpaid parental leave for each confinement if the contributor has returned for at least 12 months of paid employment after the period of unpaid parental leave.

(3) The deferred benefit is payable to the contributor on the request of the contributor to the Board at any time after ceasing to be an employee of a participating institution from the age of 55 years until the age of 65 years. 15

(4) The deferred benefit is payable—

(a) in the case of the death of the contributor, upon his death to his or her dependants, or if there are no dependants, to his or her personal representative; or 20

(b) in the case of the disability of the contributor, when the contributor becomes disabled, to the contributor.

**Benefit on retrenchment.**

38. A member who is retrenched is entitled to a lump sum equal to the accrued retirement benefit at the time of his or her retrenchment. 25

**Additional benefits in respect of membership of approved superannuation arrangements.**

39. If the Board has received a transfer of money or other assets from a superannuation arrangement approved by the Treasurer by instrument for the purposes of this section to which a member was contributing before becoming a member, the Board may determine that the accrued retirement benefit of the member is to include an additional benefit equal to the percentage of the salary of the member that is determined by the Board having regard to the period of membership and contributions of the member under that approved superannuation arrangement and any benefits paid to the member from that approved superannuation arrangement. 30  
35

**Transitional benefit for existing members.**

40. The Board must determine the special transitional benefit rights of a member who makes or is treated as having made an election under section 31.

5

**PART 7—GENERAL PROVISIONS****Intermittent service.**

41. (1) If a contributor resigns and resumes employment with a participating institution within a period of 4 weeks he or she is to be taken to have continued as a contributor and no benefits are payable on that resignation.

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(2) A person is to be taken to have continued to be a contributor even though he or she ceases to be employed by a participating institution if—

15

(a) he or she does not accept any benefits in respect of ceasing to be employed; and

(b) he or she notifies the Board of his or her intention to continue as a contributor; and

20

(c) he or she is again employed by a participating institution within 6 months or a further period fixed by the Board in a particular case; and

(d) during the period that he or she is not employed by a participating institution he or she pays to the Board contributions at a rate determined by the Board.

25

(3) A person is to be taken to be a contributor until his or her death or disability even though he or she ceases to be employed by a participating institution if—

(a) he or she does not accept any benefits in respect of ceasing to be employed; and

30

(b) he or she dies or becomes disabled within 6 months or a further period fixed by the Board under sub-section (2) (c); and

35

(c) during the period that he or she is not employed by a participating institution until he or she dies or becomes disabled he or she pays to the Board contributions at a rate determined by the Board.

(4) If a contributor to whom sub-section (2) applies is not again employed by a participating institution due to circumstances other than his or her death or disability he or she—

40

(a) is to be taken to have ceased to be a contributor as at the date he or she ceased to be employed by a participating institution; and

- (b) in addition to any other benefit payable under this Act, is entitled to a refund of the money paid under sub-section (2) (d) and interest at the prescribed rate.

(5) If a contributor to whom sub-section (2) applies is again employed by a participating institution the Board must determine any additional benefit payable to the contributor as a result of payments under sub-section (2) (d). 5

(6) If a contributor ceases to be employed by a participating institution, the Board may, with the approval of the Treasurer, permit the contributor to elect to continue to be a contributor despite the fact that the contributor is not employed by a participating institution. 10

(7) A contributor is to be taken to have continued to be a contributor even though not employed by a participating institution if—

- (a) a contributor makes an election under sub-section (6); and  
 (b) the contributor makes payments to the Board in accordance with sub-section (2) (d) as if the contributor were a person to whom sub-section (2) applies; and 15  
 (c) the contributor's employer, in accordance with arrangements made with the Board, pays to the Board the payments determined by the Board as if the contributor were a person to whom sub-section (2) applies. 20

(8) A contributor who on or after attaining the age of 55 years becomes eligible to contribute to the superannuation scheme administered by the State Superannuation Board of Victoria is not entitled to benefits on ceasing to be employed by a participating institution but must elect— 25

- (a) to receive retirement benefits under this Act; or  
 (b) to continue to be a member in accordance with this Act.

(9) An election under sub-section (8) (b) is of no effect unless—

- (a) it is made in writing; and 30  
 (b) it is made not later than 3 months from the date on which the contributor ceases to be employed by a participating institution; and  
 (c) his or her current employer agrees to pay the employer contributions under this Act. 35

(10) For the purposes of this Act a contributor who has not made an election under sub-section (8) (b) is to be regarded as having made an election under paragraph (a) of that sub-section.

(11) A contributor who makes an election under sub-section (6) or (8) (b) is to be taken to be employed by a participating institution. 40

(12) If a former contributor—

- (a) is employed by a participating institution; and



(b) makes contributions for at least 3 years—

he or she ceases to be entitled to receive deferred benefits but the multiple of his or her adjusted final Fund salary is to be added to any further benefit accruals.

- 5 (13) Contributions in relation to basic benefits will continue to be credited to a member for successive periods of service.

**Leave of absence.**

10 42. (1) A member who is absent on leave without pay by reason of ill-health certified by a medical officer approved by the Board or with reduced pay must pay his or her contributions during or in respect of the period of leave as for a period of service without reduction.

(2) The Board may on the application of the member permit the contributions due during the leave of absence to be paid in smaller sums and at the periods approved by the Board.

15 (3) If a member entitled to basic benefits only is absent on leave without pay otherwise than by reason of ill-health certified by a medical officer approved by the Board—

(a) no further contributions are to be credited to him or her; and

20 (b) interest at the prescribed rate will continue to accrue; and

(c) entitlement to death and disability benefits is suspended—

during that period of absence.

25 (4) If a contributor is absent on leave without pay otherwise than by reason of ill-health certified by a medical officer approved by the Board he or she may elect in respect of contributory benefits—

(a) to pay no contributions; or

30 (b) to pay one-third of the rate of contributions which would be payable by the contributor if he or she had not taken leave and had continued to work at the salary payable to him or her on the date on which the leave commences so as to maintain death and disability benefits; or

35 (c) to pay his or her contributions and the contributions of his or her employer which would be payable if he or she had not taken leave and had continued to work at the salary payable to him or her on the date on which the leave commences.

**Board may require information for purposes of administering Act.**

43. (1) The Board may at any time require—

40 (a) the chief administrator of any administrative unit or any other person or body who or which employs or uses the services of a person who is a member to furnish any returns and information with respect to any person as the Board

may require for the purpose of this Act, including without limiting the generality of the foregoing, particulars of the name, sex, date of birth, date of appointment, date of commencement of duty, rate of salary and changes in the rate of salary and, hours of duty and changes in the hours of duty, of that person; or 5

(b) any member or person entitled to or claiming to be entitled to a benefit to furnish any returns and information (including the report of any legally qualified medical practitioner) as the Board may require for the purposes of this Act. 10

(2) Subject to the *Freedom of Information Act* 1982, the Board must not disclose to any person except a court or the person to whom the report relates information contained in the report of a legally qualified medical practitioner given to the Board under sub-section (1) (b). 15

(3) Despite any Act or rule of law or practice to the contrary, the Board is not prevented on the ground of medical professional privilege from producing in any legal proceedings any report referred to in sub-section (2).

(4) Any person who, without reasonable excuse, fails, neglects or refuses to furnish the information required of him or her under this Act is liable to a penalty of not more than 10 penalty units. 20

**Power of Board to reclassify in certain cases.**

44. (1) If the Board is satisfied that—

(a) a member or former member has failed to fully and honestly disclose any information that he or she was requested to give in relation to his or her classification or reclassification; or 25

(b) the member or former member has given any false or misleading information in relation to his or her classification or reclassification— 30

the Board may reclassify the member or former member as it thinks fit.

(2) Any reclassification takes effect from the day whether or not an earlier day as is specified by the Board.

**Powers of member of Board or authorised officer.**

45. A member of the Board or any officer authorised in writing by the Board may at any reasonable hour enter into and upon any premises of a participating institution for the purposes of inspecting and examining records relating to employees or former employees of that participating institution or relating to persons entitled to or receiving benefits. 40

**Question as to disability determined by Board on medical officer's report.**

46. (1) If any question arises as to—

(a) whether a member is unable by reason of disability to perform his or her duties; and

(b) whether the disability is due to his or her fault—

the question is to be determined by the Board (whether before or after the retirement of the member), after considering, among other things, a report from a legally qualified medical practitioner appointed by the Board as a medical officer for the purposes of this Act.

(2) After the Board receives a report from the medical officer and has made a determination on the issue which is adverse to the member, the member has the right to require the Board to review its determination and obtain a second report from—

(a) a legally qualified medical practitioner mutually agreed upon by the member and the Board; or

(b) if the member and the Board do not agree, a legally qualified medical practitioner appointed by the Treasurer.

**Review of determinations relating to disability.**

47. The Board may review at intervals of not less than one month a determination of a question as to whether a member or former member is disabled or as to the extent of any disability from which a member or former member is suffering.

**Stopping of pension.**

48. If a person who is receiving a pension for disability refuses to be medically examined the Board may stop his or her pension until he or she undergoes examination.

**Pension where WorkCare benefits are payable.**

(1) In this section "current equivalent of the salary on retirement" in relation to a member, means the salary that the Board from time to time determines (having regard to general increases in salary that have occurred since the retirement of the member or the commencement of the payment of weekly payments of compensation to the member under the *Accident Compensation Act* 1985 as the case requires) as being equivalent at any relevant time to the last salary that was payable to the member.

(2) Despite anything to the contrary in this Act, any disability pension payable under this Act to a member who is—

(a) employed by a participating institution; or

(b) entitled to weekly payments of compensation under the *Accident Compensation Act* 1985 for an injury arising out

of or in the course of the member's employment by a participating institution—

must be reduced by the amount (if any) by which the sum of the remuneration that the member is entitled to receive in respect of his or her employment by the participating institution or the weekly payments under the *Accident Compensation Act* 1985 (as the case requires) and any disability pension otherwise payable under this Act exceeds 95 per cent of the current equivalent of the salary on retirement of the member. 5

(3) The benefits payable to a member who—

(a) has been receiving payments under section 36; and 10

(b) ceases to be entitled to weekly payments of compensation under the *Accident Compensation Act* 1985 for an injury arising out of or in the course of the member's employment by a participating institution but who does not for any reason return to duty— 15

are as provided under this Act.

#### **Members of approved superannuation schemes.**

50. (1) In this section "scheme of superannuation" means a scheme for the administration of any assets with the object of providing superannuation payments, annuities, pensions, allowances, lump sum payments or other benefits for employees or former employees or for the spouses, children, dependents or legal personal representatives of employees or former employees. 20

(2) The Governor in Council, on the recommendation of the Treasurer, may by Order published in the *Government Gazette* declare a scheme of superannuation to be an approved superannuation scheme for the purposes of this section. 25

(3) Despite anything to the contrary in this Act a member who becomes eligible to be a member of an approved superannuation scheme may within 3 months of becoming eligible elect to cease to contribute in accordance with this Act and, subject to sub-section (5), cease to be a member for the purposes of this Act. 30

(4) A person ceasing to be a member under sub-section (3) is entitled to a deferred retirement benefit equal to the basic benefit and the accrued retirement benefit. 35

(5) Despite anything to the contrary in this Act, a member of an approved superannuation scheme who has made an election under sub-section (3) is not entitled to contribute in accordance with this Act while remaining a member of the approved superannuation scheme but, subject to this Act, on ceasing to be a member of the approved superannuation scheme again becomes a member for the purposes of this Act. 40

**Beneficiaries' accounts.**

51. (1) In this section—

“beneficiary” means a person who is entitled under this Act to a lump sum payment.

5 “beneficiary’s account” means an account with the Board in the name of the beneficiary.

(2) A beneficiary may elect to defer the payment of part or all of that lump sum payment and require the Board to transfer the deferred payment to a beneficiary’s account.

10 (3) If all or part of a lump sum payment to which a beneficiary is entitled is not paid within 21 days of the beneficiary becoming entitled to it, the beneficiary is to be taken to have elected under sub-section (1) to defer the payment of that lump sum payment or that part of the lump sum payment (as the case requires) on the date on which the  
15 beneficiary became entitled to the payment.

(4) The balance of a beneficiary’s account accrues interest at the prescribed rate.

20 (5) The balance of a beneficiary’s account is payable to the beneficiary or the legal personal representative of the beneficiary (as the case requires)—

(a) at the request of the beneficiary; or

(b) on the death of the beneficiary; or

(c) on the beneficiary attaining the age of 65 years—

whichever occurs first.

**25 Settlement of disputes.**

52. (1) Any dispute under this Act must be determined in the first place by the Board.

(2) Any person aggrieved by a decision of the Board may apply to the Administrative Appeals Tribunal for a review of the decision.

**30 Indexation.**

53. (1) In this section—

“Consumer price index” means the all groups consumer price index number for Melbourne published by the Commonwealth Statistician in respect of the June quarter  
35 and the December quarter for each year.

“Prescribed half year” means the half year ended 31 December 1987 or any subsequent half year ending on 30 June or 31 December in which the consumer price index is higher than

the previous highest consumer price index in or since the half year ended 31 December 1987.

“**Prescribed percentage**” in relation to a prescribed half year after 31 December 1987 means—

$$\frac{A - B}{B} \times \frac{100}{I} \quad 5$$

where—

A is the consumer price index number for the prescribed half year; and

B is the consumer price index for the next preceding prescribed half year calculated to two decimal places. 10

(2) Any contributor’s pension or deferred benefit under this Act must—

(a) in the case of a pension if it is then payable, be increased on the payment of the first instalment of the pension in the month of December or June by an amount equal to one-sixth of the prescribed percentage for the next preceding prescribed half year (if any) of the pension for every whole month or part of a month during the preceding half year in respect of which a pension has been payable; or 15

(b) in the case of a pension or deferred benefit if for any reason it is not then payable, be notionally so increased as if then payable. 20

(3) If any increase in any pension is likely to jeopardise the granting of any pension, allowance, subsidy, concession or similar benefit to the pensioner under any Act of the Commonwealth, the Board on receipt of a request in writing from the former member may commute to a lump sum the increase in the pension on the terms and conditions as may from time to time be determined by the Board after considering the advice of an actuary. 25

#### **Forfeiture of benefits.** 30

54. (1) Unless section 55 applies, if where a person who would ordinarily be entitled to receive benefits—

(a) is bankrupt; or

(b) is for any reason unable personally to receive or enjoy the whole or any portion of any money which would ordinarily be payable to him or her or is in the opinion of the Board incapable of managing his or her affairs— 35

that person ceases to have any right to those benefits.

(2) The Board is released from any liability to pay those benefits to any person but the Board may in its discretion pay and apply from the Fund a sum or sums not exceeding in all the amount which would ordinarily be payable to that person for the benefit of that person and his or her dependants or any of them. 40

**Payment of pension if pensioner is incapable.**

55. If a pensioner is a person of unsound mind, a patient within the meaning of the *Mental Health Act 1986* or a represented person under the *Guardianship and Administration Board Act 1986*, the Board may cause his or her pension, or any part thereof, to be paid, until he or she ceases to be of unsound mind, a patient or a represented person to his or her guardian or administrator or if there is no guardian or administrator to a person nominated by the Board—

(a) for the spouse of that person if the spouse is alive; or

(b) if the spouse is dead or divorced, for the use of the children of the pensioner or of the pensioner's late or former spouse as are—

(i) under the age of 18 years; or

(ii) between the ages of 18 years and 25 years and are in the opinion of the Board full-time students.

**Assignment of pensions and payment out of Fund on death of pensioner.**

56. (1) Pensions and other benefits under this Act cannot in any way be assigned, charged or passed by operation of law other than under an Act to any person other than the pensioner or beneficiary.

(2) Unless any other Act expressly provides to the contrary, any money payable out of the Fund on the death of a member or beneficiary is not an asset for the payment of his or her debts or liabilities.

(3) Despite sub-section (2), if at the time of the death of a pensioner or other beneficiary to or in respect of whom any money (not exceeding the prescribed amount) was payable by way of pension the Board may pay the money to a person as in the circumstances the Board thinks fit.

(4) Despite sub-section (1), the Board may deduct from any money payable out of the Fund to any person in respect of any pension or benefit under this Act any money—

(a) which is due to the Fund in respect of that pension or benefit; or

(b) which is owing to the Board by that person (whether that money is secured by a mortgage or not).

**Payment of benefits.**

57. Unless otherwise determined by the Board any pension or benefit under this Act is payable in Australian currency at the office of the Board.

**Minors.**

58. A minor has the same capacity as a person of full age to do anything for the purposes of this Act.

**Regulations.**

**59. (1)** The Governor in Council may, after consideration of a report from the Board, make regulations not inconsistent with this Act prescribing all matters required or permitted to be prescribed, or necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and in particular—

5

(a) where under this Act a member may make any election or choice, and the time within which it may be made is not stated in the Act—prescribing the time within which it must be made and the conditions upon which it may be made; and

10

(b) specifying how contributions are to be calculated and how and when they are to be paid; and

(c) the classification or re-assessment of classification of members and the actuarial principles to be used and the alteration of any benefits as a result of that classification or re-assessment; and

15

(d) transitional arrangements, including any additional benefits or entitlements, in relation to special pensions under Part IIIA of the *Hospitals Superannuation Act 1965* and superannuation schemes administered in respect of institutions which became participating institutions to which Part IVA of the *Hospitals Superannuation Act 1965* applies; and

20

(e) transitional arrangements in relation to the matters dealt with in sections 11, 12 and 13 of the *Hospitals Superannuation Act 1965*; and

25

(f) the holding of elections and extraordinary elections of members' representatives for appointment to the Board; and

30

(g) forms to be used for the purposes of this Act.

(2) The regulations—

(a) may be of general or limited application; and

(b) may differ according to differences in time, place or circumstances; and

35

(c) may impose penalties not exceeding five penalty units for a contravention of or an offence under the regulations; and

(d) may apply, adopt or incorporate (with or without modification)—

(i) the provisions of any document, code, standard, rule, specification or method formulated, issued, prescribed or published by any person or body whether as formulated, issued, prescribed or published at the time the regulations are made, or at any time before then; or

40



- 5 (ii) the provision of any Act of the Commonwealth or of  
another State or of a Territory or any matter contained  
in an Index published by the Commonwealth or of  
another State or of a Territory or any matter contained  
10 in an Index published by the Commonwealth  
Statistician or the provisions of any subordinate  
instrument under any of those Acts, whether wholly or  
partially or as amended by the regulations or as in force  
or published at a particular time or from time to time;  
and
- (e) may leave any matter or thing to be from time to time  
determined, applied, dispensed with or regulated by the  
Board; and
- 15 (f) may confer powers or impose duties in connection with the  
regulations on the Board.

**Repeals and savings.**

60. (1) The Acts specified in the Schedule are repealed.
- (2) Unless the context otherwise requires, any reference to the  
20 *Hospitals Superannuation Act 1965* in any Act, regulation, subordinate  
instrument or other document is to be construed as a reference to the  
*Hospitals Superannuation Act 1988*.
- (3) For the purposes of this Act—
- 25 (a) the institutions declared to be Class A participating  
institutions under the *Hospitals Superannuation Act 1965*  
are to be treated as having been declared to be Class A  
participating institutions under section 26; and
- 30 (b) the institutions declared to be Class B participating  
institutions under the *Hospitals Superannuation Act 1965*  
are to be treated as having been declared to be Class B  
participating institutions under section 26.
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**SCHEDULE  
REPEALS**

Title of Act	Extent of Repeal
<i>Hospitals Superannuation Act 1965</i>	Whole Act.
<i>Hospitals Superannuation (General Amendment) Act 1981</i>	Whole Act.
<i>Hospitals Superannuation (Amendment) Act 1982</i>	Whole Act.
<i>Hospitals Superannuation (Amendment) Act 1983</i>	Whole Act.
<i>Health (Amendment) Act 1985</i>	Item in Schedule relating to the <i>Hospitals Superannuation Act 1965</i> .
<i>Emergency Services Superannuation Act 1986</i>	Section 35.
<i>Ambulance Services Act 1986</i>	Section 46.
<i>Borrowing and Investment Powers Act 1987</i>	Items in Schedules 4, 5 and 6 relating to the <i>Hospitals Superannuation Act 1965</i> .



