



Queensland

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 3) 2013

Subordinate Legislation 2013 No. 94

made under the

Superannuation (State Public Sector) Act 1990

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1 Short title

This regulation may be cited as the *Superannuation (State Public Sector) Amendment of Deed Regulation (No. 3) 2013*.

2 Commencement

This regulation commences on 1 July 2013.

3 Deed amended

This regulation amends the *Superannuation (State Public Sector) Deed 1990*.

4 Amendment of s 4 (Definitions)

Section 4—

insert—

binding death benefit nomination see section 29Q.

eligible death benefit see section 29Q.

5 Amendment of s 5 (Meaning of *member*)

Section 5(1)—

insert—

- (d) the person has ceased to be an employed member and a benefit is payable for the person under chapter 4, 5, 6, 7 or 9.

6 Amendment of s 27 (Transfers out)

(1) Section 27(2)(b)—

omit, insert—

(b) for an employed member—

- (i) an amount in the member's accumulation account or non-public

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sector accumulation account that was received under section 26; or

- (ii) on the conditions approved by the board, an amount in the member's accumulation account or non-public sector accumulation account received other than under section 26.

- (2) Section 27(3)—

omit, insert—

- (3) However, an amount mentioned in subsection (2)(b)(ii) must not include an amount paid to the member's accumulation account under section 72(1) or (2) if the member is an employed member in the basic accumulation category and also a member in the State 72 or police 74 category.

- (3) Section 27(4)—

omit.

- (4) Section 27(5) and (6)—

renumber as section 27(4) and (5).

7 Insertion of new ch 1, pt 7E

Chapter 1—

insert—

Part 7E Binding death benefit nominations

29Q Definitions for pt 7E

In this part—

binding death benefit nomination means a notice that complies with the requirements under the SIS Regulation, regulation 6.17A.

eligible death benefit, for a member, means a benefit that would, on the member's death, be payable to the member's legal personal representative or other person approved or decided by the board under any of the following provisions—

- (a) section 80;
- (b) section 107(3);
- (c) section 115;
- (d) section 123(1) and (3);
- (e) section 124(1);
- (f) section 141(2);
- (g) section 155(6);
- (h) section 185(1);
- (i) section 191(4), (10) and (12);
- (j) section 211(7);
- (k) section 231(3);
- (l) section 239;
- (m) section 246(1) and (3);
- (n) section 247(1);
- (o) section 262(2);
- (p) section 294(1);
- (q) section 299(4) and (11);
- (r) section 340(6);
- (s) section 404.

29R Giving binding death benefit nomination

A member may give the board a binding death benefit nomination for the member's eligible death benefits.

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29S Effect of binding death benefit nomination on eligible death benefits

- (1) If there is a binding death benefit nomination in effect for a member's eligible death benefits, the eligible death benefits must be paid in compliance with the SIS Regulation, regulation 6.17A.
- (2) Subsection (1) applies despite any other provision of this deed providing for payment of an eligible death benefit to the member's legal personal representative or other person approved or decided by the board.

8 Amendment of s 89B (Compulsory withdrawals on death)

Section 89B—

insert—

Note—

See section 29S for payment if there is a binding death benefit nomination in effect for the member.

9 Amendment of s 107 (Payment of lump sum on ceasing to contribute)

Section 107(3), before 'personal'—

insert—

legal

10 Amendment of s 131 (Payment to person other than the beneficiary)

Section 131—

insert—

- (2) This section does not apply to an eligible death benefit payable to a person under section 29S.

11 Amendment of s 191 (Refund of contributions)

Section 191(10), before ‘personal’—

insert—

legal

12 Amendment of s 196 (Payment to person other than the beneficiary)

Section 196—

insert—

(1A) Subsection (1) does not apply to an eligible death benefit payable to a person under section 29S.

13 Amendment of s 211 (Rectification of contributor’s status falsely induced)

Section 211(7), before ‘personal’—

insert—

legal

14 Amendment of s 231 (Payment of lump sum on ceasing to contribute)

Section 231(3), before ‘personal’—

insert—

legal

15 Amendment of s 254 (Payment to person other than the beneficiary)

Section 254—

insert—

(2) This section does not apply to an eligible death benefit payable to a person under section 29S.

16 Amendment of s 299 (Refund of contributions)

Section 299(11), before ‘personal’—

insert—

legal

17 Amendment of s 304 (Payment to person other than the beneficiary)

Section 304—

insert—

- (2) This section does not apply to an eligible death benefit payable to a person under section 29S.

18 Amendment of s 409 (Compulsory withdrawals on death)

Section 409—

insert—

Note—

See section 29S for payment if there is a binding death benefit nomination in effect for the member.

ENDNOTES

- 1 Consented to by the Board of Trustees of the State Public Sector Superannuation Scheme on 23 May 2013.
- 2 Made by the Governor in Council on 20 June 2013.
- 3 Notified in the gazette on 21 June 2013.
- 4 Laid before the Legislative Assembly on . . .
- 5 The administering agency is Queensland Treasury and Trade.

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Authorised by the Parliamentary Counsel