

SOUTH AUSTRALIA

**SUPERANNUATION (KINGSTON SOLDIERS' MEMORIAL HOSPITAL
EMPLOYEES) REGULATIONS 1993**

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REGULATIONS UNDER THE SUPERANNUATION ACT 1988

*Superannuation (Kingston Soldiers' Memorial Hospital
Employees) Regulations 1993*

being

No. 163 of 1993: *Gaz.* 1 July 1993, p. 397¹

as varied by

No. 205 of 1993: *Gaz.* 9 September 1993, p. 1084²

¹ Came into operation 1 July 1993: reg. 2.

² Came into operation 9 September 1993: reg. 2.

Citation

1. These regulations may be cited as the *Superannuation (Kingston Soldiers' Memorial Hospital Employees) Regulations 1993*.

Commencement

2. These regulations will come into operation on 1 July 1993.

Interpretation

3. In these regulations, unless the contrary intention appears—

"**the Act**" means the *Superannuation Act 1988*;

"**contributor**" means a person whose name appears in the schedule;

"**the Fund**" means the Kingston Soldiers' Memorial Hospital Incorporated Superannuation Fund.

Transfer of the assets of the Fund

4. (1) The sum of \$307 551 being the aggregate of the amounts appearing opposite the names of the contributors in the schedule is transferred to the South Australian Superannuation Fund.

(2) A contribution account must be opened in the name of each contributor and the amount appearing opposite the contributor's name in the schedule must be credited to the account.

(3) The balance of the assets of the Fund are transferred to an account to be kept at the Treasury pursuant to an arrangement under section 5 of the Act between the Board and the Kingston Soldiers' Memorial Hospital Incorporated.

Modification of Act

5. The provisions of the Act are modified in their application to the contributors as follows:

(a) the contributors are new scheme contributors;

(b) the following section is inserted after section 26 of the Act:

Interpretation

26a. In this Part, unless the contrary intention appears—

"**rolled over amount**" in relation to a contributor means the amount appearing in the schedule to the *Superannuation (Kingston Soldiers' Memorial Hospital Employees) Regulations 1993* opposite the contributor's name together with that part of the interest and other accretions credited to the contributor's contribution account that are referable to that amount.;

3.

(c) the following paragraph is substituted for section 28(1)(a) of the Act:

(a) to take immediately an amount (to be charged against the contributor's contribution account) equivalent to the amount standing to the credit of the contributor's contribution account less an amount equivalent to the rolled over amount;;

(d) the following subsection is inserted after section 28(1d) of the Act:

(1e) Where a contributor resigns and elects to take the amount referred to in subsection (1)(a), the rolled over amount will be paid to, or in relation to, the contributor at the time and in the circumstances referred to in subsection (2) as if the contributor had elected to preserve that amount and payment of the amount will be charged against the contributor's contribution account.;

(e) section 32a(2) of the Act is amended by inserting after "elects to take the amount" "(excluding the rolled over amount)".

Transitional provision

6. (1) Subject to subregulation (2), for the purpose of the definition of "M" in the formulas in Part IV of the Act the 12 months from 1 July 1992 to 30 June 1993 will be taken to be 12 months of the contributor's contribution period and consequently it is not appropriate that the contributor (or the spouse or some other person in respect of the contributor) be entitled to a benefit as a (or in respect of the contributor as a) section 4(6) member under the *Superannuation (Benefit Scheme) Act 1992* for the period from 1 July 1992 to 30 June 1993 and accordingly section 7(2) of that Act does not apply in relation to a contributor named in the schedule.

(2) If a contributor (or the contributor's spouse or some other person) claims a benefit under the *Superannuation (Benefit Scheme) Act 1992* as a section 4(6) member (or in respect of the contributor as a section 4(6) member) under that Act, benefits payable to, or in relation to, the contributor under the *Superannuation Act 1988* will be reduced by basing the definition of "M" in the formula used to calculate the benefits on the number of months of the contributor's contribution period occurring after 30 June 1993.

4.

SCHEDULE

Contributor's Name	Rolled Over Amount
Dean Gregory CROFT	\$ 19 700
Donna Therese CROFT	\$ 14 005
Judy Lorraine FRY	\$ 21 150
Anita Maureen HAMLYN	\$ 18 996
Merilyn Margaret HARRINGTON	\$ 181
Keith Leonard JARRAD	\$ 25 312
Mary Patricia MCINERNEY	\$ 36 695
Toni Stark MICKAN	\$ 16 204
Jennifer Carol NASH	\$ 5 211
Dianne Jean O'NEIL	\$ 24 438
Pamela Mary PARKER	\$ 8 433
Josephine PINK	\$ 22 533
Dianne Margaret SLY	\$ 39 479
Patricia Anne VILLIS	\$ 55 214

5.

APPENDIX

LEGISLATIVE HISTORY

Regulation 4(3):	varied by 205, 1993, reg. 3
Regulation 5:	varied by 205, 1993, reg. 4
Regulation 6(1):	substituted by 205, 1993, reg. 5