

South Australia

# **Southern State Superannuation (Visiting Medical Officers) Amendment Act 2003**

An Act to amend the *Southern State Superannuation Act 1994* and to repeal the *Superannuation (Visiting Medical Officers) Act 1993*.

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**The Parliament of South Australia enacts as follows:**

## **Part 1—Preliminary**

### **1—Short title**

This Act may be cited as the *Southern State Superannuation (Visiting Medical Officers) Amendment Act 2003*.

### **2—Commencement**

This Act will be taken to have come into operation on 1 July 2003.

### **3—Amendment provisions**

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

## **Part 2—Amendment of *Southern State Superannuation Act 1994***

### **4—Amendment of section 3—Interpretation**

- (1) Section 3(1), definition of *charge percentage*—after paragraph (ab) insert:
  - (ac) in the case of a visiting medical officer—a percentage determined by reference to and in accordance with the Department of Human Services Visiting Medical Specialist (VMS) Agreement 2001 (or its successor);
- (2) Section 3(1), definition of *charge percentage*, (b)—delete "or (ab)" and substitute:  
    , (ab) or (ac)
- (3) Section 3(1)—after the definition of *the Superannuation Funds Management Corporation of South Australia* insert:  
  
    *teaching hospital* means the Royal Adelaide Hospital, the North Western Adelaide Health Service, the Flinders Medical Centre, the Repatriation General Hospital, the Women's and Children's Hospital or Noarlunga Health Services;
- (4) Section 3(1)—after the definition of *the Triple S scheme* insert:  
  
    *visiting medical officer* means a person appointed as a senior visiting medical specialist or a visiting medical specialist by the Department of Human Services or by a teaching hospital, 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.

### **5—Repeal of section 15A**

Section 15A—delete the section

### **6—Amendment of section 21—Basic invalidity/death insurance**

Section 21(2)—after "scheme" insert:

solely

### **7—Amendment of section 22—Application for additional invalidity/death insurance**

Section 22(1b)—after "scheme" insert:

solely

## 8—Amendment of Schedule 3—Transitional Provisions

Schedule 3—after clause 11 insert:

- 12 (1) Subject to this clause, a transferred visiting medical officer is entitled (without being required to undergo a medical examination) to maintain the insurance cover the member enjoyed under the VMO Fund immediately prior to the repeal of the *Superannuation (Visiting Medical Officers) Act 1993* (subject to any adjustments that would have occurred from time to time under the terms of that insurance).
- (2) The insurance cover to which a transferred visiting medical officer is entitled under subclause (1)—
  - (a) will be in substitution for invalidity/death insurance under Part 3 Division 2 of this Act (and that Division will not apply while the insurance cover under subclause (1) is maintained); and
  - (b) will, if the transferred visiting medical officer has attained the age of 60 at the time he or she becomes a member of the scheme (but has not yet attained the age of 65)—
    - (i) be available to the member despite the fact that he or she has attained the age of 60; and
    - (ii) continue to be available to the member until he or she attains the age of 65; and
  - (c) will be subject to premiums, determined by the Board, being premiums that do not exceed the premiums the member was paying under the VMO Fund immediately before 1 July 2003.
- (3) If a transferred visiting medical officer suffers from a medical condition or restriction relevant to the determination of his or her entitlements under the VMO Fund, any insurance cover to which he or she is entitled under subclause (1) may be subject to such authorised conditions as the Board thinks fit to impose.
- (4) A transferred visiting medical officer may apply to the Board to cancel or vary the insurance cover provided by subclause (1) but, in such a case, the transferred visiting medical officer will then be subject to the operation of Part 3 Division 2 of this Act.
- (5) Despite any other provision, if an entitlement to invalidity/death insurance under the VMO Fund in respect of a transferred visiting medical officer arises on or after 1 July 2003 and before the day on which the retrospective commencement of the *Southern State Superannuation (Visiting Medical Officers) Amendment Act 2003* occurs, there will be no corresponding entitlement to insurance under subclause (1).
- (6) In this clause—

**authorised condition** means a condition authorised by the regulations for the purposes of section 22(6);

***transferred visiting medical officer*** means a visiting medical officer who, immediately before 1 July 2003, was a member of the VMO Fund;

***VMO Fund*** means the SAHC Visiting Medical Officers Superannuation Fund established by a trust deed dated 24 February 1983.

## **Schedule 1—Repeal of *Superannuation (Visiting Medical Officers) Act 1993***

### **1—Repeal of Act**

The *Superannuation (Visiting Medical Officers) Act 1993* is repealed.