

Queensland



SUPERANNUATION (STATE PUBLIC SECTOR) ACT 1990

**Reprinted as in force on 20 May 1994
(includes amendments up to Act No. 11 of 1993)**

Reprint No. 1

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This Act is reprinted as at 20 May 1994. The reprint—

- shows the law as amended by all amendments that commenced on or before that day
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

The reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (Pt 4, Div 2)
- update references (Pt 4, Div 3)
- correct spelling and use different spelling consistent with current legislative drafting practice (s 26)
- use standard punctuation consistent with current legislative drafting practice (s 27)
- use expressions consistent with current legislative drafting practice (s 29)
- use aspects of format and printing style consistent with current legislative drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit the enacting words (s 42A)
- number and renumber provisions and references (s 43)
- correct minor errors (s 44).

Also see Endnotes for—

- **details about when provisions commenced**
- **any provisions that have not commenced and are not incorporated in the reprint**
- **further information about editorial changes made in the reprint, including—**
 - **Table of changed names and titles**
 - **Table of obsolete and redundant provisions**
 - **Table of corrected minor errors**
 - **Table of renumbered provisions.**

Queensland



SUPERANNUATION (STATE PUBLIC SECTOR) ACT 1990

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SUPERANNUATION (STATE PUBLIC SECTOR) ACT 1990

[as amended by all amendments that commenced on or before 20 May 1994²]

An Act to provide the machinery for the establishment of a new superannuation scheme for the State public sector and for related purposes

PART 1—PRELIMINARY

Short title

1.1 This Act may be cited as the *Superannuation (State Public Sector) Act 1990*³⁻⁹.

Commencement

1.2(1) Section 1.1 and this section commence on the day this Act is assented to for and on behalf of Her Majesty.

(2) Except as provided in subsection (1), the provisions of this Act, or such of them as are specified, commence on the day or days appointed by proclamation.

Interpretation

1.3(1) In this Act—

“Board” means the Board of Trustees pursuant to section 2.1;

“Board member” means a member of the Board of Trustees;

“deed” means the deed established pursuant to this Act;

“fund” means the State Public Sector Superannuation Fund established

pursuant to section 3.1;

“Queensland Treasury Corporation” means the corporation constituted within the meaning of the *Queensland Treasury Corporation Act 1988*;

“scheme” means the scheme for the provision of superannuation, retirement, provident or other benefits established pursuant to the deed in accordance with this Act;

“unit of the State public sector” means—

- (a) every department of the State within the meaning of the *Public Service Management and Employment Act 1988*;
- (b) the Railway Department within the meaning of the *Railways Act 1914*;
- (c) the Queensland Police Service within the meaning of the *Police Service Administration Act 1990*;
- (d) the Electoral and Administrative Review Commission within the meaning of the *Electoral and Administrative Review Act 1989*;
- (e) the Criminal Justice Commission within the meaning of the *Criminal Justice Act 1989*;
- (f) the Queensland Corrective Services Commission within the meaning of the *Corrective Services (Administration) Act 1988*;
- (g) the Legal Aid Commission within the meaning of the *Legal Aid Act 1978*;
- (h) the Public Sector Management Commission within the meaning of the *Public Sector Management Commission Act 1990*;
- (i) the Industrial Relations Commission within the meaning of the *Industrial Relations Act 1990*;
- (j) every corporate entity (other than a local government) that is constituted by or pursuant to an Act, or that is of a description of entity provided for by an Act, which in either case collects revenues or raises funds under the authority of an Act;
- (k) every non-corporate entity established or maintained pursuant to an Act, which is funded to any extent with moneys of the Crown, or is assisted in a financial respect by the Crown;

- (l) the registries and other administrative offices of the courts of the State of whatever jurisdiction;
- (m) the Magistrates Court within the meaning of the *Justices Act 1886*;
- (n) the Parliamentary Service within the meaning of the *Parliamentary Service Act 1988*;
- (o) the Governor's official residence (known as 'Government House') and the administrative unit maintained in association therewith;
- (p) a university, university college or a college of advanced education;
- (q) a specified body or corporate person declared under section 1.3(4) of the *Public Sector Management Commission Act 1990* to be a unit of the public sector;
- (r) any persons, or class of persons, corporate body, unit or organisation declared by regulation to be a unit of the State public sector;

but does not include—

- (s) the Executive Council;
- (t) the Legislative Assembly;
- (u) any person or body declared by regulation not to be a unit of the State public sector.

(3) Where the functions or duties of the Crown are transferred to any department or other instrumentality of the government of the Commonwealth, another State or a Territory of the Commonwealth, the power conferred by subsection (1)(r) includes power to declare the department or other instrumentality to be a unit of the State public sector for the purposes of this Act.

PART 2—BOARD OF TRUSTEES

Board of Trustees

2.1 The Board of Trustees constituted in accordance with sections 4 to 10 of the *Superannuation (Government and Other Employees) Act 1988* is to be the Board of Trustees for the purposes of this Act.

Board's executive officer

2.2(1) The executive officer of the Board—

- (a) is to be the person who for the time being holds the appointment as manager of the State Service Superannuation Fund preserved, continued in existence and established under the *State Service Superannuation Act 1972*; and
- (b) may be a member of the Board.

(2) The executive officer has and may exercise and is to perform such powers, authorities, duties and functions as are prescribed or as the Board may authorise or direct.

(3) The executive officer has custody of the Board's official seal and, subject to the Board, is authorised to execute documents and other writings on behalf of the Board and to affix the Board's seal thereto.

Delegation by Board

2.3 The Board may delegate its powers under this Act—

- (a) to a Board member or an officer of the Board; or
- (b) an officer of the public service.

Proceedings of Board

2.4(1) The Board is to meet at such times and places and conduct its business in such manner as is prescribed or, in so far as it is not prescribed, as the Board determines.

(2) The presiding officer is to preside at all meetings of the Board at

which that person is present.

(2A) If the presiding officer is not present at a meeting that person's nominee is to preside at the meeting and act in place of the presiding officer and, while so acting, has all the powers and authorities of the presiding officer.

(2B) If neither the presiding officer nor a nominee is present at a meeting the Board members present are to elect one of their number who is to preside at the meeting.

(3) A quorum of the Board consists of 6 Board members and any duly convened meeting at which a quorum is present is competent to transact the business of the Board.

(4) The person presiding at a meeting is to have a deliberative vote only.

(5) A decision of the Board requires the affirmative vote of 6 Board members present and voting.

(6) No act or proceeding of the Board is to be invalid or be affected by reason only of 1 or all of the following—

- (a) the number of Board members was not complete at the time of such act or proceeding;
- (b) a defect in the appointment of any Board member;
- (c) any Board member was disqualified from participating or disentitled to participate in the act or proceeding.

Powers etc. of Board

2.5 The powers, authorities, duties or functions of the Board and the exercise of discretion by the Board are, except as specified in this Act, to be as set out in the deed.

Board member indemnified

2.6 A Board member or the executive officer of the Board or any member of the Board's staff is not to incur liability at law on account of loss or damage sustained by reason of any act done or omission made under the authority of this Act or done or made in good faith by that person purporting to act under the authority of this Act and without negligence.

Remuneration of Board members

2.7 A Board member is entitled to such remuneration as may be approved for the time being by the Governor in Council.

PART 3—FUND AND DEED**Establishment of fund**

3.1 There is to be established and maintained in the Queensland Treasury a fund under the title ‘State Public Sector Superannuation Fund’.

Investment of fund

3.2(1) For a period of 5 years as from the commencement of this section, the Queensland Treasury Corporation is appointed as investment manager of the fund and may invest the fund in such manner and in such investments as the Queensland Treasury Corporation is, by law, authorised to invest.

(2) Upon expiry of the appointment under subsection (1), an investment manager for the fund is to be appointed in accordance with the deed.

Deed to establish scheme

3.3(1) Not later than 30 days after the commencement of this section, or such longer period as may be approved by the Governor in Council by order in council, there is to be established by deed a scheme for the provision of superannuation, retirement, provident or other similar benefits payable from the fund.

(2) The deed—

- (a) is subordinate legislation; and
- (b) may be amended by the Board.

(3) An amendment of the deed is of no effect until approved by a regulation that sets out the amendment.

Membership of scheme

3.4(1) The Governor in Council may, by regulation, declare that any person or member of a class of person who is an employee of or engaged by a unit of the State public sector is eligible for membership of the scheme.

(2) Where any doubt arises as to whether any person is an employee of or engaged by a unit of the State public sector, the Governor in Council may, by regulation, declare whether the person, for the purposes of this Act, is or is not an employee of or engaged by the unit of the State public sector.

(3) A regulation made for the purposes of subsection (1) is to declare whether membership of the scheme is compulsory or discretionary and the conditions (if any) that apply to the membership.

(4) The Governor in Council may, by regulation, declare that any person or member of a class of person who is an employee of or engaged by a unit of the State public sector is excepted from this Act.

(5) Before the Minister recommends to the Governor in Council that a regulation be made for the purposes of subsection (4) the Minister is to consult with the Board.

Contents of deed

3.5 Save as otherwise provided by this Act and in addition to any other provisions which the Board considers may be necessary or desirable, the deed may make provision for the following matters—

- (a) definitions to be used in the deed;
- (b) the operation, management and investment of the fund;
- (c) the liability for the payment of member contributions to the fund;
- (d) the level of member contributions to the fund;
- (e) the level of contribution by a unit of the State public sector in relation to members of the scheme;
- (f) the circumstances whereby, and the level of contributions in relation thereto, members may make additional contributions to the fund;
- (g) conditions for the transfer of members and amounts representing contributions to and from the scheme;

- (h) the keeping of accounts for members of the scheme and the payment of interest on such accounts;
- (i) the level of and conditions relating to the payment of benefits under the scheme to and in respect of a member, including—
 - (i) benefits on attaining the age of 55 years or older;
 - (ii) benefits for total and permanent incapacity;
 - (iii) benefits for permanent but partial incapacity;
 - (iv) benefits for short term incapacity;
 - (v) benefits on death prior to the age of 55 years;
 - (vi) benefits on—
 - (A) compulsory retrenchment from employment;
 - (B) involuntary termination of employment;
 - (C) voluntary resignation from employment;
 - (D) dismissal from employment;
 - (vii) benefits on the occurrence of such other eventuality as may be specified;
- (j) the obtaining and use of medical or like evidence in determining the payment of benefits under the scheme;
- (k) a mechanism for a review by a member dissatisfied with the grant or payment of benefits or any other decision under the scheme;
- (l) a method for the preservation of member entitlements in the fund;
- (m) the terms and conditions upon which a pension or annuity may be purchased or paid from the fund;
- (n) the terms and conditions upon which the Board is to obtain actuarial advice in relation to the fund;
- (o) the payment of the expenses of operating the scheme from the fund.

PART 4—ADMINISTRATION

Accounts relating to fund

4.1(1) For the purpose of the application of the provisions of the *Financial Administration and Audit Act 1977* to the accounts relating to the fund the accounts are to be treated as miscellaneous departmental accounts within the meaning of that Act.

(2) The Board may appropriate earnings received by it from investment of the fund to its several accounts in such amounts as the Board, in its discretion, thinks fit.

Returns

4.2(1) Throughout each year, each unit of the State public sector which employs or otherwise engages a person who might become entitled to a benefit from the fund in accordance with the deed is to furnish to the Board, in such form and at or within such times as the Board directs, returns with respect to such matters as the Board directs.

(2) A person who—

- (a)** is an employee of or engaged by a unit of the State public sector who might become entitled to a benefit from the fund; or
- (b)** was an employee of or engaged by a unit of the State public sector who being entitled to a benefit from the fund preserved that entitlement;

is to furnish to the Board information with respect to such matters concerning that person as the Board may require.

(3) If a person referred to in subsection (2) fails to comply with a requisition for information as required under subsection (2) directed to that person by the Board, a benefit from the fund to which that person has become entitled is to be withheld until the requisition is complied with.

Recovery of overpayments

4.3(1) Where a person has received payment of a benefit from the fund in excess of the payment to which that person is entitled in accordance with the deed, the Board may recover from that person or that person's estate (if that person has died) in a court of competent jurisdiction as a debt due and owing to the Board the difference between the payment received by that

person and the payment to which that person was entitled in accordance with the deed.

(2) Where a person who has received payment of a benefit from the fund in excess of the payment to which that person is entitled in accordance with the deed, is entitled to a further payment from the fund, that excess may be deducted from the further payment prior to it being paid to that person or that person's estate.

Recovery of unpaid contributions

4.4(1) Any amount (including an amount of contribution to the fund) that is payable to the Board under the scheme may be recovered in a court of competent jurisdiction as a debt due and owing to the Board.

(2) Any amount of contributions to the fund unpaid at the time a person ceases to be a member may be deducted from any benefits payable under the scheme before any payment is made to or in respect of that person.

Reports

4.5(1) In each year the Board is to make to the Minister a report on the administration of this Act and of the scheme.

(1A) The Minister is to lay a copy of the Board's annual report before the Legislative Assembly within 14 sitting days after the Minister receives the report.

(2) When, and as often as, the Minister may require, the Board is to make to the Minister a report on such matters concerning the administration of this Act or the scheme as the Minister may direct.

Protection of scheme's name

4.6(1) A person is not to use the expression 'Q Super' in connection with selling the right to participate in any superannuation, insurance or provident scheme unless—

- (a) the scheme is that to which this Act relates; and
- (b) that person does so on behalf of the Board.

(2) A person is not to—

- (a) use any variation of the expression ‘Q Super’; or
- (b) use any word (either alone or in conjunction with any other word) similar in sight or sound to the expression ‘Q Super’;

in connection with selling the right to participate in any superannuation, insurance, provident or other benefit scheme, being, in either case, a use likely to afford reasonable grounds for believing the scheme is or is associated with the scheme to which this Act relates, unless—

- (c) the scheme in question is one to which this Act relates; and
- (d) that person does so on behalf of the Board.

(3) A person who contravenes subsection (1) or (2) commits an offence against this Act.

Maximum penalty—40 penalty units.

Offender to be punished summarily

4.7(1) A person who commits an offence against this Act may be prosecuted in a summary way under the *Justices Act 1886* on the complaint of the executive officer of the Board or of any person authorised by the Board.

(2) In any proceeding the authority of the complainant to lay the complaint is to be presumed in the absence of evidence to the contrary.

(3) Proceedings in respect of an offence against this Act may be commenced at any time within 1 year from the time when the matter of complaint arose or within 6 months after the offence comes to the knowledge of the complainant, whichever period is the later to expire.

Publicity of scheme

4.8 The Board is to take all reasonable steps—

- (a) to ensure that all persons eligible for membership of the scheme are made aware of the benefits that arise from membership of the scheme; and
- (b) to enlist new members in the scheme.

Unclaimed benefits

4.9(1) Where a member has not, within 6 months of becoming entitled to a benefit under the scheme, claimed such benefit the Board is to transfer the value of that benefit to an unclaimed benefit account to be kept in the fund.

(2) At any time within 6 years after a transfer in accordance with subsection (1) a member may claim any unclaimed benefit and the Board, upon such proof as the Board considers necessary, may authorise payment from the unclaimed benefit account to that member.

(3) Where no claim is made in accordance with subsection (2) within a period of 6 years of a transfer to the unclaimed benefit account, the value of that benefit is then to form part of the fund and the member then ceases to have any claim or title to that benefit.

(4) The Board may, where it is satisfied that special circumstances exist, authorise the payment from the fund of the value of a benefit notwithstanding the lapse of a period greater than 6 years from when the member became entitled to the benefit.

(5) If any moneys paid to a person in accordance with this section are afterwards claimed by any other person, the Board is not responsible for the payment of such moneys but such person may have recourse against the person to whom the Board has paid the moneys.

Barring of claims for compensation

4.10 No member is entitled to any compensation by reason of the alteration of any benefit payable under the scheme which may lawfully be made in consequence of any actuarial investigation or otherwise.

Rates or amounts of benefit etc. to be rounded off

4.11 Where the rate or amount of any benefit under the scheme, when expressed in dollars and cents, leaves a number of cents remaining, the Board may round off that rate or amount to the nearest dollar and the benefit is payable in terms of that rate or amount as so rounded off.

False declarations

4.12(1) No person is to—

- (a) in a certificate, return, declaration, or other document given or sent to, or lodged with, the Board by or on behalf of that person for any of the purposes of the scheme, knowingly furnish information as to age or state of health that is false or misleading; or
- (b) for the purposes of a medical examination required to be undergone under the scheme, knowingly furnish the medical practitioner by whom the examination is made with information as to state of health or medical history that is false or misleading.

Maximum penalty—10 penalty units.

(2) If a person is convicted of an offence against this section the Board may order—

- (a) in the case of a member—
 - (i) that the person is ineligible, either permanently or for such time as the Board may determine, to contribute to the fund; or
 - (ii) if contributions have not commenced—that the person is ineligible to commence to contribute to the fund either permanently or for such time as the Board may determine; or
- (b) in the case of a recipient of a benefit—that the benefit be cancelled forthwith; or
- (c) in the case of a person other than a member or recipient of a benefit—that that person be ineligible to commence to contribute to the fund either permanently or for such time as the Board may determine.

(3) Where the Board makes a determination under this section in respect of a member whereby the member is precluded from contributing to the fund for a time only, any period of employment by the member during that time is to be disregarded in the calculation of a period of employment for the purpose of determining a member's entitlement, or that of a person deriving an entitlement through that member, to benefits under this Act or

the scheme.

Exemption from taxation

4.13 Except as may be specifically provided the Board and the fund are not liable to any taxation imposed under a law of Queensland.

Contributions by units

4.13.1(1) Every unit of the State public sector must pay, in respect of each person who is an employee of or engaged by the unit and a member of the scheme, to the Treasurer such amounts as the Treasurer may from time to time require in order to provide for the payment of benefits under the scheme.

(2) Amounts payable under subsection (1) must be in the hands of the Treasurer within 7 days after the end of the pay period in respect of which the person's salary or wage is paid.

(3) If any amount is not in the hands of the Treasurer within the time limited by subsection (2) the Treasurer may determine that interest accrues on the amount at a rate determined by the Treasurer while the amount remains outstanding.

(4) If the Treasurer does so determine, interest accrues and becomes payable to the Treasurer.

Appropriation of contribution

4.14 A contribution to the fund by the Crown in accordance with the deed is to be paid by the Treasurer—

- (a) at any such time and in such manner as prescribed by the deed;
- (b) out of the Consolidated Fund or such other fund as the Treasurer may determine which is appropriated accordingly.

Assignment of benefit

4.15 No benefit payable under the scheme is capable of being assigned, charged, taken in execution, attached or passed by operation of law or

otherwise howsoever to any person other than the member or the member's estate nor is any claim to be set off against the same and any moneys payable out of the fund on the death of the member is not assets for the payment of the member's debts or liabilities.

Regulations

4.16 The Governor in Council may make regulations for the purposes of this Act.

Saving of existing orders in council

4.17 An order in council in force under this Act immediately before the commencement of this section continues to have effect after the commencement and is taken to be a regulation.

ENDNOTES**1 Index to Endnotes**

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 20 May 1994. Future amendments of the Superannuation (State Public Sector) Act 1990 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 List of legislation**Superannuation (State Public Sector) Act 1990 No. 20**

date of assent 13 June 1990

ss 1.1–1.2 commenced on date of assent

remaining provisions commenced 14 June 1990 (proc pubd Gaz 14 June 1990 p 833)

as amended by—

Superannuation (Miscellaneous Acts) Amendment Act 1991 No. 11 Pts 1, 7

date of assent 15 April 1991

ss 1.1–1.2, 7.1 commenced on date of assent (see s 1.2(1))

ss 7.2–7.3, 7.5, 7.9 and 7.11 commenced 11 May 1991 (proc pubd Gaz 4 May 1991 p 73)

remaining provisions not yet proclaimed into force

Statute Law (Miscellaneous Provisions) Act 1991 No. 97 s 3 Sch 2 (as amd by 1992 No. 36 s 2 Sch 2)

date of assent 17 December 1991

commenced 11 May 1991 (see Act)

Superannuation Legislation Amendment Act 1993 No. 11 Pts 1, 8 s 45 Sch 3

date of assent 28 May 1993

Pt 1 commenced on date of assent

remaining provisions commenced 1 July 1993 (1993 SL No. 207)

4 List of annotations

Key to abbreviations in list of annotations

amd	=	amended
Ch	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
(prev)	=	previously
prov	=	provision
Pt	=	Part
RA	=	Reprints Act 1992
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

Interpretation

s 1.3 amd 1991 No. 11 s 7.2; 1993 No. 11 s 45 Sch 3

def “**unit of the State public sector**” amd 1993 No. 11 s 45 Sch 3**Delegation by Board**

s 2.3 sub 1993 No. 11 s 45 Sch 3

Remuneration of Board members

s 2.7 amd 1991 No. 11 s 7.3

Deed to establish schemes 3.3 amd 1991 No. 11 s 7.4; 1993 No. 11 s 45 Sch 3**Membership of scheme**

s 3.4 sub 1991 No. 11 s 7.5

amd 1991 No. 97 s 3 Sch 2; 1993 No. 11 s 45 Sch 3

Contents of deeds 3.5 amd 1991 No. 11 s 7.6**Returns**s 4.2 amd 1991 No. 11 s 7.7**Recovery of overpayments**s 4.3 amd 1991 No. 11 s 7.8**Protection of scheme's name**

prov hdg sub 1991 No. 11 s 7.9(a)

s 4.6 amd 1991 No. 11 s 7.9(b)–(c)**Unclaimed benefits**s 4.9 amd 1991 No. 11 s 7.10**Contributions by units**

s 4.13.1 ins 1991 No. 11 s 7.11

Appropriation of contributions 4.14 amd 1991 No. 11 s 7.12**Assignment of benefit**s 4.15 amd 1991 No. 11 s 7.13**Regulations**

s 4.16 sub 1993 No. 11 s 45 Sch 3

Saving of existing orders in council

s 4.17 ins 1993 No. 11 s 45 Sch 3

5 Table of changed names and titles

TABLE OF CHANGED NAMES AND TITLES
under the Reprints Act 1992 ss 23 and 23A

Old	New	Reference provision
Consolidated Revenue	Consolidated Fund	Financial Administration and Audit Act 1977 s 112
Local Authority	local government	Local Government Act 1993 s 755(1)(a)

6 Table of obsolete and redundant provisions

TABLE OF OBSOLETE AND REDUNDANT PROVISIONS under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
definitions to read in context	Acts Interpretation Act 1954 s 32A
references to Queensland implied	Acts Interpretation Act 1954 s 35

7 Table of corrected minor errors

TABLE OF CORRECTED MINOR ERRORS under section 44 of the Reprints Act 1992

Section	Description
4.17	om 'subsection' ins 'section'

8 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS under section 43 of the Reprints Act 1992

Original	Renumbered as
2.4(2), 2nd sentence	2.4(2A)
2.4(2), 3rd sentence	2.4(2B)
3.5, 1st dot point	3.5(a)
3.5, 2nd dot point	3.5(b)
3.5, 3rd dot point	3.5(c)
3.5, 4th dot point	3.5(d)
3.5, 5th dot point	3.5(e)
3.5, 6th dot point	3.5(f)
3.5, 7th dot point	3.5(g)
3.5, 8th dot point	3.5(h)
3.5, 9th dot point	3.5(i)
3.5, 9th dot point, (a)	3.5(i)(i)
3.5, 9th dot point, (b)	3.5(i)(ii)

3.5, 9th dot point, (c)	3.5(i)(iii)
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3.5, 9th dot point, (e)	3.5(i)(v)
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3.5, 9th dot point, (f)(ii)	3.5(i)(vi)(B)
3.5, 9th dot point, (f)(iii)	3.5(i)(vi)(C)
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3.5, 10th dot point	3.5(j)
3.5, 11th dot point	3.5(k)
3.5, 12th dot point	3.5(l)
3.5, 13th dot point	3.5(m)
3.5, 14th dot point	3.5(n)
3.5, 15th dot point	3.5(o)
4.5(1), 2nd sentence	4.5(1A)
4.13.1(3), 2nd sentence	4.13.1(4)

9 Provisions that have not commenced and are not incorporated into reprint

The following provisions are not incorporated in this reprint because they had not commenced before the reprint date (see s 5(c) Reprints Act 1992).

Sections 7.4, 7.6–7.8, 7.10, 7.12 and 7.13 of Act No. 11 of 1991 reads as follows—

7.4 Amendment of s. 33. Deed to establish scheme. Section 3.3(1) of the Principal Act is amended by omitting “payable from the fund”.

7.6 Amendment of s. 3.5. Contents of Deed. Section 3.5 of the Principal Act is amended by omitting “in the fund” (where once occurring) and “from the fund” (where twice occurring).

7.7 Amendment of s. 4.2. Returns. Section 4.2 of the Principal Act is amended by omitting “from the fund” where four times occurring.

7.8 Amendment of s. 4.3. Recovery of overpayments. Section 4.3 of

the Principal Act is amended by omitting “from the fund” where three times occurring.

7.10 Amendment of s. 4.9. Unclaimed benefits. Section 4.9 of the Principal Act is amended by—

- (a) in subsection (1), omitting “to be kept in the fund”;
- (b) in subsection (3), omitting “the value of that benefit is then to form part of the fund and”;
- (c) in subsection (4), omitting “the fund” and substituting “the Unclaimed Benefit Account”.

7.12 Amendment of s. 4.14. Appropriation of contribution. Section 4.14 of the Principal Act is amended by omitting “to the fund”.

7.13 Amendment of s. 4.15. Assignment of benefit. Section 4.15 of the Principal Act is amended by omitting “moneys payable out of the fund” and substituting “benefit payable”.