



ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

No. 65 of 1954

An Act to amend the Superannuation Act, 1926-1951.

[Assented to 23rd December, 1954.]

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

1. (1) This Act may be cited as the "Superannuation Act Amendment Act, 1954". Short titles.

(2) The Superannuation Act, 1926-1951, as amended by this Act, may be cited as the "Superannuation Act, 1926-1954".

(3) The Superannuation Act, 1926-1951, is hereinafter referred to as "the principal Act".

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

3. The increased rates of pensions and benefits prescribed by this Act shall apply to all payments of pensions and benefits made on or after the first day of January, nineteen hundred and fifty-five. Commencement of new rates of pensions and benefits.

4. Section 3 of the principal Act is amended by inserting therein after subsection (3) thereof the following subsection :— Amendment of s. 3 of principal Act— Interpretation.

(3a) A person shall be deemed to be employed in a permanent capacity within the meaning of the definition of "employee" in this section if—

- (a) he is an officer of the public service appointed to his office by the Governor under the Public Service Act, 1936-1954 ; or
- (b) he is a teacher appointed under the Education Act, 1916-1951, other than a teacher expressly appointed as a temporary teacher ; or
- (c) he is a salaried railways officer appointed under the South Australian Railways Commissioner's Act, 1936-1950 ; or
- (d) he is employed by the Government in employment other than that mentioned in paragraphs (a) (b) and (c) of this definition which—
 - (i) is not casual ; and
 - (ii) is not limited by contract to a specific term ; and
 - (iii) is not likely to terminate on the completion of a particular work or undertaking :

Provided that the board may direct that a person who complies with the requirements of paragraph (d) of this subsection shall not be deemed to be employed in a permanent capacity until he has been in the employment of the Government for such period as the board directs.

Amendment of
s. 22a of
principal Act—
Transitional
provision.

5. Section 22a of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 22a being read as subsection (1) thereof) :

(2) Subsection (1) of this section shall extend and apply to the alterations of pensions, benefits and contributions made by the Superannuation Act Amendment Act, 1954, in the same way as it applies to such alterations made by the Superannuation Act Amendment Act, 1951.

Enactment of
s. 23a of
principal Act—

6. The following section is enacted and inserted in the principal Act after section 23 thereof :—

Medical
examination of
contributors.

23a. (1) Notwithstanding any other provision of this Act, a person who is not a contributor to the fund at the time of the passing of the Superannuation Act Amendment Act, 1954, shall not contribute to the fund unless—

- (a) a medical practitioner approved by the board has certified that he is of sound health ; or
- (b) he is exempted by the board from the provisions of paragraph (a) of this subsection ; or
- (c) he is permitted by the board to contribute as provided by subsection (2) of this section.

(2) The board may, in its discretion, permit any employee, who has not been certified as mentioned in subsection (1), to become a contributor to the fund for such benefits and subject to such conditions as are prescribed for the purposes of this subsection by regulations.

7. (1) Subsection (1) of section 24 of the principal Act is amended by striking out the scale therein and inserting in lieu thereof the following scale:—

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

Scale of Units of Pension

| Column One. | Column Two. | Column Three. |
|---|---|--------------------|
| Salary of Employee. | Appropriate Number of Units of Pension. | Amount of Pension. |
| | | £ s. d. |
| Not exceeding £175 | 2 | 91 0 0 |
| Exceeding £175 and not exceeding £210 | 2½ | 113 15 0 |
| Exceeding £210 and not exceeding £245 | 3 | 136 10 0 |
| Exceeding £245 and not exceeding £280 | 3½ | 159 5 0 |
| Exceeding £280 and not exceeding £350 | 4 | 182 0 0 |
| Exceeding £350 and not exceeding £420 | 5 | 227 10 0 |
| Exceeding £420 and not exceeding £490 | 6 | 273 0 0 |
| Exceeding £490 and not exceeding £560 | 7 | 318 10 0 |
| Exceeding £560 and not exceeding £630 | 8 | 364 0 0 |
| Exceeding £630 and not exceeding £700 | 9 | 409 10 0 |
| Exceeding £700 and not exceeding £770 | 10 | 455 0 0 |
| Exceeding £770 and not exceeding £840 | 11 | 500 10 0 |
| Exceeding £840 and not exceeding £910 | 12 | 546 0 0 |
| Exceeding £910 and not exceeding £980 | 13 | 591 10 0 |

| Column One. | Column Two. | Column Three. |
|---|---|--------------------|
| Salary of Employee. | Appropriate Number of Units of Pension. | Amount of Pension. |
| | | £ s. d. |
| Exceeding £980 and not exceeding £1,050 | 14 | 637 0 0 |
| Exceeding £1,050 and not exceeding £1,120 | 15 | 682 10 0 |
| Exceeding £1,120 and not exceeding £1,190 | 16 | 728 0 0 |
| Exceeding £1,190 and not exceeding £1,260 | 17 | 773 10 0 |
| Exceeding £1,260 and not exceeding £1,330 | 18 | 819 0 0 |
| Exceeding £1,330 and not exceeding £1,400 | 19 | 864 10 0 |
| Exceeding £1,400 and not exceeding £1,470 | 20 | 910 0 0 |
| Exceeding £1,470 and not exceeding £1,540 | 21 | 955 10 0 |
| Exceeding £1,540 and not exceeding £1,610 | 22 | 1,001 0 0 |
| Exceeding £1,610 and not exceeding £1,680 | 23 | 1,046 10 0 |
| Exceeding £1,680 and not exceeding £1,750 | 24 | 1,092 0 0 |
| Exceeding £1,750 and not exceeding £1,820 | 25 | 1,137 10 0 |
| Exceeding £1,820 | 26 | 1,183 0 0 |

(2) Subsection (2) of section 24 of the principal Act is amended by striking out the words "two hundred and sixty" in the first and second lines and inserting in lieu thereof "two hundred and eighty".

Repeal of s. 24a of principal Act and enactment of other provisions—Rights of contributors.

8. Section 24a of the principal Act is repealed and the following section is enacted and inserted in lieu thereof:—

24a. (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.

(2) If the number of units appropriate to the salary of a contributor exceeds twenty he may elect to contribute for all or some of the units appropriate to his salary in excess of twenty.

If a contributor so elects he shall as from the first day of February, 1955, contribute for the units in excess of twenty at the rate in schedule VII or VIII, appropriate to his age at his birthday next after the date of commencing to contribute for those units : Provided that if he had attained the age of fifty years at that date, the rate of contribution for half of the units for which he elects to contribute shall be the rate which would be payable for them if the age of the contributor at the time when he commenced to contribute for them was forty-nine.

(3) Every election under this section shall be made before the first day of June, 1955.

(4) If a contributor having the 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) Any contributions or increases of contributions payable in respect of the period commencing on the first day of February, 1955, and ending on 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.

9. Section 24ba of the principal Act is amended by adding at the end thereof the following subsections :—

Amendment of
s. 24ba of
principal Act—
Election on
increase of
salary.

(4) For the purpose of this section, the number of units appropriate to a contributor's salary and the number of units by which that number may be increased shall be calculated in terms of units of forty-five pounds ten shillings each.

(5) Nothing in this section shall entitle any contributor to contribute for units in excess of the number appropriate to his salary in accordance with the scale in section 24 of the Act.

10. Section 24bd is amended by adding at the end thereof the following subsection :—

Amendment of
s. 24bd—
Effect of
election not
to take units.

(3) For the purpose of this section, the number of units appropriate to a contributor's salary and the number of

units by which that number is to be reduced shall be calculated in the terms of units of forty-five pounds ten shillings each.

Repeal of s. 25
of principal Act
and enactment
of other
provisions—

Surrender of
units in excess
of four.

11. Section 25 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof:—

25. (1) Where a contributor satisfies the board that adequate provision has been made for himself and his family, or that continued contributions for the number of units for which he is contributing will cause him undue hardship, or that for any other reason which the board deems adequate he should be permitted to surrender units, the board may permit the contributor to surrender some or all of the units in excess of four for which he is contributing.

(2) The actuarial equivalent of any contributions paid by the contributor on units surrendered under this section shall be refunded to the contributor.

(3) The units surrendered by a contributor under this section shall be those for which he last commenced to contribute.

Amendment of
s. 26 of
principal Act—
Contributions
on reduction
of salary.

12. Section 26 of the principal Act is amended by inserting after the words "contributing for" in the fourth line of subsection (1) and the fourth line of subsection (2) the words "a pension which when expressed in terms of units of forty-five pounds ten shillings each is the equivalent of".

Enactment of
s. 27a of
principal Act—

13. The following sections are enacted and inserted in the principal Act after section 27 thereof:—

Increase of
contributions
for units in
force on
1/2/55.

27a. On and after the first day of February, 1955, the rate of contribution payable—

(a) for a unit of pension representing the increased amount of a unit of thirty-nine pounds for which a contributor was contributing on the thirty-first day of January, 1955, shall be seven-sixths of the rate payable on the said day:

(b) for a unit of pension representing the increased amount of a unit of thirty-two pounds ten shillings for which a contributor was contributing on the thirty-first day of January, 1955, shall be seven-fifths of the rate payable on the said day.

27b. Except as otherwise provided in this Act the contributions for every unit of pension of forty-five pounds ten shillings for which a contributor or employee commences to contribute on or after the first day of February, 1955, shall be in accordance with the schedules VII and VIII of this Act.

Contributions
as from 1/2/55.

14. Section 28b of the principal Act is amended by striking out in paragraph (a) of subsection (3) the words "rate prescribed in schedules III and IV to this Act" and inserting in lieu thereof the words "section 28ba of this Act".

Amendment of
s. 28b of
principal Act.

15. Section 28ba of the principal Act is repealed and the following section enacted in its place :—

Amendment of
s. 28ba of
principal Act—

28ba. (1) On and after the first day of February, 1955, the rate of contribution for each reserve unit of pension shall be such of the rates prescribed in schedules VII and VIII as is applicable.

Increased
contributions
for reserve
units.

(2) The said rates 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 arrears of contributions payable by virtue of this subsection in respect of any period before the first day of February, 1955, shall be deducted from the salary of the contributor in such instalments and at such times as the board fixes.

(3) The rates of contribution for reserve units prescribed in schedules VII and VIII shall apply to reserve units whether contributions therefor commenced before or after the passing of the Superannuation Act Amendment Act, 1954.

16. Section 29 of the principal Act is amended by striking out subsection (2) thereof and inserting in lieu thereof the following subsection :—

Amendment of
s. 29 of
principal Act—
Contributions
by Govern-
ment.

(2) The regulations may, from time to time, vary the contributions in accordance with changes in the benefits, contributions by employees, or other circumstances affecting the fund.

17. The following section is enacted and inserted in the principal Act after section 39 :—

Enactment of
s. 39a of
principal Act—

Unit of pension.

39a. (1) Except as provided in this section the unit of pension shall on and after the first day of January, 1955, be forty-five pounds ten shillings, and all units of pension (of whatever amount) in force on that day or being contributed for on that day, or for which all contributions have been fully paid before that day shall be increased accordingly.

(2) Any contributor may before the first day of June, 1955, elect that all or some of the units for which he was contributing on the thirty-first day of January, 1955, shall not be increased to forty-five pounds ten shillings. If he so elects—

(a) the units and the widows' pensions and child allowances based thereon shall remain of the same amount as on the thirty-first day of December, 1954 ;

(b) the contributions in respect of such units shall revert to the rate payable on the thirty-first day of December, 1954 ;

(c) the contributor shall be entitled to a refund of the amount of the increase of contributions paid by him after the thirty-first day of January, 1955, pursuant to section 27a of this Act.

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

18. Section 42 of the principal Act is amended by striking out the words "nineteen pounds ten shillings" in paragraph (b) of subsection (1) and inserting in lieu thereof "twenty-two pounds fifteen shillings".

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

19. Section 43 of the principal Act is amended—

(a) by striking out the words "thirty-nine pounds" in paragraph (a) of subsection (1) and inserting in lieu thereof "forty-five pounds ten shillings" ;

(b) by striking out the words "nineteen pounds ten shillings" in paragraph (b) of subsection (1) and inserting in lieu thereof "twenty-two pounds fifteen shillings".

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

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

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

Amendment of s. 44 of principal Act—Pension to orphans of contributors and pensioners.

22. Section 48 of the principal Act is amended by striking out the words "nineteen pounds ten shillings" in paragraph (b) of subsection (1) and inserting in lieu thereof "twenty-two pounds fifteen shillings".

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

23. Section 49 of the principal Act is amended by striking out the words "thirty-nine pounds" in the sixth line of subsection (1) and inserting in lieu thereof "forty-five pounds ten shillings".

Amendment of s. 49 of principal Act—Increased pension to orphans upon death of widow.

24. The principal Act is amended by adding at the end thereof the following schedules :—

Amendment of principal Act—Schedules.

SCHEDULE VII.

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 £91 Pension to Member ; £45 10s. to Widow ; £22 15s. to Each Child up to Age 16. | Subsequent Increments £91 Pension to Member ; £45 10s. to Widow. |
|-----------------------------|--|--|
| | £ s. d. | £ s. d. |
| 16 | 4 5 0 | 3 19 0 |
| 17 | 4 9 0 | 4 3 0 |
| 18 | 4 13 0 | 4 7 0 |
| 19 | 4 17 0 | 4 11 0 |
| 20 | 5 1 0 | 4 16 0 |
| 21 | 5 6 0 | 5 0 0 |
| 22 | 5 11 0 | 5 5 0 |
| 23 | 5 16 0 | 5 10 0 |
| 24 | 6 1 0 | 5 15 0 |
| 25 | 6 7 0 | 6 0 0 |
| 26 | 6 13 0 | 6 6 0 |
| 27 | 7 0 0 | 6 12 0 |
| 28 | 7 7 0 | 6 19 0 |
| 29 | 7 14 0 | 7 6 0 |

SCHEDULE VII—*continued.*

*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 £91 Pension to Member ; £45 10s. to Widow ; £22 15s. to Each Child up to Age 16. | Subsequent Increments £91 Pension to Member ; £45 10s. to Widow. |
|----------------------------------|--|---|
| | £ s. d. | £ s. d. |
| 30 | 8 1 0 | 7 13 0 |
| 31 | 8 9 0 | 8 1 0 |
| 32 | 8 17 0 | 8 9 0 |
| 33 | 9 6 0 | 8 18 0 |
| 34 | 9 16 0 | 9 8 0 |
| 35 | 10 7 0 | 9 18 0 |
| 36 | 10 18 0 | 10 9 0 |
| 37 | 11 10 0 | 11 0 0 |
| 38 | 12 3 0 | 11 12 0 |
| 39 | 12 17 0 | 12 6 0 |
| 40 | 13 11 0 | 13 0 0 |
| 41 | 14 6 0 | 13 15 0 |
| 42 | 15 2 0 | 14 12 0 |
| 43 | 16 0 0 | 15 10 0 |
| 44 | 17 0 0 | 16 10 0 |
| 45 | 18 2 0 | 17 12 0 |
| 46 | 19 6 0 | 18 17 0 |
| 47 | 20 13 0 | 20 5 0 |
| 48 | 22 3 0 | 21 15 0 |
| 49 | 23 16 0 | 23 8 0 |
| 50 | 25 14 0 | 25 6 0 |
| 51 | 27 18 0 | 27 11 0 |
| 52 | 30 8 0 | 30 0 0 |
| 53 | 33 5 0 | 32 17 0 |
| 54 | 36 14 0 | 36 6 0 |
| 55 | 40 18 0 | 40 10 0 |
| 56 | 45 17 0 | 45 9 0 |
| 57 | 51 16 0 | 51 8 0 |
| 58 | 59 13 0 | 59 5 0 |
| 59 | 70 6 0 | 69 18 0 |
| 60 | 85 3 0 | 84 15 0 |
| 61 | 107 15 0 | 107 7 0 |
| 62 | 146 6 0 | 145 18 0 |
| 63 | 215 7 0 | 214 19 0 |
| 64 | 437 19 0 | 436 11 0 |
| 65 | 440 12 0 | 439 4 0 |

SCHEDULE VIII.

*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 £91 Pension. | | |
|-----------------------------|----------------------------------|----|----|
| | £ | s. | d. |
| 16..... | 4 | 7 | 0 |
| 17..... | 4 | 12 | 0 |
| 18..... | 4 | 18 | 0 |
| 19..... | 5 | 5 | 0 |
| 20..... | 5 | 12 | 0 |
| 21..... | 5 | 19 | 0 |
| 22..... | 6 | 7 | 0 |
| 23..... | 6 | 16 | 0 |
| 24..... | 7 | 6 | 0 |
| 25..... | 7 | 16 | 0 |
| 26..... | 8 | 7 | 0 |
| 27..... | 8 | 16 | 0 |
| 28..... | 9 | 7 | 0 |
| 29..... | 9 | 17 | 0 |
| 30..... | 10 | 8 | 0 |
| 31..... | 11 | 0 | 0 |
| 32..... | 11 | 12 | 0 |
| 33..... | 12 | 5 | 0 |
| 34..... | 12 | 19 | 0 |
| 35..... | 13 | 14 | 0 |
| 36..... | 14 | 11 | 0 |
| 37..... | 15 | 9 | 0 |
| 38..... | 16 | 9 | 0 |
| 39..... | 17 | 10 | 0 |
| 40..... | 18 | 13 | 0 |
| 41..... | 19 | 19 | 0 |
| 42..... | 21 | 8 | 0 |
| 43..... | 23 | 0 | 0 |
| 44..... | 24 | 16 | 0 |
| 45..... | 26 | 17 | 0 |
| 46..... | 29 | 3 | 0 |
| 47..... | 31 | 16 | 0 |
| 48..... | 34 | 19 | 0 |
| 49..... | 38 | 12 | 0 |
| 50..... | 43 | 1 | 0 |
| 51..... | 48 | 11 | 0 |
| 52..... | 55 | 6 | 0 |
| 53..... | 64 | 1 | 0 |
| 54..... | 75 | 17 | 0 |

SCHEDULE VIII—*continued.*

*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 £91 Pension. |
|-----------------------------|----------------------------------|
| | £ s. d. |
| 55..... | 92 6 0 |
| 56..... | 117 5 0 |
| 57..... | 160 0 0 |
| 58..... | 251 18 0 |
| 59..... | 482 5 0 |
| 60..... | 487 10 0 |

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

R. A. GEORGE, Governor.