

South Australia

Superannuation (Kingston Soldiers' Memorial Hospital Employees) Regulations 1993

under the *Superannuation Act 1988*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Transfer of the assets of the Fund
- 5 Modification of Act
- 6 Transitional provision

Schedule—Contributors

Legislative history

1—Short title

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

2—Commencement

These regulations will come into operation on 1 July 1993.

3—Interpretation

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.

4—Transfer of the assets of the Fund

- (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.

5—Modification of Act

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:

26A—Interpretation

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.;

- (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)".

6—Transitional provision

- (1) Subject to subregulation (2), for the purpose of the definition of ***M*** in the formulas in Part 4 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.

Schedule—Contributors

| Contributor's Name | Rolled Over Amount |
|-----------------------------|--------------------|
| Dean Gregory CROFT | \$19 700 |
| Donna Therese CROFT | \$14 005 |
| Judy Lorraine FRY | \$21 150 |
| Anita Maureen HAMLIN | \$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 SLV | \$39 479 |
| Patricia Anne VILLIS | \$55 214 |

Legislative history

Notes

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

Expiry of regulations

The *Superannuation (Kingston Soldiers' Memorial Hospital Employees) Regulations 1993* expired on 1.9.2006: see *Subordinate Legislation Act 1978*.

Principal regulations and variations

| Year | No | Reference | Commencement |
|------|-----|--------------------------------|----------------|
| 1993 | 163 | <i>Gazette 1.7.1993 p397</i> | 1.7.1993: r 2 |
| 1993 | 205 | <i>Gazette 9.9.1993 p1084</i> | 9.9.1993: r 2 |
| 2003 | 147 | <i>Gazette 12.6.2003 p2500</i> | 12.6.2003: r 2 |

Provisions varied

| Provision | How varied | Commencement |
|-----------|---------------------------------------|--------------|
| r 4 | | |
| r 4(3) | varied by 205/1993 r 3 | 9.9.1993 |
| r 5 | varied by 205/1993 r 4 | 9.9.1993 |
| r 6 | | |
| r 6(1) | substituted by 205/1993 r 5 | 9.9.1993 |
| Sch | heading substituted by 147/2003 Sch 1 | 12.6.2003 |