



ANNO DECIMO QUINTO

GEORGII VI REGIS.

A.D. 1951.

No. 32 of 1951.

An Act to amend the Superannuation Act, 1926-1949.

[Assented to 29th November, 1951.]

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, 1951".

(2) The Superannuation Act, 1926-1949, as amended by this Act, may be cited as the "Superannuation Act, 1926-1951".

(3) The Superannuation Act, 1926-1949, 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.

Commencement of new rates of pension.

3. The increased rates of pensions and benefits prescribed by this Act shall apply to all payments of pensions and benefits made after the thirtieth day of November, nineteen hundred and fifty-one.

Enactment of s. 22a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 22 thereof :—

Transitional direction.

22a. If in connection with the alteration of pensions, benefits, or contributions pursuant to the Superannuation Act Amendment Act, 1951, circumstances arise which are not provided for by this Act or that Act, or any doubt or dispute arises as to what should be done, the board may give directions not inconsistent with this Act or that Act as to what shall be done ; and any such direction shall be of the same validity as if the matters therein provided for had been provided for in this Act.

5. Section 24bd of the principal Act is amended by adding at the end of subsection (1) thereof the following proviso :—

Amendment of
s. 24bd of
principal Act—
Effect of
election not
to take units
or failure to
elect.

Provided that—

- (i.) the board may at any time, if it considers that just cause exists for doing so, and subject to any conditions which it deems just, permit an employee or contributor to contribute for all or any of the units for which he has not elected to contribute, or has elected not to contribute, as mentioned in paragraph (a) or (b) of this subsection ;
- (ii.) where such permission is given the contributions for the said units shall unless the board otherwise directs be payable as from the first day of the next month after the month in which the permission is given, and be at the rate appropriate to the age of the contributor or employee on that day.

6. The following section is enacted and inserted in the principal Act after section 28 thereof :—

Enactment of
s. 28a of
principal Act—

28a. (1) Until the thirtieth day of November, nineteen hundred and fifty-one, contributions for units of pension shall be payable at the rates in force immediately before the passing of the Superannuation Act Amendment Act, 1951.

Increase of
contributions.

(2) Subject to subsection (3) of this section, on and after the first day of December, nineteen hundred and fifty-one, the contributions for every unit of pension for which a contributor commenced to contribute before that day shall be increased by one-fifth of the average rate of contribution per unit payable by the contributor on the thirtieth day of November, nineteen hundred and fifty-one

(3) If a contributor, in accordance with section 39 of this Act, elects before the first day of March, nineteen hundred and fifty-two, that all or some of the units for which he was contributing on the thirtieth day of November, nineteen hundred and fifty-one, shall not be increased to thirty-nine pounds, then—

- (a) the board shall arrange that increases of contributions under the foregoing provisions of this section shall cease to be payable by the contributor in respect of the number of units specified in the election as from a day to be determined by the board in each case, but in

no case later than the first day of May, nineteen hundred and fifty-two ;

- (b) the contributor shall be entitled to receive a refund of the amount of the increase of contributions paid by him under this section since the thirtieth day of November, nineteen hundred and fifty-one, in respect of the said number of units.

(4) The contributions for every unit of pension for which a contributor or employee commences to contribute on or after the first day of December, nineteen hundred and fifty-one, shall be in accordance with the Schedules V. and VI. of this Act.

Enactment of s. 28ba of principal Act—

Increased contributions for reserve units.

7. The following section is enacted and inserted in the principal Act after section 28b thereof:—

28ba. (1) The rate of contribution payable by a contributor for each reserve unit of pension for which he was contributing immediately before the first day of December nineteen hundred and fifty-one at rates prescribed in Schedules III. or IV. of this Act shall be increased by one-fifth.

(2) The said increased rate of contribution for a reserve unit shall be deemed to have been payable as from the day when the contributor first commenced to contribute for that unit ; and any contributions payable by virtue of this section in respect of a period before the enactment of this section shall be paid not later than the thirty-first day of December, nineteen hundred and fifty-two, and may be deducted from the salary of the contributor in such instalments and at such times as the board fixes.

(3) The contributions for each reserve unit of pension for which a contributor commences to contribute on or after the first day of December nineteen hundred and fifty-one shall be payable at such of the rates prescribed in Schedules V. and VI. as is applicable.

Repeal of ss. 29 and 30 of principal Act and enactment of other provisions.

8. Sections 29 and 30 of the principal Act are repealed and the following section is enacted and inserted in their place :—

29. (1) In respect of each unit of pension paid from the fund the Government shall make a contribution to the fund calculated in accordance with the rules to be prescribed by regulations made under this Act.

(2) The said regulations may apply to contributions in respect of any payments of pension made after the thirtieth day of November, nineteen hundred and fifty-one.

9. The following section is enacted and inserted in the principal Act after section 34 thereof:—

Enactment of
s. 34a of
principal Act—

34a. (1) Where a contributor attained the age of retirement before the thirtieth day of November, nineteen hundred and fifty, and had been granted long service leave for a period commencing on or before that day and ending after that day he shall be deemed to have been entitled to pension on and after that day.

Commence-
ment of
certain
pensions.

(2) This section shall without further appropriation be sufficient authority for the payment by the Treasurer and the board of any pension to which any person is entitled by reason of subsection (1) of this section.

10. Section 39 of the principal Act is amended by striking out subsection (1) thereof and inserting in its place the following subsections:—

Amendment of
s. 39 of
principal Act—

39. (1) Except as provided in subsection (1a) of this section the unit of pension shall, on and after the first day of December, nineteen hundred and fifty-one, be the sum of thirty-nine pounds and all amounts of pension payable on or after that day under this Act shall be increased accordingly.

Pension unit.

(1a) Any contributor may at any time before the first day of March, nineteen hundred and fifty-two, elect by notice in writing given to the board before that day, that all or any number of the units for which he was contributing on the thirtieth day of November, nineteen hundred and fifty-one shall on and after the first day of December, nineteen hundred and fifty-one be units of thirty-two pounds ten shillings.

Where such an election is made the number of units of pension to which the election applies and which become payable to the contributor or his dependents on his retirement or death on or after the said first day of December shall be or be based on units of thirty-two pounds ten shillings.

11. Section 42 of the principal Act is amended by striking out the words "sixteen pounds five" in paragraph (b) of subsection (1) and inserting in their place the words "nineteen pounds ten".

Amendment of
s. 42 of
principal Act—

Pension to
widow and
children of
contributor.

12. Section 43 of the principal Act is amended—

Amendment of
s. 43 of
principal Act—

(a) by striking out the words "thirty-two pounds ten" in paragraph (a) of subsection (1) and inserting in their place the words "thirty-nine pounds";

Pension to
widow and
children of
pensioner.

(b) by striking out the words "sixteen pounds five" in paragraph (b) of subsection (1) and inserting in their place the words "nineteen pounds ten".

Enactment of
s. 43a of
principal Act—

13. The following section is enacted and inserted in the principal Act after section 43 thereof :—

Benefits for
children of
female
contributors
and pensioners.

43a. On the death of a widow who was immediately before death a contributor or a pensioner under section 40 or 41 of this Act, there shall be payable in respect of each of her children who were born before she commenced to contribute, and who were at the time of her death under the age of sixteen years, a pension at the rate of thirty-nine pounds per annum until the child attains the age of sixteen years.

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

14. Section 44 of the principal Act is amended as follows :—

(a) The words "thirty-two pounds ten shillings" in the seventh line of subsection (1) are struck out and the words "thirty-nine pounds" inserted in their place :

(b) The following subsection is added at the end thereof :—

(3) Subsection (2) of this section shall also apply in the case where a widow, who immediately before death was a contributor or a pensioner under section 40 or 41 of this Act, has died after the enactment of this section leaving children of herself who were under the age of sixteen years at the time of her death, and the circumstances mentioned in paragraphs (b) and (c) of the said subsection (2) have occurred.

Amendment of
s. 48 of
principal Act—
Pension to
certain
widows and
children.

15. Section 48 of the principal Act is amended by striking out the words "sixteen pounds five" in paragraph (b) of subsection (1) and inserting in their place "nineteen pounds ten".

Amendment of
s. 49 of
principal Act—
Increased
pension for
orphans on
death of
widows.

16. Section 49 of the principal Act is amended by striking out the words "thirty-two pounds ten shillings" in the sixth line of subsection (1) and inserting in their place the words "thirty-nine pounds".

Enactment of
schedules of
principal Act.

17. The following schedules are enacted and inserted in the principal Act after Schedule IV. thereof :—

SCHEDULE V.

*Rates of Annual Contribution to be Paid as Provided by
Male Members Based on a Retiring Age of 65.*

Age Next Birthday at Entry.	First £78 Pension to Member ; £39 to Widow ; £19 10s. to Each Child up to Age 16.	Subsequent Increments £78 Pension to Member ; £39 to Widow.
	£ s. d.	£ s. d.
16	3 13 0	3 8 0
17	3 16 0	3 11 0
18	3 19 0	3 14 0
19	4 3 0	3 18 0
20	4 6 0	4 2 0
21	4 10 0	4 5 0
22	4 15 0	4 10 0
23	5 0 0	4 14 0
24	5 4 0	4 18 0
25	5 9 0	5 3 0
26	5 14 0	5 8 0
27	6 0 0	5 14 0
28	6 6 0	5 19 0
29	6 12 0	6 5 0
30	6 18 0	6 11 0
31	7 5 0	6 18 0
32	7 12 0	7 5 0
33	8 0 0	7 12 0
34	8 8 0	8 1 0
35	8 18 0	8 9 0
36	9 7 0	8 19 0
37	9 17 0	9 8 0
38	10 8 0	9 19 0
39	11 0 0	10 11 0
40	11 12 0	11 3 0
41	12 5 0	11 16 0
42	12 19 0	12 11 0
43	13 14 0	13 6 0
44	14 10 0	14 3 0
45	15 10 0	15 2 0
46	16 11 0	16 4 0
47	17 14 0	17 7 0
48	18 19 0	18 12 0
49	20 8 0	20 1 0
50	22 2 0	21 14 0

SCHEDULE V.—*continued.*

Age Next Birthday at Entry.	First £78 Pension to Member ; £39 to Widow ; £19 10s. to Each Child up to Age 16.	Subsequent Increments £78 Pension to Member ; £39 to Widow.
	£ s. d.	£ s. d.
51	23 19 0	23 12 0
52	26 1 0	25 14 0
53	28 10 0	28 3 0
54	31 9 0	31 2 0
55	34 17 0	34 10 0
56	39 2 0	38 15 0
57	44 8 0	44 1 0
58	51 4 0	50 16 0
59	60 5 0	59 18 0
60	73 2 0	72 13 0
61	92 9 0	92 0 0
62	125 12 0	125 1 0
63	185 1 0	184 5 0
64	375 8 0	374 4 0
65	377 13 0	376 9 0

SCHEDULE VI.

*Rates of Annual Contribution to be Paid as Provided by
Female Members Based on a Retiring Age of 60.*

Age Next Birthday at Entry.	Contribution for £78 Pension.
	£ s. d.
16.....	3 15 0
17.....	3 19 0
18.....	4 4 0
19.....	4 10 0
20.....	4 16 0
21.....	5 2 0
22.....	5 9 0
23.....	5 16 0
24.....	6 5 0
25.....	6 14 0
26.....	7 3 0

SCHEDULE VI.—*continued.*

Age Next Birthday at Entry.	Contribution for £78 Pension.
	£ s. d.
27.....	7 11 0
28.....	8 0 0
29.....	8 9 0
30.....	8 18 0
31.....	9 8 0
32.....	9 19 0
33.....	10 10 0
34.....	11 2 0
35.....	11 15 0
36.....	12 10 0
37.....	13 5 0
38.....	14 2 0
39.....	15 0 0
40.....	16 0 0
41.....	17 2 0
42.....	18 6 0
43.....	19 14 0
44.....	21 5 0
45.....	23 0 0
46.....	24 19 0
47.....	27 5 0
48.....	29 19 0
49.....	33 2 0
50.....	36 18 0
51.....	41 12 0
52.....	47 8 0
53.....	54 18 0
54.....	65 0 0
55.....	79 2 0
56.....	100 10 0
57.....	137 3 0
58.....	215 18 0
59.....	413 7 0
60.....	417 17 0

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

C. W. M. NORRIE, Governor.