

South Australia

Parliamentary Superannuation (Reduction of Pension) Amendment Bill 2009

A BILL FOR

An Act to amend the *Parliamentary Superannuation Act 1974*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

Part 2—Amendment of *Parliamentary Superannuation Act 1974*

- 3 Amendment of section 19—Reduction of pension in certain circumstances
 - 4 Amendment of Schedule 1—Transitional provisions
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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 *Parliamentary Superannuation (Reduction of Pension) Amendment Act 2009*.

5 2—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 *Parliamentary Superannuation Act 1974*

3—Amendment of section 19—Reduction of pension in certain circumstances

- 10 Section 19(7), definition of *prescribed office or position*—delete the definition and substitute:

prescribed office or position—a person occupies a prescribed office or position if the person—

- 15 (a) is a member of an advisory body (within the meaning of the *Public Sector Management Act 1995*); or
- (b) occupies an office or position in, or undertakes contract work for, a public sector agency; or
- (c) is a senior official (within the meaning of the *Public Sector Management Act 1995*); or
- 20 (d) occupies an office or position established under the law of this State, the Commonwealth, another State of the Commonwealth or a Territory of the Commonwealth which has been declared by regulation to be a prescribed office or position for the purposes of this section;

- 25 *public sector agency* has the same meaning as in the *Public Sector Management Act 1995* but includes a person or body that is not a public sector agency by virtue of a declaration under section 3(2)(a) of that Act.

4—Amendment of Schedule 1—Transitional provisions

Schedule 1, clause 1—after its present contents (now to be designated as subclause (1)) insert:

- 5 (2) If, on or before the commencement of section 3 of the *Parliamentary Superannuation (Reduction of Pension) Amendment Act 2009*, a member pensioner occupies, or has held or occupied, an office or position that is a prescribed office or position by virtue of paragraph (a), (b) or (c) of the definition of ***prescribed office or position*** as inserted into section 19 by that Act, that office or position
- 10 is to be taken into account for the purposes of section 19(1) and (2) (but not so as to reduce the amount of any pension or child benefit paid prior to that commencement).