



ANNO SEPTIMO

## ELIZABETHAE II REGINAE

A.D. 1958.

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## No. 57 of 1958.

An Act to amend the Superannuation Act, 1926-1956.

[Assented to 27th November, 1958.]

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 "Superannuation Act Amendment Act, 1958".

(2) The Superannuation Act, 1926-1956, as amended by this Act, may be cited as the "Superannuation Act, 1926-1958".

(3) The Superannuation Act, 1926-1956, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Enactment of  
s. 32a of  
Principal Act—

3. The following section is enacted and inserted in the principal Act after section 3 thereof :—

Employees of  
Public  
Authorities.

3a. (1) The Board may with the approval of the Treasurer make an arrangement with any public authority for or with respect to all or any of the following matters :—

- (a) granting rights to any employees or classes of employees of the said authority to contribute to the fund ;
- (b) the contributions to be made to the fund by any such employees ;
- (c) the contributions to be made to the fund by the said authority in respect of pensions or benefits payable to any such employees or their wives, husbands, children or dependants ;
- (d) the pensions or other benefits payable to any such employees and their wives, husbands, children and dependants ;
- (e) the application of this Act or any provisions of this Act to the said authority, employees, wives, children and dependants ;
- (f) payment by the authority of the costs of and incidental to the carrying out of the arrangement and the regulations made for carrying it into effect ;
- (g) any other matters relevant or incidental to those abovementioned.

(2) The Board with the approval of the Treasurer may make supplementary arrangements with an authority for varying adding to or revoking any arrangement for the time being in force under this section.

(3) The Governor may make regulations prescribing any matters necessary or convenient to be prescribed for carrying into effect any arrangement made pursuant to this section.

(4) In this section :—

“employee” means person in the employment of an authority, whether he is an employee as defined in section 3 of this Act, or not ;

“public authority” or “authority” means a board or other body of persons appointed by the Governor, pursuant to an Act of the Parliament of the State, and which holds property for and on account of the Crown.

4. Section 24 of the principal Act is amended by striking out the last line in the scale of units of pension in subsection (1) thereof and inserting in lieu thereof the following lines :—

Amendment of  
s. 24 of  
principal Act—  
Scale of units  
of pension.

		£	s.	d.
Exceeding £1,820 but not exceeding £1,900 .....	26	1,183	0	0
Exceeding £1,900 but not exceeding £2,000 .....	27	1,228	10	0
Exceeding £2,000 but not exceeding £2,125 .....	28	1,274	0	0
Exceeding £2,125 but not exceeding £2,250 .....	29	1,319	10	0
Exceeding £2,250 but not exceeding £2,375 .....	30	1,365	0	0
Exceeding £2,375 but not exceeding £2,525 .....	31	1,410	10	0
Exceeding £2,525 but not exceeding £2,700 .....	32	1,456	0	0
Exceeding £2,700 but not exceeding £2,875 .....	33	1,501	10	0
Exceeding £2,875 but not exceeding £3,075 .....	34	1,547	0	0
Exceeding £3,075 but not exceeding £3,275 .....	35	1,592	10	0
Exceeding £3,275 .....	36	1,638	0	0

Enactment of s. 24aa of principal Act—

5. The following section is enacted and inserted in the principal Act after section 24a thereof:—

Rights of contributors at commencement of this Act.

24aa. (1) In this section—

the expression “appropriate to his salary” means appropriate to his salary in accordance with the scale of salaries, units and amounts of pension set out in section 24 of this Act:

“contributor” includes an employee who has been a contributor and has made his last payment of contributions for all his units of pension, other than those taken up under this section.

(2) A contributor whose salary on the day of the passing of the Superannuation Act Amendment Act, 1958, exceeds £1,900 may elect to contribute for all or some of the units appropriate to that salary in excess of twenty-six.

(3) Every election under this section shall be made not later than the first day of February, 1959.

(4) If a contributor having a right to make an election under this section does not make it in the prescribed manner and within the prescribed time he shall, notwithstanding the provisions of section 24bb, be deemed to have elected not to contribute for any of the units which he could have elected to contribute for.

(5) If a contributor elects to contribute for units under this section he shall as from the first day of December 1958 contribute for those units at the rate in Schedule VII or VIII appropriate to his age on his birthday next after that day: Provided that if he had attained the age of fifty years at that day the rate of contribution for half of the units for which he elects to contribute shall be the rate which would have been payable for them if the age of the contributor at the time when he commenced to contribute for them was forty-nine.

(6) Any contributions payable in respect of the period between the first day of December, 1958 and the day when an election is made under this section shall be payable in such instalments as the board fixes, but the contributor may pay all or any of such instalments in advance at any time.

(7) For the purpose of determining the rate of contribution for units taken under this section by a contributor who has made his last payment of contributions for all his other units the age next birthday of that contributor shall be deemed to be sixty-five.

(8) Pension in respect of units taken under this section by a contributor who has made his last payment of contributions for all his other units shall not be payable unless the contributor has paid at least one year's contributions for those units.

**6. Section 42 of the principal Act is amended—**

- (a) by striking out the words "one-half" in the third line of subsection (1) and inserting in lieu thereof "four-sevenths";
- (b) by striking out the words "twenty-two pounds fifteen shillings" in the eleventh line of subsection (1) and inserting in lieu thereof "twenty-six pounds".

Amendment of  
s. 42 of  
principal Act—  
Pension to  
widow and  
children of  
contributor.

**7. Section 43 of the principal Act is amended—**

- (a) by striking out the words "one-half" in the third line of subsection (1) and inserting in lieu thereof "four-sevenths";

Amendment of  
s. 43 of  
principal Act—  
Pension to  
widow and  
children of  
pensioner.

- (b) by striking out the words "forty-five pounds ten shillings per annum" in the fifth line of subsection (1) and inserting in lieu thereof "fifty-two pounds";
- (c) by striking out the words "twenty-two pounds fifteen shillings" in the twelfth line of subsection (1) and inserting in lieu thereof "twenty-six pounds".
- (d) by adding at the end thereof the following subsection :—

(5) The amount of the pension of the widow of a pensioner who retired or attained the age of retirement before the first day of January, 1949, shall be four-sevenths of the rate of the pension of that pensioner in force on the 15th December, 1958.

Amendment of  
s. 43a of  
principal Act—  
Benefits for  
children of  
female  
contributors  
and pensioners.

8. Section 43a of the principal Act is amended by striking out the words "forty-five pounds ten shillings" in the sixth and seventh lines and inserting in lieu thereof "fifty-two pounds".

Amendment of  
s. 44 of  
principal Act—  
Pension to  
orphans on  
death of  
contributor  
or pensioner.

9. Section 44 of the principal Act is amended by striking out the words "forty-five pounds ten shillings" in the seventh line of subsection (1) and inserting in lieu thereof "fifty-two pounds".

Enactment of  
s. 45a of the  
principal Act—

10. The following section is enacted and inserted in the principal Act after section 45 thereof :—

Payments  
where  
contributions  
exceed  
benefits.

45a. (1) Where—

- (a) a male pensioner or the widow of a contributor or pensioner has died without leaving any dependant entitled to pension or benefits under the other provisions of this Act, but leaving one or more dependants who is not or are not so entitled; and
- (b) the total amount of all pensions paid to the pensioner and the widow and of the benefits paid in respect of any children of the pensioner or widow is less than the total amount of the contributions paid by the pensioner or contributor,

the board shall pay or distribute the amount by which the said contributions exceed the said pension and benefits to or among the surviving dependants of the pensioner or of the widow. If there are two or more such dependants, the board shall decide the share of each of them.

(2) For purposes of this section a "dependant" means a widow, widower, son or daughter.

11. Section 49 of the principal Act is amended by striking out the words "forty-five pounds ten shillings" in the sixth line and inserting in lieu thereof the words "fifty-two pounds".

Amendment of  
s. 49 of  
principal Act—  
Orphans  
pensions.

12. The following section is enacted and inserted in the principal Act after section 49—

Enactment of  
s. 49a of  
principal Act—  
Increase of  
certain  
existing  
pensions.

49a. The rate of pension of every person who—

- (a) having been a contributor retired on pension before the first day of January, 1949; or
- (b) having been a contributor, attained the age of retirement before the first day of January, 1949, and retired on pension on or after that day; or
- (c) being the widow or child of a contributor or pensioner was in receipt of pension at the time of the passing of the Superannuation Act Amendment Act, 1958,

shall on and after the sixteenth day of December, 1958 be increased by one-seventh.

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

R. A. GEORGE, Governor.