

WESTERN AUSTRALIA

LOCAL GOVERNMENT SUPERANNUATION AMENDMENT ACT

No. 39 of 1989

AN ACT to amend the *Local Government Superannuation Act 1980*.

[Assented to 22 December 1989]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Local Government Superannuation Amendment Act 1989*.

Commencement

2. This Act shall come into operation on such day as is fixed by proclamation.

Principal Act

3. In this Act the *Local Government Superannuation Act 1980** is referred to as the principal Act.

[*Act No. 76 of 1980; amended by Acts Nos. 40 of 1983 and 98 of 1985 (as amended by Act No. 4 of 1986).]

Sections 19A and 19B inserted

4. After section 19 of the principal Act the following sections are inserted—

Termination of membership of
employees of particular bodies

“ 19A. (1) A member to whom this section applies may terminate his membership in accordance with subsection (2) but once he has done so he cannot further elect to become a member of the scheme.

(2) Termination of membership referred to in subsection (1) is effected if the member, being eligible to become a member of the scheme established under the *Government Employees Superannuation Act 1987*, lodges an election under that Act to become a contributor and the election is accepted by the Board established under that Act.

(3) The Board referred to in subsection (2) shall notify the Board in writing of its acceptance of such an election.

(4) This section applies to a member—

(a) if he is an employee of the Zoological Gardens Board under the *Zoological Gardens Act 1972*, the Metropolitan Cemeteries Board or the Fremantle Cemetery Board under the *Cemeteries Act 1986*, the Keep Australia Beautiful Council (W.A.) under the *Litter Act 1979*, the Waterways Commission under the *Waterways Conservation Act 1976*, or the King's Park Board under the *Parks and Reserves Act 1895*; or

(b) if he was, immediately before the commencement of—

- (i) Part II of the *Acts Amendment (Conservation and Land Management) Act 1984*, employed under section 7 (4) of the *Wildlife Conservation Act 1950*, repealed by that Part; or
- (ii) section 147 (1) (b) of the *Conservation and Land Management Act 1984*, an employee of the National Parks Authority abolished by that section,

and had while in that employment elected to become a member of the scheme.

(5) A member is not ineligible to become a member of the scheme referred to in subsection (2) by reason only of section 17 (3) (d) of the Act referred to in that subsection.

(6) This section has effect notwithstanding section 19.

New employees of particular bodies not eligible for membership

19B. Notwithstanding any other provision of this Act, an employee of a body referred to in section 19A (4) (a) is not eligible, after the commencement of the *Local Government Superannuation Amendment Act 1989*, to elect to become a member of the scheme. ”.

Section 27 amended

5. Section 27 of the principal Act is amended in subsection (1) by inserting after paragraph (m) the following paragraph—

- “ (ma) prescribing the entitlement to benefits under the scheme of persons who have terminated their contributory membership under section 19A and providing for the preservation of those benefits in the fund, the time and manner of payment of and the accrual of interest on the benefits and the administrative charges that may be deducted from them; ”.