

Queensland



Subordinate Legislation 1997 No. 171

Superannuation (State Public Sector) Act 1990

**SUPERANNUATION (STATE PUBLIC
SECTOR) AMENDMENT OF DEED
REGULATION (No. 3) 1997**

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Short title

1. This regulation may be cited as the *Superannuation (State Public Sector) Amendment of Deed Regulation (No. 3) 1997*.

Commencement

2. This regulation commences when the *Superannuation and Other Legislation Amendment Act 1997*, part 6, commences.

Approval of amendment of deed

3. This regulation approves the amendments of the Deed of the State Public Sector Superannuation Scheme in the schedule.

SCHEDULE

AMENDMENTS OF THE DEED OF THE STATE PUBLIC SECTOR SUPERANNUATION SCHEME

section 3

Amendment of deed

1.(1) This section and appendix 1 amend the deed.

(2) The following provisions, as amended by appendix 2, are relocated to the deed—

- (a) the provisions of the Articles of the Government Officers' Superannuation Scheme—relocate to chapter 3 of the deed;
- (b) the *Public Service Superannuation Act 1958*—
 - (i) the provisions other than schedules 1 to 6—relocate to chapter 4 of the deed;
 - (ii) schedules 1 to 6—renumber and relocate to the deed as schedules 2 to 9;
- (c) the *State Service Superannuation Act 1972*—
 - (i) the provisions other than schedules 1A to 5—relocate to chapter 5 of the deed;
 - (ii) schedules 1A to 5—renumber and relocate to the deed as schedules 10 to 15;
- (d) the *Police Superannuation Act 1968*—
 - (i) the provisions other than schedules 1 to 4F—relocate to chapter 6 of the deed;
 - (ii) schedules 1 to 4F—renumber and relocate to the deed as schedules 16 to 22;
- (e) the *Police Superannuation Act 1974*—

SCHEDULE (continued)

- (i) the provisions other than schedules 2 to 4F—relocate to chapter 7 of the deed;
- (ii) schedules 2 to 4F—renumber and relocate to the deed as schedules 23 to 28.¹

¹ See section 44 (Deed making power for transferring members) of the Act.

SCHEDULE (continued)

APPENDIX 1**AMENDMENTS OF THE DEED**

section 1(1)

1. Words before part 1, after clause C—*insert—*

‘D The board has made amendments of the deed, to have effect immediately before the end of the day on 30 June 1997, relating to the merger of various schemes with the State Public Sector Superannuation Scheme including, in particular, amendments concerning new membership categories and other matters relating to the persons becoming members of the scheme under the merger.’.

2. Before part 1—*insert—***‘CHAPTER 1—GENERAL’.****3. After section 12.1—***insert—*

SCHEDULE (continued)

‘CHAPTER 2—DEFINED BENEFIT MEMBERS

‘PART 1—PRELIMINARY

‘Application

‘201.1 This chapter applies to defined benefit members.

‘Definitions for chap 2

‘201.2 In this chapter—

‘PART 7—MISCELLANEOUS

‘CHAPTER 3—ACCUMULATION MEMBERS

‘CHAPTER 4—STATE 58 MEMBERS

‘CHAPTER 5—STATE 72 MEMBERS

‘CHAPTER 6—POLICE 68 MEMBERS

‘CHAPTER 7—POLICE 74 MEMBERS’.

4. Chapter 1, part 1, before section 1.1—

insert—

SCHEDULE (continued)

‘Short title

‘1.1A This deed may be cited as the *Superannuation (State Public Sector) Deed 1990*.’.

5. Section 1.4, definitions “financial year”, “member”, “voluntary contribution and preservation account” and “voluntary preservation earning rate”—

omit.

6. Section 1.4—

insert—

‘ **“discontinued scheme”** means a superannuation scheme that, immediately before the commencement of the *Superannuation and Other Legislation Amendment Act 1997*, part 6, was operated under any of the following Acts—

- the *Fire and Rescue Authority Act 1990*
- the repealed *Superannuation (Government and Other Employees) Act 1988*
- the repealed *Police Superannuation Act 1968*
- the repealed *Police Superannuation Act 1974*
- the repealed *Public Service Superannuation Act 1958*
- the repealed *State Service Superannuation Act 1972*.

“member” see section 1.4AA.

“voluntary contribution account” means an account established under section 206.1.

“voluntary preservation account” means an account established under section 903.1.’.

SCHEDULE (continued)

7. Section 1.4, definition “compulsory contributions”, ‘section 5.1’—*omit, insert—*

‘section 202.1’.

8. Section 1.4, definition “contributory membership”, ‘section 7.13’—*omit, insert—*

‘section 204.12’.

9. Section 1.4, definition “contributory membership”, ‘part 7’—*omit, insert—*

‘part 4’.

10. Section 1.4, definition “employed member”, paragraph (b), ‘section 4.1’—*omit, insert—*

‘this deed’.

11. Section 1.4, definitions “annual compulsory contribution rate”, “annual review date”, “annual review date salary”, “average rate”, “AWOTE”, “child”, “compulsory contributions”, “contributory membership”, “early retirement”, “final average salary” or “FAS”, “final salary” or “FS”, “involuntary termination”, “membership”, “non-preserved amount”, “permanent and partial disablement”, “preservation cashing condition”, “preserved amount”, “prospective membership”, “review year”, “salary”, “smoothed earning rate”, “spouse” and “standard compulsory rate”—*relocate* to section 201.2.

SCHEDULE (continued)

12. After section 1.4—

insert—

‘Meaning of “member”

‘1.4AA.(1) In this deed—

“member” means—

- (a) an employed member; or
- (b) a person who ceased to be an employed member if—
 - (i) there is an amount in the person’s voluntary preservation account; or
 - (ii) an amount is to be credited to the person’s voluntary preservation account on the happening of an event mentioned in section 204.10(2); or
 - (iii) there is an amount in an account maintained for the person under section 303.7.

‘(2) However, a reference in a chapter to a member is a reference to a member of the category to which that chapter applies.’.

13. Chapter 1, part 1, after section 1.5—

insert—

‘Application of deed to categories of members

‘1.6.(1) This deed divides the membership of the scheme into categories.²

‘(2) Different chapters of this deed apply to different categories of members.

‘(3) This chapter applies to all members.

² See section 4.4 (Membership categories).

SCHEDULE (continued)

‘(4) Chapters 2 to 9 provide for the particular categories of members to which they apply.

‘References to period of membership etc. for members transferring from discontinued schemes

‘1.7(1) This section applies to a member who, under section 34 of the Act, ceased being a member of a discontinued scheme and became a member of this scheme in a category other than the defined benefit category.

‘(2) A reference in this deed to the member’s period of membership includes a reference to the period for which the member was a member of the discontinued scheme.

‘(3) A reference in this deed to the time the person became a member is a reference to the time the member became a member of the discontinued scheme.

‘(4) A reference in this deed to contributions or payments in relation to the member under this scheme includes a reference to the equivalent contributions or payments in relation to the member under the discontinued scheme.

‘(5) A reference in this deed to the member’s salary at or for a time during membership includes a reference to the member’s salary at or for the relevant time during membership of the discontinued scheme.

‘(6) A reference in this deed to an entitlement under this scheme in relation to the member includes a reference to the equivalent entitlement in relation to the member under the discontinued scheme.

‘(7) A reference in this deed to an election, approval or other decision under this scheme in relation to the member includes a reference to the equivalent election, approval or other decision in relation to the member under the discontinued scheme.

‘(8) A reference in this deed to the doing or happening of anything else, or the existence of any other state of affairs, in relation to the member includes a reference to the doing or happening of the equivalent thing, or the

SCHEDULE (continued)

existence of the equivalent state of affairs, in relation to the member while a member of the discontinued scheme.

‘(9) Subsections (2) to (8) apply except so far as the context or subject matter otherwise indicates or requires.

‘References to matters relating to other persons with entitlements under discontinued schemes

‘1.8(1) This section applies to a person who was entitled to a benefit under a discontinued scheme, other than as a member of the scheme, immediately before the scheme was discontinued on the commencement of the *Superannuation and Other Legislation Amendment Act 1997*, part 6.

‘(2) Section 1.7(2) to (8) applies to the person as if a reference to a matter relating to membership were a reference to the equivalent matter relating to the person’s entitlement to the benefit.

‘(3) Subsection (2) applies except so far as the context or subject matter otherwise indicates or requires.

‘Cross references

‘1.9 A reference in a chapter of this deed to a provision by number, without specifying a chapter of this deed or another law, is a reference to the provision, in the chapter, designated by the number.

Examples—

1. A reference in chapter 4 to ‘section 36’ is a reference to the provision, in chapter 4, designated as section 36.

2. A reference in chapter 4 to ‘section 36 of chapter 5’ is a reference to the provision, in chapter 5, designated as section 36.’.

14. Section 3.1(c)—

omit, insert—

SCHEDULE (continued)

‘(c) all contributions paid by the Treasurer to the fund under the scheme;

(ca) all contributions paid by an employer to the fund;’.

15. Section 3.5(1), ‘before the expiration of 3 years after the commencement of this deed, and thereafter’—

omit.

16. Section 3.5(1A)(b), ‘referred to in Part 8’—

omit, insert—

‘to the fund’.

17. Section 4.1(a)(ii), ‘order in council’—

omit, insert—

‘notice’.

18. Section 4.1—

renumber and relocate to chapter 2, part 1, as section 201.3.

19. Section 4.3(2), as a heading—

insert—

‘Continuity of membership when changing employers’.

20. Section 4.3(2)—

renumber and relocate to chapter 2, part 1, as section 201.4.

SCHEDULE (continued)

21. After section 4.3—*insert—***‘Membership categories**

‘4.4.(1) Each member belongs to 1 or more of the following categories—

- defined benefit member
- accumulation member
- State 58 member
- State 72 member
- police 68 member
- police 74 member
- fire member
- preservation member.

‘(2) A member may become a member of a category under—

- (a) a notice under section 13(1) of the Act; or
- (b) a provision of this deed.

‘Initial membership categories applying after discontinuance of schemes

‘4.5.(1) This section states the membership categories applying, on the commencement, to a member who, immediately before the commencement, was a member of this scheme or a discontinued scheme.

‘(2) The following are the membership categories for a member who was a member of this scheme—

- (a) for an employed member—defined benefit member;
- (b) for a member who has ever ceased to be an employed member (whether or not the member is now an employed member)—preservation member.

SCHEDULE (continued)

‘(3) The following are the membership categories for a member who was a member of a discontinued scheme—

- (a) for a member of the scheme operated under the *Fire and Rescue Authority Act 1990*—fire member;
- (b) for a member of the scheme operated under the repealed *Superannuation (Government and Other Employees) Act 1988*—accumulation member;
- (c) for a member of the scheme operated under the repealed *Police Superannuation Act 1968*—police 68 member;
- (d) for a member of the scheme operated under the repealed *Police Superannuation Act 1974*—police 74 member;
- (e) for a member of the scheme operated under the repealed *Public Service Superannuation Act 1958*—State 58 member;
- (f) for a member of the scheme operated under the repealed *State Service Superannuation Act 1972*—State 72 member.

‘(4) In this section—

“**commencement**” means the commencement of the *Superannuation and Other Legislation Amendment Act 1997*, part 6.’.

22. Part 5, heading—

renumber and *relocate* to chapter 2, after section 201.4, as part 2, heading.

23. Section 5.1(1A), ‘part 5A’—

omit, insert—

‘part 3’.

SCHEDULE (continued)

24. Section 5.1(5), ‘subsection 5.1(3)’—*omit, insert—*

‘subsection (3)’.

25. Section 5.2, ‘and preservation account established under the provisions of section 6.1’—*omit, insert—*

‘account established under section 206.1’.

26. Section 5.3(2), ‘and preservation’—*omit.***27. Section 5.4(1A), ‘part 5A’—***omit, insert—*

‘part 3’.

28. Section 5.4(2), ‘and preservation’—*omit.***29. Section 5.5, ‘contribution and’—***omit.***30. Section 5.5, ‘section 5.4’—***omit, insert—*

‘section 202.4’.

SCHEDULE (continued)

31. Section 5.6(1), ‘section 5.1’—*omit, insert—*

‘section 202.1’.

32. Sections 5.1 to 5.6—*renumber and relocate* to chapter 2, part 2, as sections 202.1 to 202.6.**33. Part 5A, heading—***renumber and relocate* to chapter 2, after section 202.6, as part 3, heading.**34. Sections 5.6A and 5.6B—***renumber and relocate* to chapter 2, part 3, as sections 203.1 and 203.2.**35. Part 6***omit.***36. Part 7, heading—***renumber and relocate* to chapter 2, after section 203.2, as part 4, heading.**37. Section 7.1, ‘contribution and’—***omit.***38. Section 7.2(2), ‘the schedule’—***omit, insert—*

‘schedule 1’.

SCHEDULE (continued)

39. Section 7.3(2), ‘the schedule’—*omit, insert—*

‘schedule 1’.

40. Section 7.4(1), (2) and (4), ‘contribution and’—*omit.***41. Section 7.4(2A)(c), ‘section 7.4(1)’—***omit, insert—*

‘subsection (1)’.

42. Section 7.4(2C), ‘section 7.12’—*omit, insert—*

‘section 204.11’.

43. Section 7.5(2), ‘section 7.13’—*omit, insert—*

‘section 204.12’.

44. Section 7.5(2)—*renumber* as section 7.5(3).**45. Section 7.6(1), ‘contribution and’—***omit.*

SCHEDULE (continued)

46. Section 7.6(1), ‘section 7.4(1)’—*omit, insert—*

‘204.4(1)’.

47. Section 7.6(2), ‘section 7.5(a), (b) or (c)’—*omit, insert—*

‘section 204.5(1)(a), (b) or (c)’.

48. Section 7.6(2), ‘section 7.12’—*omit, insert—*

‘section 204.11’.

49. Section 7.7, ‘contribution and’—*omit.***50. Section 7.8(2), ‘section 7.12’—***omit, insert—*

‘section 204.11’.

51. Section 7.9, ‘contribution and’—*omit.***52. Section 7.10(1), (2) and (3C), ‘contribution and’—***omit.*

SCHEDULE (continued)

53. Section 7.11, heading—

omit.

54. Section 7.11—

renumber and *relocate* to section 7.5 as section 7.5(2).

55. Section 7.12(1), ‘sections 7.4, 7.6 and 7.8’—

omit, insert—

‘sections 204.4, 204.6 and 204.8’.

56. Section 7.13(1) and (2), ‘contribution and’—

omit.

57. Section 7.14, ‘contribution and’—

omit.

58. Sections 7.1 to 7.14—

renumber and *relocate* to chapter 2, part 4, as sections 204.1 to 204.13.

59. Part 8, heading—

renumber and *relocate* to chapter 2, after section 204.13, as part 5, heading.

60. Section 8.1, ‘section 8.3’—

omit, insert—

‘section 205.3’.

SCHEDULE (continued)

61. Section 8.2, ‘section 8.1’—*omit, insert—*

‘section 205.1’.

62. Sections 8.1 to 8.3—*renumber and relocate* to chapter 2, part 5, as sections 205.1 to 205.3.**63. Section 9.1—***renumber and relocate* to chapter 2, part 7, as section 207.1.**64. Section 9.2, ‘contribution and’—***omit.***65. Section 9.3, from ‘Following’ to ‘those sections’—***omit, insert—*

‘An employed member who lodges a claim for a benefit relating to disablement’.

66. Section 10.2(1), ‘contribution and’—*omit.***67. Section 11.1(a), ‘contribution and preservation account under Part 7’—***omit, insert—*

‘preservation account under part 4’.

SCHEDULE (continued)

68. Section 11.1—

renumber and *relocate* to chapter 2, part 7, as section 207.2.

69. Section 11.2(2) and (3), ‘and preservation’—

omit.

70. Section 11.2(4), ‘sections 5.4(2) and 8.1’—

omit, insert—

‘sections 202.4(2) and 205.1’.

71. Section 11.2—

renumber and *relocate* to chapter 2, part 7, as section 207.3.

72. Sections 11.3 and 11.4—

omit.

73. Section 11.7(3), ‘section 7.8’—

omit, insert—

‘section 204.8’.

74. Section 11.7(4), ‘Part 5’—

omit, insert—

‘part 2’.

SCHEDULE (continued)

75. Section 11.7(5), ‘subsection 7.3(2)’—*omit, insert—*

‘section 204.3(2)’.

76. Section 11.7(6), ‘section 7.5’—*omit, insert—*

‘section 204.5’.

77. Section 11.7(7), ‘subsection 7.4(1)’—*omit, insert—*

‘section 204.4(1)’.

78. Section 11.7—*renumber and relocate* to chapter 2, part 7, as section 207.4.**79. After section 11.8—***insert—***‘Rounding of monetary amounts****‘11.9** The amount of a contribution or benefit calculated under the deed, when expressed in dollars and cents, must be rounded to the nearest cent.’.**80. After chapter 2, part 5—***insert—*

SCHEDULE (continued)

‘PART 6—VOLUNTARY CONTRIBUTION ACCOUNT**‘Voluntary contribution account**

‘206.1(1) The board may establish a voluntary contribution account for a member.

‘(2) The following amounts must be credited to the account—

- (a) contributions received under sections 202.2 and 202.4;
- (b) interest under section 206.2;
- (c) amounts received under section 10.1, and any other amounts received under this deed, that the board considers are most appropriately dealt with by payment to the account.

‘(3) The following amounts must be debited from the account—

- (a) amounts withdrawn from the account for payment to, or in relation to, the member under this deed;
- (b) reasonable administrative fees and charges decided by the board;
- (c) insurance premiums paid under section 207.3;
- (d) any other payments or deductions under this deed that the board considers are most appropriately dealt with by deduction from this account.

‘Interest on accounts

‘206.2 The board must, from time to time, credit each voluntary contribution account with interest compounded annually at the smoothed earning rate.

‘Voluntary withdrawals from the voluntary contribution account

‘206.3(1) An employed member may only withdraw all or part of the non-preserved amount in the member’s voluntary contribution account.

SCHEDULE (continued)

‘(2) The board may impose reasonable constraints on minimum amounts, times and frequencies of withdrawals.

‘Closure of account when employment ceases

‘**206.4.(1)** This section applies if a member—

- (a) ceases to be an employed member; or
- (b) is at least 65 years old and is not employed for at least 10 hours per week; or
- (c) is at least 70 years old and is not employed for at least 30 hours per week.

‘(2) The board must, as soon as practicable, transfer any amount in the member’s voluntary contribution account to the member’s voluntary preservation account.

‘Transitional—voluntary contribution account

‘**206.5.(1)** This section applies if, immediately before the commencement of this section—

- (a) there was an amount (the “**relevant amount**”) in an employed member’s voluntary contribution and preservation account; and
- (b) the member had the same employer as when the relevant amount was credited to the account.

‘(2) On the commencement of this section, the relevant amount is credited to the member’s voluntary contribution account.

‘(3) This section expires on the day after it commences.’.

81. After chapter 7—

insert—

SCHEDULE (continued)

‘CHAPTER 8—FIRE MEMBERS**‘PART 1—PRELIMINARY****‘Application**

‘801.1 This chapter applies to fire members.

‘Definitions for chap 8

‘801.2 In this chapter—

“authority” means the Queensland Fire and Rescue Authority established under the *Fire and Rescue Authority Act 1990*.

“chief commissioner” means the chief commissioner for the authority.

“commencement” means the commencement of the *Superannuation and Other Legislation Amendment Act 1997*, part 3.³

“discontinued scheme” means the superannuation scheme operated under the *Fire and Rescue Authority Act 1990* immediately before the commencement.

“preserved amount”, for a member, means the following amounts—

- (a) an amount that, immediately before the commencement, was a preserved amount for the member under the rules of the discontinued scheme;
- (b) contributions accepted by the board for the member under sections 802.1 and 802.2(b) and (c);
- (c) an amount received by the board under section 10.1 that the board

³ That part contained amendments of the *Fire and Rescue Authority Act 1990*, including the omission of the provisions under which the discontinued scheme was operated.

SCHEDULE (continued)

has undertaken to pay only if a preservation cashing condition happens in relation to the member;

(d) interest paid under section 802.6 on a preserved amount.

“preservation cashing condition” means an event mentioned in section 803.1(1)(a) to (f).

“unclaimed benefit” means an unclaimed benefit under section 23 of the Act.

‘PART 2—MEMBERSHIP AND CONTRIBUTIONS*‘Division 1—Acceptance of contributions***‘Commissioner standard contributions**

‘802.1 The board may accept contributions paid by the chief commissioner for a member if—

- (a) the member is employed by the authority and is less than 65 years old; and
- (b) the contributions are necessary to avoid payment of the superannuation guarantee charge.

‘Acceptance of contributions—member under 65

‘802.2 The board may accept contributions for a member who is under 65 years only in the following circumstances—

- (a) while the member is employed for at least 10 hours a week;
- (b) for up to 2 years after the member ceases to be employed for at least 10 hours a week;
- (c) for up to 7 consecutive years while the employed member—

SCHEDULE (continued)

- (i) is on authorised leave to raise children, of whom the member is a parent, or for whom the member has assumed the responsibility of a parent; and
- (ii) has a statutory or contractual right to resume employment at the end of the authorised leave.

‘Acceptance of contributions—member 65 or over

‘802.3(1) The board may accept contributions for a member who is 65 years or over only if the member—

- (a) was at least 60 years on 1 July 1990; and
- (b) is under 70 years when the contribution is made.

‘(2) This section expires on 30 June 2000.

‘Division 2—Member’s account and interest

‘Member’s account

‘802.4(1) The board must keep an account for each member.

‘(2) The following amounts must be credited to the account—

- (a) contributions paid by the chief commissioner and accepted by the board; and
- (b) amounts received under section 10.1;
- (c) other contributions paid by the member and accepted by the board;
- (d) interest under section 802.6.

‘(3) The following amounts must be debited from the account—

- (a) benefits paid to, or in relation to, the member;
- (b) administrative fees and charges (including provision for tax).

SCHEDULE (continued)

‘Limit on administrative fees

‘802.5(1) This section applies to a member—

- (a) with unclaimed benefits; or
- (b) whose account contains less than \$1 000.

‘(2) The amount of administrative fees and charges debited from the member’s account for a period must not be more than the interest credited to the account for the period.

‘(3) For subsection (2), administrative fees and charges do not include a provision for tax.

‘Interest

‘802.6 The board must, from time to time—

- (a) declare the interest rate it intends to pay to the members; and
- (b) credit each member’s account, in the way the board decides, with interest at the declared rate.

‘PART 3—BENEFITS AND PAYMENTS**‘Time for payment of benefits**

‘803.1 The board must pay the amount in a member’s account if the board is satisfied the member—

- (a) has permanently retired from the workforce and is at least 55 years old; or
- (b) has died; or
- (c) has permanently retired from the workforce on the grounds of total and permanent disablement; or
- (d) has permanently departed from Australia; or

SCHEDULE (continued)

- (e) is no longer employed by the authority and has preserved benefits of less than \$500; or
- (f) is at least 70 years old and is not employed for at least 30 hours a week.

‘Persons entitled to payment of benefits

‘803.2(1) This section applies if a benefit is payable under section 803.1.

(2) The board must pay the benefit—

- (a) if the member is dead—to the member’s legal personal representative or to 1 or more of the member’s dependants; or
- (b) otherwise—to the member.

‘(3) In deciding to whom it should pay a benefit under subsection (2)(a), the board must have regard to any written notice given by the member to the board nominating persons to be paid under this section.

‘PART 4—MISCELLANEOUS**‘Preservation account**

‘804.1 If a benefit is payable under this chapter to a member, other than by way of a pension, the board must credit the member’s voluntary preservation account with the amount of the benefit.

‘Members with defined benefits or receiving partial incapacity benefits

‘804.2(1) This section applies to a member who, immediately before the commencement, was entitled to a benefit under division 2 of the rules for the discontinued scheme.

‘(2) Subject to this deed, the rules of the discontinued scheme, as at the

SCHEDULE (continued)

time immediately before the commencement, continue to apply to the member in relation to the benefit.

‘CHAPTER 9—PRESERVATION MEMBERS**‘PART 1—PRELIMINARY****‘Application**

‘901.1(1) This chapter applies to preservation members.

‘(2) A member is a preservation member if, under this deed, an amount is required to be paid into the member’s preservation account.

‘Definitions for ch 9

‘901.2 In this chapter—

“preservation cashing condition”, for a member, means the member—

- (a) permanently retiring from the workforce at 55 years or more; or
- (b) turning 60 years; or
- (c) dying; or
- (d) becoming totally and permanently disabled.

“preserved amount”, of a member, means the following amounts and interest on the amounts under this chapter—

- (a) an amount received by the board under section 10.1 that the board has undertaken to pay to the member only if a preservation cashing condition has been complied with;
- (b) an amount accepted by the board under part 2;

SCHEDULE (continued)

- (c) an amount transferred to the member's voluntary preservation account, under this deed, as a preserved amount.

“voluntary preservation earning rate” means a rate of interest, decided from time to time by the board after receiving appropriate advice, that reasonably reflects the after tax earnings derived from the investment of amounts standing to the credit of all voluntary preservation accounts, having regard to—

- (a) the cost of administering those accounts; and
- (b) the charges incurred in the investment of amounts standing to the credit of those accounts; and
- (c) the allocation to, or deduction from, any reserve held for smoothing returns from the investment of amounts standing to the credit of those accounts.

‘PART 2—ACCEPTANCE OF CONTRIBUTIONS**‘Acceptance of contributions—member under 65**

‘902.1 The board may accept contributions for a member who is under 65 years only in the following circumstances—

- (a) while the member is employed for at least 10 hours a week;
- (b) for up to 2 years after the member ceases to be employed for at least 10 hours a week;
- (c) for up to 7 consecutive years while the employed member—
- (i) is on authorised leave to raise children, of whom the member is a parent, or for whom the member has assumed the responsibility of a parent; and
- (ii) has a statutory or contractual right to resume employment at the end of the authorised leave.

SCHEDULE (continued)

‘Acceptance of contributions—member 65 or over

‘902.2(1) The board may accept contributions for a member who is 65 years or over only if the member—

- (a) was at least 60 years on 1 July 1990; and
- (b) is under 70 years when the contribution is made.

‘(2) This section expires on 30 June 2000.

‘PART 3—MEMBERS’ ACCOUNTS**‘Voluntary preservation account**

‘903.1(1) The board must keep a voluntary preservation account for each member.

‘(2) The following amounts must be credited to the account—

- (a) contributions received under part 2;
- (b) benefits credited to the account under this deed;
- (c) interest under section 903.2;
- (d) any other amounts the board considers are most appropriately dealt with by payment to this account.

‘(3) The following amounts must be debited from the account—

- (a) amounts withdrawn from the account under this deed for payment to, or in relation to, the member;
- (b) reasonable administrative fees and charges decided by the Board;
- (c) any other amounts the board considers are most appropriately dealt with by deduction from this account.

SCHEDULE (continued)

‘Interest on accounts

‘**903.2** The board must, from time to time, credit each voluntary preservation account with interest compounded annually at the voluntary preservation earning rate.

‘Voluntary withdrawals

‘**903.3 (1)** A member may withdraw all or part of the amount in the member’s voluntary preservation account.

‘**(2)** However, unless a preservation cashing condition has happened, a preserved amount may be withdrawn only for the purpose of being immediately transferred within the superannuation system.

‘**(3)** The board may impose reasonable constraints on minimum amounts, times and frequencies of withdrawals.

‘Compulsory withdrawals by member

‘**903.4(1)** This section applies if—

- (a) a member—
 - (i) has a benefit under the scheme credited to the member’s voluntary preservation account under this deed; or
 - (ii) is at least 65 years old and is not employed for at least 10 hours per week; or
 - (iii) is at least 70 years old and is not employed for at least 30 hours per week; and
- (b) the member does not, within 28 days after paragraph (a) starts to apply to the member, elect, under section 904.1, to buy a pension.

‘**(2)** The board must as soon as practicable withdraw the amount in the member’s voluntary preservation account and pay it to the member.

SCHEDULE (continued)

‘Compulsory withdrawals on death

‘903.5 As soon as practicable after a member dies, the board must withdraw the amount in the member’s voluntary preservation account and pay it to the deceased member’s legal personal representative or another person who applies to the board to be paid the amount and who the board considers appropriate.

‘Transitional—voluntary preservation account

‘903.6(1) This section applies to an amount that—

- (a) immediately before the commencement, was in a member’s voluntary contribution and preservation account; and
- (b) is not credited to the member’s voluntary contribution account under section 206.5.

‘(2) On the commencement of this section, the amount is credited to the member’s voluntary preservation account.

‘(3) This section expires on the day after it commences.

‘PART 4—MISCELLANEOUS**‘Purchase of pension from fund**

‘904.1(1) The board may offer to a member the option to buy, with all or part of the amount in the member’s voluntary preservation account, a pension with features agreed with the member.

‘(2) The board must decide the rates on which it will buy pensions after receiving the advice of the actuary.

‘(3) The features that may be offered in a pension include—

- (a) a guaranteed period of payment; and

SCHEDULE (continued)

- (b) a level of reversion to another person; and
- (c) a level of indexation.

‘Purchase of annuity

‘**904.2** On a member’s request, the board may buy, with all or part of the amount held in the member’s voluntary preservation account, an annuity in the member’s name from a registered life office.’.

82. Schedule, ‘Sections 7.2, 7.3 and 7.5’—

omit, insert—

‘chapter 2, sections 204.2, 204.3 and 204.5’.

83. Schedule—

renumber as schedule 1.

SCHEDULE (continued)

APPENDIX 2

**AMENDMENTS OF PROVISIONS FOR
RELOCATION TO THE DEED**

section 1(2)

**ARTICLES OF GOVERNMENT OFFICERS'
SUPERANNUATION SCHEME**

1. Article 1—

omit, insert—

‘Application

‘301.1 This chapter applies to accumulation members.’.

2. Article 2, heading—

omit.

3. Section 2, ‘In these articles’—

omit, insert—

‘In this chapter’.

**4. Section 2, definitions “authorised leave”, “commencement date”,
“disablement”, “employer”, “employer contributions”, “member”,
“member with unclaimed benefits”, “salary”, “scheme”,
“superannuation system” and “total and permanent disablement”—**

omit.

SCHEDULE (continued)

5. Section 2—*insert—*

‘**“employer contributions”** means contributions made to the fund under part 3, division 2.

“salary”—

- (a) for a member who is also a police 74 member—means the rate of payment made by way of fixed remuneration to the member and does not include an amount paid by way of fee or allowance; or
- (b) otherwise—
 - (i) has the meaning given by chapter 5, section 4; but
 - (ii) includes an amount paid by way of fee or allowance that the Governor in Council has decided is to be included in the member’s salary.’.

6. Section 2, definition “member’s accumulated employer contributions”, ‘to the scheme made pursuant to articles 5 and 7’—*omit.***7. Section 2, definition “member’s accumulated personal contributions”, ‘pursuant to article 6 and, where applicable, article 7’—***omit, insert—*

‘under section 303.6’.

8. Section 2, definition “preservation cashing condition”, ‘section 17(a) to (g)’—*omit, insert—*

‘section 304.1(a) to (g)’.

SCHEDULE (continued)

**9. Section 2, definition “preserved amount”, paragraph (a),
‘article 5’—***omit, insert—*

‘part 3, division 2’.

**10. Section 2, definition “preserved amount”, paragraph (c),
‘section 13(1)’—***omit, insert—*

‘section 10.1’.

11. After part 1—*insert—***‘PART 1A—ACCEPTANCE OF CONTRIBUTIONS****‘Acceptance of contributions—member under 65****‘302.1** The board may accept contributions for a member who is under 65 years only in the following circumstances—

- (a) while the member is employed for at least 10 hours a week;
- (b) for up to 2 years after the member ceases to be employed for at least 10 hours a week;
- (c) for up to 7 consecutive years while the employed member—
 - (i) is on authorised leave to raise children, of whom the member is a parent, or for whom the member has assumed the responsibility of a parent; and
 - (ii) has a statutory or contractual right to resume employment at the end of the authorised leave.

SCHEDULE (continued)

‘Acceptance of contributions—member 65 or over

‘302.2(1) The board may accept contributions for a member who is 65 years or over only if the member—

- (a) was at least 60 years on 1 July 1990; and
- (b) is under 70 years when the contribution is made.

‘(2) This section expires on 30 June 2000.’.

12. Section 6, from ‘pursuant’—

omit, insert—

‘under division 2 and is entitled to benefits under the scheme under parts 4 and 5.’.

13. Section 7—

omit.

14. Section 8(2), ‘because of the *Superannuation (Government and Other Employees) Notice 1996*, section 4(3)(b)’—

omit, insert—

‘on receiving a yearly salary from the person’s employer that is at least 50% of the tax-free threshold for taxation purposes under the *Income Tax Assessment Act 1936* (Cwth)’.

15. Section 8(3), ‘section 12A’—

omit, insert—

‘section 302.1’.

SCHEDULE (continued)

16. Section 8—*insert—***(4)** In this section—**“prescribed percentage”** means—

- (a) if the member is also a State 72 member, police 74 member or member of a prescribed scheme—3%; or
- (b) otherwise—6%.

“prescribed scheme” means a scheme the Minister decided, under the Gosuper articles, section 7, definition “prescribed percentage”, paragraph (a), to be a scheme to which the Gosuper Articles, article 5, applied.**“Gosuper articles”** means the repealed Articles of the Government Officers’ Superannuation Scheme.’**17. Section 9(2), ‘section 8’—***omit, insert—*

‘section 303.2’.

18. Section 10(1), ‘sections 8 and 9’—*omit, insert—*

‘sections 303.2 and 303.3’.

19. Section 10(2), ‘section 12A’—*omit, insert—*

‘section 302.1’.

SCHEDULE (continued)

20. Section 11, ‘the terms of these articles’—*omit, insert—*

‘this chapter’.

21. Section 12(2), ‘article 6A’—*omit, insert—*

‘part 2’.

22. Articles 6A and 7—*omit.***23. Section 14(1)—***omit, insert—*‘**14.(1)** The board must keep an account for each member.‘**(1A)** The following amounts must be credited to the account—

- (a) contributions made by the member’s employer;
- (b) contributions received under section 10.1;
- (c) amounts received under section 303.4;
- (d) personal contributions received under section 303.6;
- (e) the proceeds of an insurance claim received under part 4, division 2, subdivision 1;
- (f) interest under section 303.8.

‘**(1B)** The following amounts must be debited from the account—

- (a) benefits paid to, or in relation to, the member;
- (b) administrative fees and charges (including a provision for tax);
- (c) insurance premiums paid under part 4.’

SCHEDULE (continued)

24. Section 14(3), ‘income’—*omit.***25. Section 16—***omit.***26. Section 17, ‘the provisions of article 11’—***omit, insert—*

‘part 5.’

27. Section 17, ‘pursuant to section 14’—*omit, insert—*

‘under section 303.7’.

28. Section 18, from ‘pursuant’ to ‘estate’—*omit, insert—*

‘under this division must be paid to the member or, if the member is dead, to the member’s legal personal representative’.

29. Section 20—*omit, insert—***‘Transfer of benefits**

‘**304.4** If a benefit is paid to a member under chapter 5, section 30C(2) or 31 or chapter 7, section 28A(2) or 29, the member’s accumulated employer contributions must be applied to the payment.’.

SCHEDULE (continued)

30. Section 21—

omit.

31. Section 22—

omit, insert—

‘Definitions

‘304.5 In this subdivision—

“insurance terms” means the terms decided under section 304.8.

“insured member” means a member insured under this subdivision.’.

32. Section 22A(1)(c), ‘section 22B’—

omit, insert—

‘section 304.7’.

33. Section 22C(2)(a)(i), ‘section 22B’—

omit, insert—

‘section 304.7’.

34. Part 3, article 10, subarticle 2, heading, ‘total and’—

omit.

35. Section 23A, ‘total and’—

omit.

36. Section 24—

omit, insert—

SCHEDULE (continued)

‘Ineligible members

‘**304.11** A member who is also a police 74 member or State 72 member is ineligible for death or total and permanent disablement or temporary disablement insurance.’.

37. Article 11, heading—

omit.

38. Section 25(1)—

omit, insert—

‘**305.1(1)** If a member ceases to be an employed member and has not been paid benefits under part 4, division 1, the amount in the member’s account under section 303.7 must be—

- (a) if the member elects—
 - (i) credited to the member’s voluntary preservation account; or
 - (ii) transferred within the superannuation system; or
- (b) otherwise—kept in the member’s account.’.

39. Section 305.1(2)(a), as renumbered, ‘section 17’—

omit, insert—

‘section 304.1’.

40. Section 305.1(3), as renumbered, ‘the provisions of these articles’—

omit, insert—

‘this chapter’.

SCHEDULE (continued)

41. Section 26(1), ‘section 14’—*omit, insert—*

‘section 303.7’.

42. Section 26(1), ‘section 13(1)’—*omit, insert—*

‘section 10.1(1)’.

43. Article 12—*omit.***44. Section 2—***renumber* as section 301.2.**45. Sections 6, 8 to 12, 14 and 15—***renumber* as sections 303.1 to 303.8.**46. Sections 17 to 19—***renumber* as sections 304.1 to 304.3.**47. Sections 22A to 23A—***renumber* as sections 304.6 to 304.10.**48. Section 26—***renumber* as section 305.2.

SCHEDULE (continued)

49. Parts 1A to 4—

renumber as parts 2 to 5.

50. Articles 4, 5, 6 and 8—

renumber as part 3, divisions 1 to 4.

51. Articles 9 and 10—

renumber as part 4, divisions 1 and 2.

52. Article 10, subarticles 1 to 3—

renumber as part 4, division 2, subdivisions 1 to 3.

POLICE SUPERANNUATION ACT 1968

1. Section 1—

omit.

2. Section 3—

omit.

3. Sections 4, 22, 24, 27, 28(3), 30, 30A, 31, 33, 35(1), 36(1), 38(4), 39, 40, 40A, 41, 42, 42A, 42B, 43, 46(3), 48, 49(1), 50, 51, 51C, 53(6), 54, 57, 58(6), 65B(1), 66, 69, 70, 74 and 79A ‘this Act’—

omit, insert—

‘this chapter’.

SCHEDULE (continued)

4. Section 4(1), definitions “actuary”, “board”, “fund”, “manager”, “member of the police force”, “repealed provisions” and “the 1974 Act”—

omit.

5. Section 4(1)—

insert—

‘**“member of the police force”** means—

- (a) a police 68 member; or
- (b) a person, or a member of a class of person, declared under a notice under section 13 of the Act, to be eligible for membership of the scheme in the police 68 category.

“repealed provisions” means the provisions repealed on the commencement of the *Police Superannuation Act 1968*, section 3.’.

6. Part 2—

omit.

7. Section 22(1), ‘as from the prescribed date and thereafter’—

omit.

8. Section 22(1A), ‘schedules 2 and 2A’—

omit, insert—

‘schedules 18 and 19’.

9. Section 22(2) and (3)—

omit.

SCHEDULE (continued)

10. Section 24(1), (2), (4), (7), (8) and (9), ‘schedule 1’—*omit, insert—*

‘schedule 16’.

11. Section 24(3)—*omit.***12. Section 24(9), ‘schedule 1A’—***omit, insert—*

‘schedule 17’.

13. Section 26(1), ‘schedule 1’—*omit, insert—*

‘schedule 16’.

14. Section 27(3A) and (3B)—*omit.***15. Section 28(1), ‘schedule 1’—***omit, insert—*

‘schedule 16’.

16. Section 30(1)(c), ‘the 1974 Act’—*omit, insert—*

‘chapter 7’.

SCHEDULE (continued)

17. Section 31(1) and (2), ‘schedule 2A’—*omit, insert—*

‘schedule 19’.

18. Section 31(2), (4) and (5), ‘schedule 2’—*omit, insert—*

‘schedule 18’.

19. Section 31(3) to (6)—*omit.***20. Section 31(8), ‘appointed pursuant to this Act’—***omit.***21. Section 31(9), ‘(6) or’—***omit.***22. Section 31(10)—***omit, insert—*

‘(10) An election may not be made under subsection (8) more than 30 days after the commencement of the *Police Superannuation Act Amendment Act 1970*.’.

23. Section 32(1), ‘schedule 1’—*omit, insert—*

‘schedule 16’.

SCHEDULE (continued)

24. Section 32(3), ‘schedule 2A’—*omit, insert—*

‘schedule 19’.

25. Section 33, ‘schedule 1’—*omit, insert—*

‘schedule 16’.

26. Section 35(1), ‘schedule 1’—*omit, insert—*

‘schedule 16’.

27. Section 35A(4)(a), ‘appointed pursuant to this Act’—*omit.***28. Section 36(1), from ‘in respect’ to ‘contributors’—***omit, insert—*

‘the amount that the actuary certifies from time to time’.

29. Section 36(2)—*omit.***30. Part 4, before division 1—***insert—*

SCHEDULE (continued)

‘Division 1A—Benefits transferred to preservation account

‘Preservation account

‘36A. If a benefit is payable under this chapter to a member, other than by way of a pension, the board must credit the member’s voluntary preservation account with the amount of the benefit.’.

31. Section 40A(1), from ‘before the passing’ to ‘that Act’—

omit, insert—

‘after the passing of the *Superannuation Acts Amendment Act 1984*’.

32. Section 40A(1), ‘and, in either case’—

omit, insert—

‘and’.

33. Section 40A(2), ‘a contributor under the *Police Superannuation Act 1974*’—

omit, insert—

‘a police 74 member’.

34. Section 40A(2), ‘the *Police Superannuation Act 1974*’—

omit, insert—

‘chapter 7’.

35. Section 40A(3)(a)—

omit, insert—

SCHEDULE (continued)

‘(a) must be made within 6 months after the day the entitlement to the incapacity benefit arises; and’.

36. Section 40A(5)—

omit.

37. Section 42(1), ‘schedule 4’—

omit, insert—

‘schedule 20’.

38. Section 42(1), ‘schedule 4C’—

omit, insert—

‘schedule 21’.

39. Section 42(1), ‘schedule 4F’—

omit, insert—

‘schedule 22’.

40. Section 42(2), ‘appointed for the purposes of this Act’—

omit.

41. Section 42B(6), ‘the 1974 Act’—

omit, insert—

‘chapter 7’.

SCHEDULE (continued)

42. Section 44(1)(b), ‘is entitled to’—*omit, insert—*

‘was entitled to’.

43. Section 44(1A), ‘the *Police Superannuation Act 1974*’—*omit, insert—*

‘chapter 7’.

44. Section 47A(2)(a)—*omit.***45. Section 47B(1)(a)—***omit.***46. Section 47B(1)(b), from ‘not having’ to ‘commencement and’—***omit, insert—*‘elects, after the commencement of the *Police Superannuation Act Amendment Act 1970* and’.**47. Section 47C(1) to (3) and (5), ‘appointed pursuant to this Act’—***omit.***48. Section 48(1), ‘appointed pursuant to this Act’—***omit.*

SCHEDULE (continued)

49. Section 51A—*omit.***50. Section 51B(1), definition “basic rate”, ‘this Act’—***omit, insert—*‘the repealed *Police Superannuation Act 1968*’.**51. Section 51B(1), definition “index”—***omit, insert—*‘ “**index**” means the all groups consumer price index for Brisbane published by the Australian Statistician.’.**52. Section 51B(3), ‘30 June 1974 and in each year thereafter’—***omit, insert—*

‘30 June in each year’.

53. Section 55(1), (3) and (4)(a) ‘the 1974 Act’—*omit, insert—*

‘chapter 7’.

54. Section 58(1) and (2), ‘schedule 1A’—*omit, insert—*

‘schedule 17’.

SCHEDULE (continued)

55. Section 58(3) and (6B), ‘schedule 2’—*omit, insert—*

‘schedule 18’.

56. Section 58(6B), ‘schedule 2A’—*omit, insert—*

‘schedule 19’.

57. Section 59(1) and (2)—*omit.***58. Section 59(3), ‘pursuant to subsection (1) or (2)’—***omit, insert—*‘under section 59(1) or (2) of the *Police Superannuation Act 1968*’.**59. Section 59(3), ‘schedule 2’—***omit, insert—*

‘schedule 18’.

60. Section 60—*omit.***61. Section 61(3), ‘passing of this Act’—***omit, insert—*‘passing of the *Police Superannuation Act 1968*’.

SCHEDULE (continued)

62. Section 61(3), from ‘and accordingly’ to ‘effect retrospectively’—

omit.

63. Section 61(4), from ‘pursuant to’—

omit, insert—

‘under the repealed provisions may be paid at the increased rates provided for in subsection (3) to persons entitled under that subsection to payment at the increased rates.’.

64. Section 62(3), ‘passing of this Act’—

omit, insert—

‘passing of the *Police Superannuation Act 1968*’.

65. Section 62(3), ‘and accordingly’ to ‘effect retrospectively’—

omit.

66. Section 62(4)—

omit, insert—

‘(4) Pensions payable under the repealed provisions may be paid at the increased rates provided for in subsection (3) to persons entitled under that subsection to payment at the increased rates.’.

67. Section 63(2), from ‘and shall be’ to ‘effect retrospectively’—

omit.

SCHEDULE (continued)

68. Section 63(3), from ‘pursuant’ to ‘section 3(1)’—*omit, insert—*

‘under the repealed provisions’.

69. Section 63(3), from ‘and to the’—*omit.***70. Section 64 heading, ‘Act commences’—***omit, insert—*

‘1968 Act commenced’.

71. Section 64(1), from ‘under those’ to ‘this Act’—*omit, insert—*‘under those provisions if the *Police Superannuation Act 1968*’.**72. Section 65, from ‘, notwithstanding’ to ‘in force’—***omit, insert—*

‘apply’.

73. Section 65A—*omit.***74. Section 65B(1), definition “index”—***omit, insert—*‘ “**index**” means the all groups consumer price index for Brisbane published by the Australian Statistician.’.

SCHEDULE (continued)

75. Section 65B(3), ‘30 June 1974 and in each year thereafter’—*omit, insert—*

‘30 June in each year’.

76. Part 5, division 4—*omit.***77. Section 69, ‘or in any other Act’—***omit.***78. Sections 71, 71A, 73, 75, 78, 79 and 80 to 82—***omit.***79. Schedule 1, ‘section 24’—***omit, insert—*

‘chapter 6, section 24’.

80. Schedule 1A, ‘section 58’—*omit, insert—*

‘chapter 6, section 58’.

81. Schedule 4, ‘section 42’—*omit, insert—*

‘chapter 6, section 42’.

SCHEDULE (continued)

82. Schedule 4C, ‘section 42’—*omit, insert—*

‘chapter 6, section 42’.

83. Schedule 4F, ‘section 42’—*omit, insert—*

‘chapter 6, section 42’.

POLICE SUPERANNUATION ACT 1974**1. Section 1—***omit.***2. Sections 3 to 3B—***omit.***3. Section 4(1), ‘In this Act’—***omit, insert—*

‘In this chapter’.

4. Sections 4(1) definitions “contributor”, “contributor’s pension”, “incapacity pension” and “pensioner”, (2)(a), (6) and (7A), 21, 23, 24, 26, 27(1), 28(1), 28A, 28B, 30, 32, 33, 34(2), 35, 37, 38, 39, , 42(3), 43, 44, 45(1), (2) and (5) to (9), 49, 60(3) and (4), 61 and 65, ‘this Act’—*omit, insert—*

‘this chapter’.

SCHEDULE (continued)

5. Section 4(1), definitions “actuary”, “board”, “fund”, “manager”, “member” and “the 1968 Act”—

omit.

6. Section 4(1)—

insert—

‘**“1968 Act”** means the repealed *Police Superannuation Act 1968*.

“1974 Act” means the repealed *Police Superannuation Act 1974*.

“child to whom this chapter does not apply” means—

- (a) a child of a relict of a member, born on or after the commencement of the *Superannuation Acts Amendment Act 1984* and the member’s death, who is not the issue of the member; or
- (b) a child of a divorced spouse of a member who is not the issue of the member.

“member” means—

- (a) a police 74 member; or
- (b) a person, or a member of a class of person, declared, under a notice under section 13 of the Act, to be eligible for membership of the scheme in the police 74 category.’.

7. Section 4(1), definition “continuing contributor”, ‘this Act’—

omit, insert—

‘the 1974 Act’.

8. Section 4(1), definition “continuing contributor”, ‘said Act’—

omit, insert—

‘1968 Act’.

SCHEDULE (continued)

9. Section 4(1), definition “continuing contributor”, paragraph (b)—

omit.

10. Section 4(1), definition “final average increase in salary”, ‘this Act’—

omit, insert—

‘the 1974 Act’.

11. Section 4(1), definition “service”, ‘of this Act’—

omit, insert—

‘of the 1974 Act’.

12. Section 4(1), definition “service”, ‘this Act, the 1968 Act’—

omit, insert—

‘this chapter, chapter 6’.

13. Section 4(2)(a), ‘the 1968 Act’—

omit, insert—

‘chapter 6’.

14. Section 4(2)(a), ‘that Act’—

omit, insert—

‘chapter 6’.

15. Section 4(2)(b), from ‘or the Police’ to ‘Fund or’—

omit, insert—

SCHEDULE (continued)

‘whether under this chapter or, in relation to annuity benefit, under chapter 6 and has subsequently recommenced contributing to’.

16. Section 4(5), ‘this Act’—

omit, insert—

‘the 1974 Act’.

17. Part 2—

omit.

18. Section 21(1)—

omit, insert—

‘**21.(1)** A member must contribute to the fund under this part.’.

19. Section 21(4)—

omit.

20. Section 22(1)—

omit, insert—

‘**22.(1)** The contributions under this chapter of a member commence from the day the member’s salary commences because of his or her appointment as a member.’.

21. Section 23(4), ‘the 1968 Act’—

omit, insert—

‘chapter 6’.

SCHEDULE (continued)

22. Section 23(4), ‘manager’—*omit, insert—*

‘executive officer’.

23. Section 24(3)(b)—*omit.***24. Section 24(3A)(b), ‘the 1968 Act’—***omit, insert—*

‘chapter 6’.

25. Section 24(4)—*omit, insert—*

‘(4) A member who made an election under section 24(4) of the 1974 Act to increase the rate of his or her contributions must continue to contribute to the fund under this chapter at the rate decided by the board under section 24(4) of the 1974 Act in addition to the rate prescribed by this chapter (other than this subsection).’.

26. Section 24(5)—*omit, insert—*

‘(5) A member who made an election under section 24(5) of the 1974 Act to increase the rate of his or her contributions must continue to contribute to the fund under this chapter at the rate decided by the board under section 24(5) of the 1974 Act in addition to the rate prescribed by this chapter (other than this subsection).’.

SCHEDULE (continued)

27. Section 24(6), ‘board makes’—*omit, insert—*

‘board has made’.

28. Section 24(12), definition “commencement”, ‘this Act’—*omit, insert—*

‘the 1974 Act’.

29. Section 24A(1) and (2)—*omit, insert—*

‘**24A.(1)** This section applies to a female member who made an election under section 24A of the 1974 Act and became entitled to increase the rate of her contribution to the fund sufficient to secure for her the benefits provided for by part 4, divisions 2 and 3 of the 1974 Act.’.

30. Section 24A(3) and (4)—*omit, insert—*

‘**(3)** The additional rate of contribution payable by the member continues to be the rate decided by the board under section 24A(3) of the 1974 Act.’.

31. Section 25(4)(a)(i), (4)(b)(i) and (7)—*omit.***32. Part 4, before division 1—***insert—*

SCHEDULE (continued)

‘Division 1A—Benefits transferred to preservation account**‘Preservation account**

‘25A. If a benefit is payable under this chapter to a member, other than by way of a pension, the board must credit the member’s voluntary preservation account with the amount of the benefit.’.

33. Section 28(2) and (5) ‘the 1968 Act’—

omit, insert—

‘chapter 6’.

34. Section 28A(2)(a)—

omit.

35. Section 28B(2), ‘the Superannuation (Government and Other Employees) Act 1988’—

omit, insert—

‘chapter 3’.

36. Section 28B(2), ‘that Act’—

omit, insert—

‘that chapter’.

37. Section 28B(3), from ‘paid to’ to ‘name’—

omit, insert—

‘transferred to the person’s account under chapter 3’.

SCHEDULE (continued)

38. Section 29(1A), ‘schedule 4’—*omit, insert—*

‘schedule 26’.

39. Section 29(1B), ‘schedule 4C’—*omit, insert—*

‘schedule 27’.

40. Section 29(2A), ‘schedule 4F’—*omit, insert—*

‘schedule 28’.

41. Section 29(3), ‘the 1968 Act’—*omit, insert—*

‘chapter 6’.

42. Section 29A(7), ‘the 1968 Act, section 41’—*omit, insert—*

‘section 41 of chapter 6’.

43. Section 30(2)(h) and (i), ‘referred to in section 3(f)(i) or (ii)’—*omit, insert—*

‘to whom this chapter does not apply’.

SCHEDULE (continued)

44. Section 30(3A) and (4) ‘the 1968 Act’—*omit, insert—*

‘chapter 6’.

45. Section 33(1), ‘the 1968 Act, section 30(1A)’—*omit, insert—*

‘section 30(1A) of chapter 6’.

46. Section 33(2BA)—*omit.***47. Section 33(2BB), from ‘the scheme’ to ‘1990’—***omit, insert—*

‘chapter 2’.

48. Section 33(2D) ‘the 1968 Act, section 30(1A)’—*omit, insert—*

‘section 30(1A) of chapter 6’.

49. Section 33(2E), ‘this subsection’—*omit, insert—*

‘section 33(2E) of the 1974 Act’.

50. Section 33(3)—*omit.*

SCHEDULE (continued)

51. Section 33(4), ‘the 1968 Act’—*omit, insert—*

‘chapter 6’.

52. Section 34(1), definition “index”—*omit, insert—*

‘ “**index**” means the all groups consumer price index for Brisbane published by the Australian Statistician.’.

53. Section 34(3), ‘1975 and in each year thereafter’—*omit, insert—*

‘in each year’.

54. Section 44A—*omit.***55. Section 45(2), ‘the 1968 Act’—***omit, insert—*

‘chapter 6’.

56. Section 45(2A), ‘commencement of this Act’—*omit, insert—*

‘commencement of the 1974 Act’.

SCHEDULE (continued)

57. Section 45(2A), ‘under this Act’—*omit, insert—*

‘under this chapter’.

58. Section 45(5) and (6), ‘schedule 2’—*omit, insert—*

‘schedule 23’.

59. Section 45(10) and (11)—*omit.***60. Section 48—***omit.***61. Section 49(1), from ‘in respect’ to ‘question’—***omit, insert—*

‘the amount the actuary certifies from time to time’.

62. Section 49(1C)(b)—*omit, insert—*

‘(b) section 30(1A) of chapter 6.’.

63. Section 49(2)—*omit.*

SCHEDULE (continued)

64. Sections 50 and 51 and 53 to 59—*omit.***65. Section 60(1), ‘commencement of this Act’—***omit, insert—*

‘commencement of the 1974 Act’.

66. Section 60(1), ‘to whom section 3(b) relates’—*omit, insert—*

‘mentioned in section 3 of the 1974 Act’.

67. Sections 62 to 64 and 66 to 68—*omit.***68. Section 69 heading, ‘Act No. 58 of 1968’—***omit, insert—*

‘chap 6’.

69. Section 69(1) and (2)—*omit.***70. Section 69(3), words before paragraph (a), ‘the said Act’—***omit, insert—*

‘chapter 6’.

SCHEDULE (continued)

71. Section 69(3) and (5) to (7), ‘this Act’—*omit, insert—*

‘the 1974 Act’.

72. Section 69(3)(c), (5), (6), ‘the said Act’—*omit, insert—*

‘the 1968 Act’.

73. Section 69(4), ‘the said Act’—*omit, insert—*

‘chapter 6’.

74. Section 69(7), words before paragraph (a), ‘the said Act’—*omit, insert—*

‘chapter 6’.

75. Section 69(7)(a), ‘the said Act’—*omit, insert—*

‘the 1968 Act’.

76. Section 69(7)(b) and (c) ‘the said Act’—*omit, insert—*

‘chapter 6’.

77. Section 69(7), from ‘and shall’ to ‘this Act’—*omit, insert—*

SCHEDULE (continued)

‘and, subject to chapter 6, is at the rates of contribution prescribed by the 1968 Act immediately before the commencement of the 1974 Act.’.

78. Schedule 2, ‘section 45’—

omit, insert—

‘chapter 7, section 45’.

79. Schedule 2A, ‘section 45’—

omit, insert—

‘chapter 7, section 45’.

80. Schedule 3, ‘section 45’—

omit, insert—

‘chapter 7, section 45’.

81. Schedule 4, ‘section 29’—

omit, insert—

‘chapter 7, section 29’.

82. Schedule 4C, ‘section 29’—

omit, insert—

‘chapter 7, section 29’.

83. Schedule 4F, ‘section 29’—

omit, insert—

‘chapter 7, section 29’.

SCHEDULE (continued)

PUBLIC SERVICE SUPERANNUATION ACT 1958

1. Section 1—

omit.

2. Section 4, heading—

omit, insert—

‘Definitions for chap 4’.

3. Section 4(1), ‘In this Act’—

omit, insert—

‘In this chapter’.

4. Section 4(1), definitions “contributor” and “person in receipt of benefit”, 4(1A), (1B), (2), 20(1), (4) and (5), 22(1), (4)(c) and (10), 23, 24(3), 26(1B)(c), (2) and (4), 26A, 27(1) and (3), 27D(1), 30(4), 31(3) to (5), 32(3), 32A, 33(2), 34, 34A, 34B, 34C, 35(1) and (2)(a)(ii), 38(2), 39B(1), 39C(2), (3), (5) and (6), 40, 41(1), 42, 43, 43B(2), 43C(2), 43D, 43F(a), 49, 50(1), 51(1) to (3) and (6), 53(1) to (3), (5) and (7), 55(1), 56, 67, 69(1), 71(1) and (5)(c), 73, 73A(2), 73B(1), (2) and (8), 76, 77B(1), 79, 79A(1) and (2) and 85(1) ‘this Act’—

omit, insert—

‘this chapter’.

5. Section 4(1), definitions “actuary”, “board”, “Crown”, “fund”, “manager”, “officer” and “the 1972 Act”—

omit.

SCHEDULE (continued)

6. Section 4(1)—*insert—***“officer”** means—

- (a) a State 58 member; or
- (b) a person, or a member of a class of person, declared, under a notice under section 13 of the Act, to be eligible for membership of the scheme in the State 58 category.’.

7. Part 2—*omit.***8. Section 20(1), ‘as from the prescribed date and thereafter’—***omit.***9. Heading preceding section 20(2) and section 20(2) and (2A)—***omit.***10. Section 22(1), (4), (8), (9) and (10), ‘schedule 1’—***omit, insert—*

‘schedule 2’.

11. Section 22(3A), (5) and (5A)—*omit.***12. Section 22A(1) and (2), ‘schedule 1’—***omit, insert—*

‘schedule 2’.

SCHEDULE (continued)

13. Section 22A(2A) and (4A) to (4D)—*omit.***14. Section 24(1), ‘schedule 2’—***omit, insert—*

‘schedule 3’.

15. Section 25(2), from ‘section 22(5)’—*omit, insert—*

‘sections 22(5A) and 27A(3) and parts 5 and 5A.’.

16. Section 26(1)(c), ‘section 26 of the 1972 Act’—*omit, insert—*

‘section 26 of chapter 5’.

17. Section 26(1A), ‘the 1972 Act’—*omit, insert—*

‘chapter 5’.

18. Section 27(2), ‘schedule 2’—*omit, insert—*

‘schedule 3’.

19. Section 27A(1), ‘schedule 1’—*omit, insert—*

‘schedule 2’.

SCHEDULE (continued)

20. Section 27A(3)(a)—*omit.***21. Section 27A(4), ‘schedule 2’—***omit, insert—*

‘schedule 3’.

22. Section 27B, ‘the provisions of this Act’—*omit, insert—*

‘this chapter’.

23. Section 27B, ‘schedule 2’—*omit, insert—*

‘schedule 3’.

24. Section 27B(c), ‘schedule 1’—*omit, insert—*

‘schedule 2’.

25. Section 27E(4)(a), ‘appointed pursuant to this Act’—*omit.***26. Part 4, before division 1—***insert—*

SCHEDULE (continued)

‘Division 1A—Benefits transferred to preservation account**‘Preservation account**

‘28A. If a benefit is payable under this chapter to a member, other than by way of a pension, the board must credit the member’s voluntary preservation account with the amount of the benefit.’.

27. Section 32A(1), from ‘before the passing’ to ‘that Act’—

omit, insert—

‘after the passing of the *Superannuation Acts Amendment Act 1984*’.

28. Section 32A(1), ‘and, in either case is’—

omit, insert—

‘and is’.

29. Section 32A(2), after ‘a contributor under the *State Service Superannuation Act 1972*’—

insert—

‘or a State 72 member’.

30. Section 32A(2), ‘under the *State Service Superannuation Act 1972*’—

omit, insert—

‘under chapter 5’.

31. Section 32A(3)(a), ‘, subject to subsection (5),’—

omit.

SCHEDULE (continued)

32. Section 32A(3)(a), from ‘or after’ to ‘expire’—*omit.***33. Section 32A(5)—***omit.***34. Section 34(a), ‘schedule 4’—***omit, insert—*

‘schedule 5’.

35. Section 34(b), ‘schedule 4A’—*omit, insert—*

‘schedule 6’.

36. Section 34(c) and (d), ‘schedule 4B’—*omit, insert—*

‘schedule 7’.

37. Section 34B(6), ‘section 31 of the 1972 Act’—*omit, insert—*

‘section 31 of chapter 5’.

38. Section 36(1)(b), ‘is entitled to additional’—*omit, insert—*

‘was entitled to additional’.

SCHEDULE (continued)

39. Section 36(1A), ‘under the *State Service Superannuation Act 1972*’—*omit, insert—*

‘under chapter 5’.

40. Section 39A(2)(a)—*omit.***41. Section 39C(1) to (4), (5) and (6), ‘appointed pursuant to this Act’—***omit.***42. Section 43, ‘in pursuance of this Act any’—***omit, insert—*

‘under this chapter an’.

43. Section 43A—*omit.***44. Section 43B(1), definition “basic rate”, ‘this Act’—***omit, insert—*‘the repealed *Public Service Superannuation Act 1958*’.**45. Section 43B(1), definition “index”—***omit, insert—*

‘ “**index**” means the all groups consumer price index for Brisbane published by the Australian Statistician.’.

SCHEDULE (continued)

46. Section 43B(3), ‘30 June 1974 and in each year thereafter’—*omit, insert—*

‘30 June in each year’.

47. Section 43CA—*omit.***48. Section 43D(1), ‘or 43CA’—***omit.***49. Section 43F heading, ‘1972 Act’—***omit, insert—*

‘chap 5’.

50. Section 43F, ‘Notwithstanding the provisions of this Act’—*omit, insert—*

‘Despite this chapter’.

51. Section 43F(b), ‘the 1972 Act’—*omit, insert—*

‘chapter 5’.

52. Section 43F(b), ‘that Act’—*omit, insert—*

‘that chapter’.

SCHEDULE (continued)

53. Section 43F(b), ‘schedule 1’—*omit, insert—*

‘schedule 2’.

54. Section 46, ‘for the purposes of this Act’—*omit, insert—*

‘for this chapter’.

55. Section 46, ‘in accordance with this Act’—*omit, insert—*

‘under this chapter’.

56. Section 47(1)(c), ‘this Act under a regulation’—*omit, insert—*

‘the Act under a notice under section 13(4) of the Act’.

57. Section 47(1), (2)(c), (3) and (4) ‘the 1972 Act’—*omit, insert—*

‘chapter 5’.

58. Section 51(2), (3)(a) and (5B), ‘schedule 2’—*omit, insert—*

‘schedule 3’.

SCHEDULE (continued)

59. Section 51(3) and (6), ‘schedule 1’—*omit, insert—*

‘schedule 2’.

60. Section 51(3)(b) to (5A)—*omit.***61. Section 52—***omit.***62. Section 53(2) and (3), ‘schedule 2’—***omit, insert—*

‘schedule 3’.

63. Section 53(3) and (5), ‘schedule 1’—*omit, insert—*

‘schedule 2’.

64. Section 53(3)(b), (4), (4A) and (6)—*omit.***65. Part 5, division 4—***omit.*

SCHEDULE (continued)

66. Section 55(1), ‘schedule 1’—*omit, insert—*

‘schedule 2’.

67. Section 56, ‘schedule 1’—*omit, insert—*

‘schedule 2’.

68. Section 58—*omit.***69. Part 5, division 7—***omit.***70. Part 5, division 8 heading and sections 60 and 61—***omit.***71. Part 5, division 9—***omit.***72. Section 67, ‘this Act or in any other Act’—***omit, insert—*

‘this chapter’.

73. Part 5, division 13—*omit.*

SCHEDULE (continued)

74. Section 72(2), ‘For the purposes of this Act’—*omit, insert—*

‘For this chapter.’

75. Section 73A(1)(a), ‘pursuant to the provisions of this Act’—*omit, insert—*

‘under this chapter’.

76. Section 73B(1), ‘prohibited or limited under this Act’—*omit, insert—*

‘limited under this chapter’.

77. Section 73B(1) and (2), ‘prohibition or’—*omit.***78. Section 73B(1)(a), ‘annuity benefit or further annuity benefit under this Act’—***omit, insert—*

‘further annuity benefit under this chapter’.

79. Section 73B(2), (4), (7) and (8), ‘annuity benefit or’—*omit.***80. Section 73D(2), ‘schedule 2’—***omit, insert—*

‘schedule 3’.

SCHEDULE (continued)

81. Sections 74, 74A and 75A—*omit.***82. Section 77A(9)(b), ‘in accordance with the provisions of this Act’—***omit, insert—*

‘under this chapter’.

83. Section 77B(2), ‘schedule 5’—*omit, insert—*

‘schedule 8’.

84. Section 77B(2A), ‘schedule 6’—*omit, insert—*

‘schedule 9’.

85. Sections 77D and 78—*omit.***86. Sections 82 to 84—***omit.***87. Section 85A, 86 and 87—***omit.*

SCHEDULE (continued)

88. Schedule 1, 'section 22'—*omit, insert—*

'chapter 4, section 22'.

89. Schedule 2, 'section 27'—*omit, insert—*

'chapter 4, section 27'.

90. Schedule 2A, 'section 27'—*omit, insert—*

'chapter 4, section 27'.

91. Schedule 4, 'section 34'—*omit, insert—*

'chapter 4, section 34'.

92. Schedule 4A, 'section 34'—*omit, insert—*

'chapter 4, section 34'.

93. Schedule 4B, 'section 34'—*omit, insert—*

'chapter 4, section 34'.

SCHEDULE (continued)

94. Schedule 5, ‘section 77B(1)’—*omit, insert—*

‘chapter 4, section 77B(1)’.

95. Schedule 6, ‘section 77B(2)’—*omit, insert—*

‘chapter 4, section 77B(2)’.

STATE SERVICE SUPERANNUATION ACT 1972**1. Section 1—***omit.***2. Sections 3 to 3C—***omit.***3. Section 4(1), ‘In this Act’—***omit, insert—*

‘In this chapter’.

4. Sections 4(1) definitions “contributor”, “contributor for category A benefits”, “contributor’s pension”, “incapacity pension”, “pensioner”, (3), (6), (9) and (9A), 20(4), (5), (7), (7B) and (9), 22, 23(1), 24(3)(b), (4B), (6) and (6C) to (8), 26, 27(1)(c), 28(1)(c), 29, 30, 30A(1), 30C, 30E(4), 31B, 32(1), 34(2), 35(1), (2D) and (3), 36A(2), 37, 39, 40, 45, 46, 47, 51(1) and (1A), 55, 56, 64(3) and (4), 64B, 65 and 69 ‘this Act’—

SCHEDULE (continued)

omit, insert—

‘this chapter’.

5. Section 4(1), definitions “actuary”, “board”, “Crown”, “fund”, “manager”, “medical practitioner”, “officer” and “the 1958 Act”—

omit.

6. Section 4(1)—

insert—

‘**“1958 Act”** means the repealed *Public Service Superannuation Act 1958*.

“1972 Act” means the repealed *State Service Superannuation Act 1972*.

“child to whom this chapter does not apply” means—

- (a) a child of a relict of a member, born on or after the commencement of the *Superannuation Acts Amendment Act 1984* and the member’s death, who is not the issue of the member; or
- (b) a child of a divorced spouse of a member who is not the issue of the member.

“officer” means—

- (a) a State 72 member; or
- (b) a person, or a member of a class of person, declared, under a notice under section 13 of the Act, to be eligible for membership of the scheme in the State 72 category.’.

7. Section 4(1), definition “continuing contributor”, ‘this Act’—

omit, insert—

‘the 1972 Act’.

SCHEDULE (continued)

8. Section 4(1), definition “continuing contributor”, ‘the said Act’—*omit, insert—*

‘the 1958 Act’.

9. Section 4(1), definition “continuing contributor”, paragraph (b)—*omit.***10. Section 4(1), definition “final average increase in salary”,
paragraph (b), ‘this Act’—***omit, insert—*

‘the 1972 Act’.

**11. Section 4(1), definition “final average salary”, paragraph (a), from
‘industrial award’ to ‘1961’—***omit, insert—*‘award or industrial agreement under the *Workplace Relations Act 1997*’.**12. Section 4(1), definition “service”, ‘commencement of’ to ‘1958 Act
or’—***omit, insert—*‘commencement of the 1972 Act, to the fund under this chapter,
chapter 4 or’.**13. Section 4(1), definition “service”, paragraph (b), from ‘this Act’ to
‘section 26’—***omit, insert—*

‘section 23 of this chapter or section 26 of chapter 4’.

SCHEDULE (continued)

14. Section 4(1), definition “service”, paragraph (c), from ‘the 1958’ to ‘that Act’—*omit, insert—*

‘section 4 of chapter 4, definition “officer” immediately before becoming a contributor under chapter 4’.

15. Section 4(2)(a), from ‘this Act’ to ‘that Act’—*omit, insert—*

‘this chapter or incapacity benefit under chapter 4 or incapacity allowance preserved and continued by chapter 4’.

16. Section 4(2)(b), from ‘this Act’ to ‘that Act’—*omit, insert—*

‘this chapter or, in relation to annuity benefit, under chapter 4 or any Act repealed by the 1958 Act’.

17. Section 4(5), ‘this Act’—*omit, insert—*

‘the 1972 Act’.

18. Section 4(8)—*omit.***19. Section 4(9AA), ‘this subsection’—***omit, insert—*

‘subsection (9)’.

SCHEDULE (continued)

20. Section 4(11)—

omit.

21. Part 2—

omit.

22. Section 20(1) and (2)—

omit, insert—

‘**20.(1)** An officer must contribute to the fund under this part.’.

23. Section 20(3)—

omit, insert—

‘**(3)** For this chapter, a person is a “**contributor for category B benefits**” if, under section 64, the person is ineligible to become a contributor for category A benefits under this chapter.’.

24. Section 20(4), ‘the 1958 Act’—

omit, insert—

‘chapter 4’.

25. Section 20(8), (8A) and (10) to (12)—

omit.

26. Section 21(1)—

omit, insert—

‘**21.(1)** The contributions under this chapter of an officer who must

SCHEDULE (continued)

contribute under an election made under this chapter commence from the day the election is made or a later day decided by the board.’.

27. Section 22(4), ‘the 1958 Act’—

omit, insert—

‘chapter 4’.

28. Section 22(4), ‘manager’—

omit, insert—

‘executive officer’.

29. Section 22(4A), ‘the 1958 Act’—

omit, insert—

‘chapter 4’.

30. Section 24(1), ‘in accordance with the provisions of the 1958 Act’—

omit, insert—

‘under chapter 4’.

31. Section 24(1), (2) and (3)(a) ‘this Act’—

‘the 1972 Act’.

32. Section 24(2), ‘is an officer to whom section 3(1)(b) relates’—

omit, insert—

‘was an officer on the commencement of the 1958 Act, but is not a continuing contributor’.

SCHEDULE (continued)

33. Section 24(3)(b), ‘that Act’—

omit, insert—

‘the 1958 Act’.

34. Section 24(3), ‘the 1958 Act’—

omit, insert—

‘chapter 4’.

35. Section 24(4) and (4A)—

omit, insert—

‘(4) A contributor who made an election under section 24(4) of the 1972 Act to increase the rate of his or her contributions must continue to contribute to the fund under this chapter at the rate decided by the board under section 24(4) of the 1972 Act in addition to the rate prescribed by this chapter (other than this subsection).

‘(4A) A contributor who made an election under section 24(4A) of the 1972 Act to increase the rate of his or her contributions must continue to contribute to the fund under this chapter at the rate decided by the board under section 24(4A) of the 1972 Act in addition to the rate prescribed by this chapter (other than this subsection).’.

36. Section 24(5)—

omit, insert—

‘(5) A contributor who made an election under section 24(5) of the 1972 Act to increase the rate of his or her contributions must continue to contribute to the fund under this chapter at the rate decided by the board under section 24(5) of the 1972 Act in addition to the rate prescribed by this chapter (other than this subsection).’.

SCHEDULE (continued)

37. Section 24(6), ‘makes’—*omit, insert—*

‘has made’.

38. Section 24(9), ‘subsection (4)’—*omit, insert—*

‘section 24(4) of the 1972 Act’.

39. Section 24A(1) and (2)—*omit, insert—*

‘**24A.(1)** This section applies to a female contributor who made an election under section 24A of the 1972 Act and became entitled to increase the rate of her contribution to the fund sufficient to secure for her the benefits provided for by part 4, divisions 2 and 3 of the 1972 Act.’.

40. Section 24A(3) and (4)—*omit, insert—*

‘**(3)** The additional rate of contribution payable by the contributor continues to be the rate decided by the board under section 24A(3) of the 1972 Act.’.

41. Section 24A(5), after ‘(4A)’—*insert—*

‘, (4B)’.

42. Section 25(4)(a)(i), (b)(i) and (5)—*omit.*

SCHEDULE (continued)

43. Part 4, before division 1—*insert—****Division 1A—Benefits transferred to preservation account*****‘Preservation account**

‘25B. If a benefit is payable under this chapter to a member, other than by way of a pension, the board must credit the member’s voluntary preservation account with the amount of the benefit.’.

44. Section 28(2), (4) and (6), ‘the 1958 Act’*omit, insert—*

‘chapter 4’.

45. Section 30(2), (4) and (4A), ‘the 1958 Act’—*omit, insert—*

‘chapter 4’.

46. Section 30A(1), ‘schedule 4’—*omit, insert—*

‘schedule 14’.

47. Section 30A(3), ‘schedule 5’—*omit, insert—*

‘schedule 15’.

SCHEDULE (continued)

48. Section 30A(5), from ‘other than’ to ‘retirement,’—

omit.

49. Section 30C(2)(a)—

omit.

50. Section 30C(3)—

omit, insert—

‘(3) If a benefit is paid to a contributor mentioned in subsection (2) or a benefit is paid to a contributor under section 31, the amount of the contributor’s accumulated employer contributions under chapter 3 must be applied to the fund’s proportion of the benefit.’

51. Section 30D—

omit.

52. Section 30E(2), ‘the *Superannuation (Government and Other Employees) Act 1988*’—

omit, insert—

‘chapter 3’.

53. Section 30E(3), from ‘paid’ to ‘name’—

omit, insert—

‘transferred to the person’s account under chapter 3’.

54. Section 31(1)(a), from ‘and who’—

omit.

SCHEDULE (continued)

55. Section 31(1)(b), from ‘and who’—*omit.***56. Section 31(1), ‘schedule 3’—***omit, insert—*

‘schedule 11’.

57. Section 31(1), ‘schedule 3A’—*omit, insert—*

‘schedule 12’.

58. Section 31(2) and (3), ‘schedule 3B’—*omit, insert—*

‘schedule 13’.

59. Section 31(4), ‘the 1958 Act’—*omit, insert—*

‘chapter 4’.

60. Section 31A(7), ‘the 1958 Act, section 33’—*omit, insert—*

‘section 33 of chapter 4’.

61. Section 32(2)(a), from ‘and who’—*omit.*

SCHEDULE (continued)

62. Section 32(2)(b), from ‘and who’ to ‘service;’—*omit.***63. Section 32(2)(c), from ‘and who’—***omit.***64. Section 32(2)(i) and (j), ‘referred to in section 3(1)(f)(i) or (ii)’—***omit, insert—*

‘to whom this chapter does not apply’.

65. Section 32(3A), ‘the 1958 Act’—*omit, insert—*

‘chapter 4’.

66. Section 32(8), ‘the 1958 Act’—*omit, insert—*

‘chapter 4’.

67. Section 35(2BA)—*omit.***68. Section 35(2BB), from ‘the scheme’ to ‘1990’—***omit, insert—*

‘chapter 2’.

SCHEDULE (continued)

69. Section 35(4), ‘the 1958 Act’—*omit, insert—*

‘chapter 4’.

70. Section 36—*omit.***71. Section 36A(1), definition “index”—***omit, insert—*

‘ **“index”** means the all groups consumer price index for Brisbane published by the Australian Statistician.’.

72. Section 36A(3), ‘1974 and in each year thereafter’—*omit, insert—*

‘in each year’.

73. Section 36B—*omit.***74. Section 36C(1), ‘or 36B’—***omit.***75. Section 39(2) and (3), ‘the 1958 Act’—***omit, insert—*

‘chapter 4’.

SCHEDULE (continued)

76. Section 46A—*omit.***77. Section 47(2), ‘the 1958 Act’—***omit, insert—*

‘chapter 4’.

78. Section 47(2A), ‘of this Act, makes’—*omit, insert—*

‘of the 1972 Act, made’.

79. Section 47(5), (6) and (8AA), ‘schedule 1A’—*omit, insert—*

‘schedule 10’.

80. Section 47(10) and (11)—*omit.***81. Part 4, division 8—***omit.***82. Section 50—***omit.***83. Section 51(1A), from ‘as inserted’ to ‘section 4’—***omit.*

SCHEDULE (continued)

84. Section 51(1D), from ‘this Act’ to ‘section 20(4)’—*omit, insert—*

‘sections 22(7), 35(1) or 35(2D) of this chapter and section 20(4) of chapter 4’.

85. Section 51(2)—*omit.***86. Sections 52, 53 and 54—***omit.***87. Section 56—***renumber and relocate to part 3 as section 25A.***88. Sections 57 to 63—***omit.***89. Section 64(1), ‘this Act’—***omit, insert—*

‘the 1972 Act’.

90. Section 64(1), ‘to whom section 3(b) relates’—*omit, insert—*

‘mentioned in section 3(b) of the 1972 Act’.

SCHEDULE (continued)

91. Section 64B(4B)—*omit.***92. Sections 66 to 68 and 70 to 72—***omit***93. Part 7 heading, ‘Public Service Superannuation Act 1958’—***omit, insert—*

‘chapter 4’.

94. Section 73 heading, ‘Public Service Superannuation Act 1958’—*omit, insert—*

‘chapter 4’.

95. Section 73(1) and (2)—*omit.***96. Section 73(3), words before paragraph (a), ‘the said Act’—***omit, insert—*

‘chapter 4’.

97. Section 73(3)(a), (b), (c), (3A) and (5) to (7) ‘this Act’—*omit, insert—*

‘the 1972 Act’.

SCHEDULE (continued)

98. Section 73(3)(c) and (7)(a) ‘the said Act’—*omit, insert—*

‘the 1958 Act’.

99. Section 73(3)(d), ‘the 1958 Act’—*omit, insert—*

‘chapter 4’.

100. Section 73(3)(d), ‘the said Act, section 73D’—*omit, insert—*

‘section 73D of chapter 4’.

101. Section 73(3A), ‘the said Act, section 25’—*omit, insert—*

‘section 25 of chapter 4’.

102. Section 73(4), ‘the said Act’—*omit, insert—*

‘chapter 4’.

103. Section 73(5), ‘the said Act, section 22A’—*omit, insert—*

‘section 22A of the 1958 Act’.

SCHEDULE (continued)

104. Section 73(6), ‘by the said Act’—*omit, insert—*

‘by the 1958 Act’.

105. Section 73(6), ‘the said Act, section 22’—*omit, insert—*

‘section 22 of the 1958 Act’.

106. Section 73(7), ‘under the said Act’—*omit, insert—*

‘under chapter 4’.

107. Section 73(7)(a), ‘the said Act’—*omit, insert—*

‘the 1958 Act’.

108. Section 73(7)(b) and (c) ‘the said Act’—*omit, insert—*

‘chapter 4’.

109. Section 73(7), from ‘and shall’ to ‘this Act’—*omit, insert—*

‘and, subject to chapter 4, is at the rates of contribution prescribed by the 1958 Act immediately before the commencement of the 1972 Act’.

SCHEDULE (continued)

110. Part 8—*omit.***111. Schedule 1A, ‘section 47’—***omit, insert—*

‘chapter 5, section 47’.

112. Schedule 3, ‘section 31’—*omit, insert—*

‘chapter 5, section 31’.

113. Schedule 3A, ‘section 31’—*omit, insert—*

‘chapter 5, section 31’.

114. Schedule 3B, ‘section 31’—*omit, insert—*

‘chapter 5, section 31’.

115. Schedule 4, ‘section 30A(1)’—*omit, insert—*

‘chapter 5, section 30A(1)’.

116. Schedule 5, ‘section 30A(3)’—*omit, insert—*

‘chapter 5, section 30A(3)’.

ENDNOTES

1. Made by the Governor in Council on 26 June 1997.
2. The amendments approved in this regulation were made by the Board of Trustees of the State Public Sector Superannuation Scheme on 18 June 1997.
3. Notified in the gazette on 27 June 1997.
4. Laid before the Legislative Assembly on . . .
5. The administering agency is the Government Superannuation Office.