

South Australia

Superannuation (Visiting Medical Officers) Act 1993

An Act to make certain provisions relating to superannuation for visiting medical officers; and for other purposes.

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Legislative history

The Parliament of South Australia enacts as follows:

1—Short title

This Act may be cited as the *Superannuation (Visiting Medical Officers) Act 1993*.

2—Commencement

This Act will be taken to have come into operation on 1 April 1993.

3—Interpretation

In this Act, unless the contrary intention appears—

the Board means the South Australian Superannuation Board continued in existence by the *Superannuation Act 1988*;

teaching hospital means the Royal Adelaide Hospital, The Queen Elizabeth Hospital, Modbury Hospital, the Flinders Medical Centre, the Lyell McEwin Health Service, the Women's and Children's Hospital or the South Australian Mental Health Service;

Triple S scheme means the Southern State Superannuation Scheme established by the *Southern State Superannuation Act 1994*;

visiting medical officer means a person appointed as a senior visiting medical specialist, a visiting medical specialist, a senior visiting medical practitioner or a visiting medical practitioner by the South Australian Health Commission or by a teaching hospital, the South Australian Breast X-Ray Service, the Institute of Medical and Veterinary Science or by any other hospital or health centre incorporated under the *South Australian Health Commission Act 1976* that is declared by proclamation to be a hospital or health centre in relation to which this definition applies;

the VMO Fund means the S.A.H.C. Visiting Medical Officers Superannuation Fund established by a trust deed dated 24 February 1983.

4—Membership of the VMO Fund

- (1) Subject to this section a person who is appointed as a visiting medical officer after the commencement of this section is a member of the VMO Fund from the time of his or her appointment and for that purpose will be taken to have applied for and been accepted as a member under the trust deed of the Fund.
- (2) A person does not become a member of the VMO Fund under subsection (1) if—
 - (a) —
 - (i) at the time of his or her appointment as a visiting medical officer he or she was a contributor under the *Superannuation Act 1988*; and
 - (ii) the employment on which his or her status as a contributor was based had not terminated or been terminated before that time; or
 - (b) at the time of his or her appointment as a visiting medical officer he or she was a member of the Triple S scheme and fulfilled the requirements for membership of the scheme at that time.
- (3) Subsection (2)(b) does not apply to a person who was a member of the Triple S scheme at the time of his or her appointment as a visiting medical officer by virtue only of a regulation made under section 14(6) of the *Southern State Superannuation Act 1994*.
- (4) A person who becomes a member of the Triple S scheme on the date of his or her appointment as a visiting medical officer by election under section 15A of the *Southern State Superannuation Act 1994* does not become a member of the VMO Fund under subsection (1).

4A—Contributions cease on election to Triple S scheme

A visiting medical officer who is a member of the VMO Fund and who has become a member of the Triple S scheme by election under section 15A of the *Southern State Superannuation Act 1994* is not entitled to make contributions to the VMO Fund.

5—Reduction in salary of certain visiting medical officers

If the salary payable to a visiting medical officer includes a component to compensate the officer for the fact that his or her employer is not making, or is not liable to make, a superannuation contribution for his or her benefit, the salary will be reduced by the amount of that component.

6—Election by a contributor under the *Superannuation Act 1988* or by a member of the Triple S scheme

- (1) A visiting medical officer who is a contributor within the meaning of the *Superannuation Act 1988* or a member of the Triple S scheme but who is not a member of the VMO Fund may elect to become a member of the VMO Fund.
- (2) If the election is made within one month after the date of the person's appointment as a visiting medical officer, the election takes effect on the date of the appointment.
- (3) If subsection (2) does not apply and the election is made—
 - (a) before 1 June in a financial year it takes effect at the commencement of the next financial year;
 - (b) on or after 1 June in a financial year it takes effect at the commencement of the second financial year after it was made.
- (4) A contributor within the meaning of the *Superannuation Act 1988* who has made an election under subsection (1) before employment on which his or her status as a contributor is based has terminated or been terminated will be taken, for the purposes of that Act—
 - (a) to have resigned from employment and to have preserved his or her accrued superannuation benefits (whether he or she has reached the age of 55 years or not); and
 - (b) not to reach the age of 55 years until he or she reaches that age and ceases to be employed in employment to which that Act applies.
- (5) A member of the Triple S scheme who has made an election under subsection (1) is not entitled to make contributions under the *Southern State Superannuation Act 1994*.
- (6) An election under this section must be made in writing to the Board.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Repeal of Act

The *Superannuation (Visiting Medical Officers) Act 1993* was repealed by Sch 1 cl 1 of the *Southern State Superannuation (Visiting Medical Officers) Amendment Act 2003* on 1.7.2003.

Principal Act and amendments

Year	No	Title	Assent	Commencement
1993	30	<i>Superannuation (Visiting Medical Officers) Act 1993</i>	6.5.1993	1.4.1993: s 2
1999	87	<i>Statutes Amendment (Visiting Medical Officers Superannuation) Act 1999</i>	2.12.1999	23.12.1999 (<i>Gazette 23.12.1999 p3670</i>)

Provisions amended

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
s 3		
the Board	inserted by 87/1999 s 5(a)	23.12.1999
<i>the State Scheme</i>	<i>deleted by 87/1999 s 5(a)</i>	<i>23.12.1999</i>
Triple S scheme	inserted by 87/1999 s 5(b)	23.12.1999
s 4	substituted by 87/1999 s 6	23.12.1999
s 4A	inserted by 87/1999 s 6	23.12.1999
s 6	substituted by 87/1999 s 7	23.12.1999