

South Australia

## **Statutes Amendment (Notification of Superannuation Entitlements) Act 2003**

An Act to amend the *Parliamentary Superannuation Act 1974*, the *Police Superannuation Act 1990* and the *Superannuation Act 1988*.

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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 *Statutes Amendment (Notification of Superannuation Entitlements) Act 2003*.

#### **2—Commencement**

This Act will come into operation 1 month after assent.

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### **3—Interpretation**

A reference in this Act to the principal Act is a reference to the Act referred to in the heading to the Part in which the reference occurs.

## **Part 2—Amendment of *Parliamentary Superannuation Act 1974***

### **4—Amendment of s. 19A—Preservation of pension in certain circumstances**

Section 19A of the principal Act is amended by inserting before paragraph (a) of subsection (3) the following paragraph:

- (aa) the Board must, not less than 6 months before the member pensioner's 55th birthday, notify the member pensioner in writing of the member pensioner's entitlement to require the payment of a pension under paragraph (a);.

### **5—Amendment of s. 22A—Other benefits under the new scheme**

Section 22A of the principal Act is amended by inserting before paragraph (a) of subsection (5) the following paragraph:

- (aa) the Board must, not less than 6 months before the former member's 55th birthday, notify the former member in writing of the former member's entitlement to require payment of the component under paragraph (a);.

## **Part 3—Amendment of *Police Superannuation Act 1990***

### **6—Amendment of s. 22—Resignation and preservation**

Section 22 of the principal Act is amended—

- (a) by inserting before subparagraph (i) of subsection (1a)(c) the following subparagraph:
  - (ai) the Board must—
    - (A) not less than 6 months before the contributor's 60th birthday—notify the contributor in writing of the contributor's entitlement to require the Board to make the payment under subparagraph (i); and
    - (B) not less than 6 months before the contributor's 55th birthday—notify the contributor in writing of the contributor's entitlement to require the Board to make the payment under subparagraph (ii);;
- (b) by inserting before paragraph (a) of subsection (2) the following paragraph:
  - (aa) the Board must, not less than 6 months before the contributor's 55th birthday, notify the contributor in writing of the contributor's entitlement to require the Board to make a superannuation payment under paragraph (a);.

## **7—Amendment of s. 34—Resignation and preservation of benefits**

Section 34 of the principal Act is amended—

- (a) by inserting before subparagraph (i) of subsection (1a)(c) the following subparagraph:
  - (ai) the Board must—
    - (A) not less than 6 months before the contributor's 60th birthday—notify the contributor in writing of the contributor's entitlement to require the Board to make the payment under subparagraph (i); and
    - (B) not less than 6 months before the contributor's 55th birthday—notify the contributor in writing of the contributor's entitlement to require the Board to make the payment under subparagraph (ii);
- (b) by inserting before paragraph (a) of subsection (2) the following paragraph:
  - (aa) the Board must, not less than 6 months before the contributor's 55th birthday, notify the contributor in writing of the contributor's entitlement to require the Board to make a superannuation payment under paragraph (a);;
- (c) by inserting before paragraph (a) of subsection (4) the following paragraph:
  - (aa) the Board must, not less than 6 months before the contributor's 55th birthday, notify the contributor in writing of the contributor's entitlement to require the payment of a lump sum and retirement pension under paragraph (a);.

## **Part 4—Amendment of *Superannuation Act 1988***

### **8—Amendment of s. 28—Resignation and preservation of benefits**

Section 28 of the principal Act is amended—

- (a) by inserting after paragraph (a) of subsection (1c) the following paragraph:
  - (ab) the Board must—
    - (i) not less than 6 months before the contributor's 60th birthday—notify the contributor in writing of the contributor's entitlement to require the Board to make the payment under paragraph (b); and
    - (ii) not less than 6 months before the contributor's 55th birthday—notify the contributor in writing of the contributor's entitlement to require the Board to make the payment under paragraph (c);;
- (b) by inserting before paragraph (a) of subsection (2) the following paragraph:
  - (aa) the Board must, not less than 6 months before the contributor's 55th birthday, notify the contributor in writing of the contributor's entitlement to require the Board to make a superannuation payment under paragraph (a);.

**9—Amendment of s. 28A—Resignation pursuant to a voluntary separation package**

Section 28A of the principal Act is amended by inserting before paragraph (a) of subsection (3c) the following paragraph:

- (aa) the Board must, not less than 6 months before the contributor's 55th birthday, notify the contributor in writing of the contributor's entitlement to require the Board to pay the amount under paragraph (a);.

**10—Amendment of s. 39—Resignation and preservation of benefits**

Section 39 of the principal Act is amended—

- (a) by inserting after paragraph (a) of subsection (1c) the following paragraph:
  - (ab) the Board must—
    - (i) not less than 6 months before the contributor's 60th birthday—notify the contributor in writing of the contributor's entitlement to require the Board to make the payment under paragraph (b); and
    - (ii) not less than 6 months before the contributor's 55th birthday—notify the contributor in writing of the contributor's entitlement to require the Board to make the payment under paragraph (c);;
- (b) by inserting before paragraph (a) of subsection (2) the following paragraph:
  - (aa) the Board must, not less than 6 months before the contributor's 55th birthday, notify the contributor in writing of the contributor's entitlement to require the Board to make a superannuation payment under paragraph (a);;
- (c) by inserting before paragraph (a) of subsection (5) the following paragraph:
  - (aa) the Board must, not less than 6 months before the contributor's 55th birthday, notify the contributor in writing of the contributor's entitlement to require the payment of a retirement pension under paragraph (a);.

**11—Amendment of s. 39A—Resignation or retirement pursuant to a voluntary separation package**

Section 39A of the principal Act is amended by inserting the following paragraph before paragraph (a) of subsection (3d):

- (aa) the Board must, not less than 6 months before the contributor's 55th birthday, notify the contributor in writing of the contributor's entitlement to require payment of the amount under paragraph (a);.