

Queensland



Subordinate Legislation 1997 No. 322

Superannuation (State Public Sector) Act 1990

**SUPERANNUATION (STATE PUBLIC
SECTOR) AMENDMENT OF DEED
REGULATION (No. 5) 1997**

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**MINOR AMENDMENTS OF SUPERANNUATION (STATE
PUBLIC SECTOR) DEED 1990**

Short title

1. This regulation may be cited as the *Superannuation (State Public Sector) Amendment of Deed Regulation (No. 5) 1997*.

Approval of amendment of deed

2. This regulation approves the amendments of the *Superannuation (State Public Sector) Deed 1990* in schedules 1 and 2.

SCHEDULE 1

AMENDMENTS OF SUPERANNUATION (STATE PUBLIC SECTOR) DEED 1990

section 2

Replacement of ch 2, pt 3, s 203.2 (Acceptance of contributions—member 65 or over)

1. Chapter 2, part 3, section 203.2—

omit, insert—

‘Acceptance of contributions—member 65 or over

‘**203.2** The board may accept contributions for a member who is 65 or more years old only if the member is—

- (a) employed for at least 10 hours a week; and
- (b) less than 70 years old.’

Replacement of ch 3, pt 2, s 302.2 (Acceptance of contributions—member 65 or over)

2. Chapter 3, part 2, section 302.2—

omit, insert—

‘Acceptance of contributions—member 65 or over

‘**302.2** The board may accept contributions for a member who is 65 or more years old only if the member is—

- (a) employed for at least 10 hours a week; and
- (b) less than 70 years old.’

Amendment of ch 3, pt 3, s 303.2 (Payment of contributions)

3. Chapter 3, part 3, section 303.2(1), ‘65 years’—
omit, insert—
‘70 years’.

Amendment of ch 3, pt 3, s 303.4 (Discretionary contributions)

4. Chapter 3, part 3, section 303.4(1), ‘65 years’—
omit, insert—
‘70 years’.

Amendment of ch 3, pt 4, s 304.1 (Time for payment of benefits)

5. Chapter 3, part 4, section 304.1(d)—
omit.

Amendment of ch 3, pt 5, s 305.1 (Preservation and portability on ceasing to be member)

6. Chapter 3, part 5, section 305.1(2)—
omit.

Amendment of ch 8, pt 2, s 802.1 (Commissioner standard contributions)

7. Chapter 8, part 2, section 802.1(a)—
omit, insert—

‘(a) the member is—

- (i) employed by the authority for at least 10 hours a week; and
- (ii) less than 70 years old; and’.

Replacement of ch 8, pt 2, s 802.3 (Acceptance of contributions—member 65 or over)

8. Chapter 8, part 2, section 802.3—

omit, insert—

‘Acceptance of contributions—member 65 or over

‘802.3 The board may accept contributions for a member who is 65 or more years old only if the member is—

- (a) employed for at least 10 hours a week; and
- (b) less than 70 years old.’.

Amendment of ch 8, pt 3, s 803.1 (Time for payment of benefits)

9. Chapter 8, part 3, section 803.1(d) and (e)—

omit.

Replacement of ch 9, pt 2, s 902.2 (Acceptance of contributions—member 65 or over)

10. Chapter 9, part 2, section 902.2—

omit, insert—

‘Acceptance of contributions—member 65 or over

‘902.2 The board may accept contributions for a member who is 65 or more years old only if the member is—

- (a) employed for at least 10 hours a week; and
- (b) less than 70 years old.’.

SCHEDULE 2

MINOR AMENDMENTS OF SUPERANNUATION (STATE PUBLIC SECTOR) DEED 1990

section 2

1. Chapter 3, part 3, section 303.1, from ‘that member’—

omit, insert—

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

2. Chapter 4, part 3, section 23, heading, ‘Power to’—

omit, insert—

‘Power of’.

3. Chapter 4, part 3, section 24(1), ‘schedule 1’—

omit, insert—

‘schedule 2’.

4. Chapter 4, part 3, section 25(2), ‘sections 22(5A) and 27A(3)’—

omit, insert—

‘section 27A(3)’.

5. Chapter 4, part 3, section 26(1A), from ‘contribution’—

omit, insert—

‘the amounts that the officer’s employer would be required to pay for the officer under section 28 of the Act, but for the absence.’.

6. Chapter 4, part 3, section 27(2)(b), ‘schedule 2A’—*omit, insert—*

‘schedule 4’.

7. Chapter 4, part 3, section 27A(4)(a)(ii), ‘schedule 2A’—*omit, insert—*

‘schedule 4’.

8. Chapter 4, part 3, section 27B(b), ‘this Act’—*omit, insert—*

‘this chapter’.

**9. Chapter 4, part 4, section 34B(2)(a), ‘4 —
B’***omit, insert—***A** ‘
B’.**10. Chapter 4, part 4, section 38(2A)(b), ‘the provisions of sections 43A and 43B’—***omit, insert—*

‘section 43B’.

11. Chapter 4, part 5, sections 62 and 63—*omit.***12. Chapter 4, part 5, section 67(d) and (e)—***omit.*

13. Chapter 4, part 5, division 11—

omit.

14. Chapter 4, part 5, section 69(2) and (4)—

omit.

15. Chapter 4, part 5A, section 73B(6)—

omit.

16. Chapter 4, part 6, section 85—

omit.

17. Chapter 5, part 3, section 20(4), ‘chapter 4 pursuant to’—

omit, insert—

‘chapter 4.’

18. Chapter 5, part 3, section 20(7A), from ‘contribution’—

omit, insert—

‘the amounts that the contributor’s employer would be required to pay for the contributor under section 28 of the Act, but for the absence.’

19. Chapter 5, part 4, section 27(5)(a), ‘subsection (4)’—

omit, insert—

‘section 24(4)’.

20. Chapter 5, part 4, section 27(5A), ‘subsection (4A) or (4B)’—

omit, insert—

‘section 24(4A) or (4B)’.

21. Chapter 5, part 4, section 47(3)(c), ‘subject to subsection (11),’—

omit.

22. Chapter 5, part 5, section 51(1)(b), ‘section 19(3)(f)’—

omit, insert—

‘chapter 1, part 3, section 3.5(1A)(c)’.

23. Chapter 5, part 5, section 51(1), ‘section 56’—

omit, insert—

‘section 25A’.

24. Chapter 5, part 5, section 51(1), ‘a payment under section 70,’—

omit.

25. Chapter 5, part 5, section 51(1A), ‘Subject to subsection (2) the’—

omit, insert—

‘The’.

26. Chapter 5, part 5, section 51(1D), ‘and subject to subsection (2)’—

omit.

27. Chapter 5, part 5, section 51(1D), ‘and payments under section 62B’—

omit.

28. Chapter 5, part 7, section 73(3)(d), ‘chapter 4 pursuant to’—

omit, insert—

‘chapter 4,’.

29. Chapter 6, part 3, section 31(1)(d), ‘including any increase in the rate thereof under section 51A’—

omit.

30. Chapter 6, part 3, section 31(2), ‘section 60’—

omit, insert—

‘section 60 of the repealed *Police Superannuation Act 1968*’.

31. Chapter 6, part 3, section 36, from ‘fund’ to ‘order’—

omit, insert—

‘fund the amount that the actuary certifies from time to time in order’.

32. Chapter 6, part 4, section 46(3A)(b), ‘the provisions of section 51A and 51B’—

omit, insert—

‘section 51B’.

33. Chapter 6, part 4, section 47C(4) and (5)—

omit.

34. Chapter 6, part 4, section 51B(13)—

omit.

35. Chapter 6, part 5, section 58(6B)(a), ‘or by way of a single premium pursuant to section 60’—

omit.

36. Chapter 6, part 5, section 64(1), from ‘person—’ to ‘on or after’—
omit, insert—

‘person to whom section 61(1) applies, on or after’.

37. Chapter 6, part 5, section 64(2)(b), ‘or a person to whom section 68(1) applies who dies without resuming employment and before the member retires or is retired from the police service’—

omit.

38. Chapter 6, part 5, section 64(4), from ‘1 July 1961’ to ‘section 67A;’—

omit, insert—

‘1 July 1961, to whom section 61(1) applies,’.

39. Chapter 6, part 5, section 64(4), ‘or would have been entitled to receive, but for an application under section 67A,’—

omit.

40. Chapter 6, part 5, section 64(6), from ‘1 April 1959’ to ‘section 67A;’—

omit, insert—

‘1 April 1959, to whom section 61(1) applies,’.

41. Chapter 6, part 5, section 64(6), ‘or would have been entitled to receive but for an application under section 67A,’—

omit.

42. Chapter 7, part 3, section 24(1), ‘subsection (3)’—*omit, insert—*

‘subsection (2)’.

43. Chapter 7, part 3, section 24(2) and (3)—*omit, insert—*

‘(2) The amount of the contributions payable by a contributor who became a member on or after the commencement is the prescribed percentage of the contributor’s applicable current salary.’.

44. Chapter 7, part 3, section 24(3A) and (10), ‘subsections (1), (2) and (3)’—*omit, insert—*

‘subsections (1) and (2)’.

45. Chapter 7, part 3, section 24(12), definition “applicable initial salary”—*omit, insert—*

‘ “applicable initial salary”, of a contributor, means the contributor’s salary at the commencement.’.

46. Chapter 7, part 4, section 33(2D), ‘or section 58A(1) or (1A)’—*omit.***47. Chapter 7, part 4, section 45(3)(b), ‘subject to subsection (11),’—***omit.*

48. Chapter 7, part 5, section 49(1), from ‘fund’ to ‘necessary’—
omit, insert—

‘fund the amount the actuary certifies from time to time to be necessary’.

49. Chapter 7, part 5, section 49(1)(b), ‘section 19(2)(f)’—
omit, insert—

‘chapter 1, part 3, section 3.5(1A)(c)’.

50. Chapter 7, part 5, section 49(1), ‘, a payment under section 66,’—
omit.

51. Schedule 19, before part 1—
insert—

‘chapter 6, sections 31 and 32’.

ENDNOTES

1. Made by the Governor in Council on 2 October 1997.
2. The amendments approved by this regulation were made by the Board of Trustees of the State Public Sector Superannuation Scheme on 17 September 1997.
3. Notified in the gazette on 3 October 1997.
4. Laid before the Legislative Assembly on . . .
5. The administering agency is the Government Superannuation Office.