

Queensland



Superannuation (State Public Sector) Act 1990

DEED OF THE STATE PUBLIC SECTOR SUPERANNUATION SCHEME

**Reprinted as in force on 28 July 1994
(includes amendments up to SL No. 223 of 1994)**

Reprint No. 1

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
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Information about this reprint

This Deed is reprinted as at 28 July 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)
- correct spelling and use different spelling consistent with current legislative drafting practice (s 26(1) and (2))
- use conjunctives and disjunctives consistent with current legislative drafting practice (s 28)
- 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 (ss 36 and 39)
- omit unnecessary referential words (s 41)
- omit the words of notification (s 42A)
- number and renumber certain provisions and references (s 43)

Also see Endnotes for—

- **details about when provisions commenced**
- **further information about editorial changes made in the reprint, including—**
 - **Table of obsolete and redundant provisions**
 - **Table of renumbered provisions.**

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DEED OF THE STATE PUBLIC SECTOR SUPERANNUATION SCHEME

[as amended by all amendments that commenced on or before 31 July 1994²]

THIS DEED is entered into on 14 June 1990 by

HENRY ROBERT SMERDON, JOHN MERVYN HINCKS, ROSS WILLIAM DUNNING, DALE EDWARD HENNESSY, DESMOND ERNEST BOYLAND, NOEL JOHN ROSS, KAREN SHIRLEY PEUT and THOMAS ALFRED BARTON (who for the time being constitute the Board of Trustees under the *Superannuation (State Public Sector) Act 1990*)

WHEREAS

- A. In terms of section 3.3 of the Act, there is to be established by deed a scheme for the provision of superannuation, retirement, provident or other similar benefits payable from the fund.
- B. The Board now wishes by this deed to establish the terms and conditions of the scheme which shall come into effect upon the approval of this deed by order in council, membership of which will be available to such persons as provided for in section 3.4 of the Act.
- C. The Board is to administer and control the scheme subject to the Act and in accordance with the other provisions of this deed.

NOW THE TRUSTEES covenant and agree as follows—

PART 1—PRELIMINARY

Name of Scheme

1.1 The scheme established by this deed shall be known as the State Public Sector Superannuation Scheme³⁻⁶.

Commencement

1.2 The provisions of this deed will take effect from the date on which the order in council by which this deed is approved is published in the Gazette.

Meaning of terms

1.4 In this deed—

“Actuary” means the Actuary for the time being appointed to advise the Trustees pursuant to section 3.4.

“actuary” means a person who is a fellow or an accredited member of the Institute of Actuaries of Australia (or any body formed in reconstruction of or in succession thereto).

“annual compulsory contribution rate” means the compulsory contributions paid in respect of a member in a review year divided by the member’s annual review date salary, expressed as a percentage.

“annual review date” means 1 July in any year.

“annual review date salary” means the salary as at the annual review date except that where a member commences membership other than on an annual review date then the annual review date salary in respect of the period prior to the occurrence of the first annual review date shall be the salary of that member at commencement of membership.

“assets of the fund” means all the cash and authorised investments, including contributions received, belonging to the fund and without limiting the generality of the foregoing includes—

- (a) amounts owing to the fund by debtors (excluding any bad debts); and
- (b) income accruing from authorised investments of the fund to the extent not included in paragraph (a); and
- (c) the proceeds of sale of any part of the fund; and
- (d) any prepayment of expenditure; and
- (e) all additions or accretions (if any) to the fund which arise by way of dividend interest premium or distribution or which are

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otherwise received and for the time being retained.

“average rate” means the percentage obtained by dividing the sum of the annual compulsory contribution rates by contributory membership.

“AWOTE” means the amount of Average Weekly Ordinary Time Earnings in Australia published by the Australian Bureau of Statistics.

“child” means—

- (a) each child of a member; and
- (b) any other person who at the death of the member or other relevant event was, in the opinion of the Board wholly or substantially financially dependent on the member; and
- (c) who in either case is under the age of 16, or is under the age of 25 and in the opinion of the Board in receipt of full-time education.

“compulsory contributions” means the contributions paid in respect of a member pursuant to section 5.1.

“contributory membership”, subject to section 7.13, means the total number of years including any part of a year of all periods during which compulsory contributions have been received or under this deed taken to have been received in respect of a member, but excludes any period of membership in respect of which any benefit other than a temporary disablement benefit, has previously been determined under Part 7.

“dependant” means in relation to a member the spouse of the member and any other person who in the opinion of the Board is or was at the relevant date wholly or substantially financially dependent on the member for that person’s maintenance and support.

“disablement” means any mental or bodily injury, illness, disease or infirmity.

“early retirement” means retirement which the employer is lawfully entitled to approve and which in the opinion of the Board constitutes genuine retirement, occurring at an age less than 55 years.

“employer” in relation to a member means the unit of the State public sector of which the member is an officer, member or employee (howsoever described).

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“final average salary” or “FAS” means the average, having regard to the periods of time for which they were respectively applicable, of the annual review date salaries applicable for the 1 year (or any shorter period where membership is less than 1 year) immediately preceding retirement or the occurrence of any other relevant event.

“final salary” or “FS” means the annual review date salary applicable immediately prior to the occurrence of the relevant event unless the event occurs less than 1 year before the member’s 55th birthday in which case the final salary shall be taken to be FAS but limited to the period from the date the member attained age 54 (or later commencement of membership if applicable) to the occurrence of the relevant event.

“financial year” means in respect of the scheme each successive period of 12 months commencing on 1 July and ending on 30 June except that the first financial year shall be the period commencing on the date of this deed and ending on 30 June next ensuing and the last financial year shall be the broken period (if that be the case) ending on the date of termination of the scheme and commencing on 1 July preceding the date of termination.

“involuntary termination” means compulsory retrenchment which in the opinion of the Board is genuine retrenchment, or non renewal by the employer or termination by the employer of a contract of employment, the employer being lawfully entitled so to retrench, fail to renew or terminate as the case may be, but does not include dismissal on account of misconduct.

“legal personal representative” means the executor or administrator of the estate of the deceased member, the trustee of the estate of a member under a legal disability or a person who holds a general power of attorney granted by a member.

“member” means a member of this scheme.

“membership” means membership of the scheme.

“OSS Act” means the *Occupational Superannuation Standards Act 1987* (Cwlth).

“permanent and partial disablement” means disablement of a degree which in the opinion of the Board is such as to render the member

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permanently unfit to discharge or incapable of discharging the duties of the member's office efficiently, but is not total and permanent disablement.

“prospective membership” means the period of time expressed in years and any part of a year from the occurrence of death or disablement as the case may be to the member's 55th birthday.

“review year” means the period of 12 months commencing on an annual review date except that where a person is not a member for the whole of the 12 months then the review year shall be taken to be that period of a financial year for which the person is a member.

“salary” means in respect of a member the remuneration expressed as an annual figure, which in the opinion of the Board is permanent, excluding, unless determined otherwise by the Governor in Council on the recommendation of the Board, any sum paid by way of fees or allowances, other than the allowance paid to a member who is a teacher based on the number of pupils attending the school in which the teacher is employed.

“smoothed earning rate” means a rate of interest, decided by the Board after receiving appropriate advice, that reasonably reflects the after tax earnings derived from the investment of member contributions to the fund, having regard to—

- (a) the cost of administering the fund; and
- (b) the charges incurred in the investment of member contributions; and
- (c) the allocation to, or deduction from, any reserve held for smoothing returns from the investment of member contributions.

“spouse”, in relation to a member, includes a person who in the opinion of the Board although not legally married to that member, lives with the member on a bona fide permanent domestic basis as the husband or wife of the member.

“standard compulsory rate” means 5% or such other amount as may be specified under section 3.4 of the Act.

“tax” includes all income tax, capital gains, stamp, financial institutions, registration and other duties, bank and building society accounts debit

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tax, value added tax or other tax for or in relation to the provision of services and other taxed levies, imposts, deductions and charges whatsoever (including in respect of any duty imposed on receipts or liabilities of financial institutions any amounts paid in respect thereof to another financial institution) together with interest thereon and penalties with respect thereto (if any) and charges, fees or other amounts made on or in respect thereof whether imposed by or charged in relation to the Tax Act or any other Act or the Commonwealth or of any State or Territory.

“Tax Act” means the Income Tax Assessment Act (Cwlth).

“temporary disablement” means disablement of a degree which, in the opinion of the Board, is such as to render the member for the time being unfit to discharge or incapable of discharging the duties of the member’s office and is not total and permanent disablement or permanent and partial disablement.

“total and permanent disablement” means disablement of a degree which, in the opinion of the Board after obtaining the advice of not fewer than 2 medical practitioners, is such as to render the member unlikely ever to be able to work again in a job for which the member is reasonably qualified by education, training or experience.

“voluntary contribution and preservation account” means the account established in respect of a person who is a member or who has ceased to be a member pursuant to section 6.1.

“voluntary preservation earning rate” means a rate of interest, determined 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 contribution and 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.

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“year” means a calendar year;

- (e) headings and subheadings have been included for ease of reference and none of the terms covenants conditions or restrictions in this deed are to be construed or interpreted by reference to those headings and subheadings;
- (g) references to authorities institutes associations and bodies whether statutory or otherwise shall, in the event of any such authority institute association or body ceasing to exist or being reconstituted renamed or replaced or the powers or functions thereof being transferred to any other authority institute association or body, be deemed to refer respectively to the authority institute association or body established or constituted in lieu thereof or as nearly as may be succeeding to the powers or functions thereof;
- (h) all departments of the State within the meaning of the *Public Service Management and Employment Act 1988* shall constitute a single unit of the State public sector.

Law to apply

1.5 This trust deed shall be interpreted and construed in accordance with the law of the State.

Deed to comply with Occupational Superannuation Standards Act

1.6 Each of the requirements contained in the standards prescribed in respect of public sector superannuation schemes by the Occupational Superannuation Standards Regulations for the purposes of section 7(1) of the OSS Act shall be taken to be included in this deed, and in the event that any provision of this deed is inconsistent with any such requirement that provision shall be read down to the extent of the inconsistency.

PART 2—BOARD OF TRUSTEES

Functions and duties of Board

2.1 The Board shall administer the scheme in accordance with the provisions of this deed and the Act for the purpose of providing benefits upon retirement and certain other contingencies for present and future members of the scheme and their dependants.

Powers and authorities

2.2 In addition to any other powers and authorities contained in the Act or this deed, the Board may—

- (a) open and close banking accounts and give directions as to the operation of such bank accounts; and
- (b) obtain temporary finance by way of overdraft from an eligible bank within the meaning of the Occupational Superannuation Standards Regulations to overcome cash flow problems in the payment of benefits; and
- (c) consult and obtain the advice or services of an actuary or other consultant specialising in superannuation matters or any other person whose advice or services the Board may consider should be obtained for the purposes of the proper administration of the scheme; and
- (d) deduct tax from any payment out of the fund or, to the extent that the Board determines, deduct any amount of tax that may be or is assessed upon contributions credited to or income earned from the investment of the assets of the fund, and remit any amount of tax payable to the government authority entitled thereto; and
- (e) institute, conduct, defend, compound or abandon any legal proceedings by or against the fund or its officers or otherwise concerning the affairs of the fund and also compound and allow time for payment or satisfaction of any debts due and of any claims or demands by or against the fund; and
- (f) make and give receipts, releases and other discharges for money

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- payable to the fund and for claims and demands on the fund; and
- (g) pay benefits out of the fund to persons entitled thereto; and
 - (h) in case of mental or physical ill-health, or incapacity of a person entitled to benefits, pay or apply such benefits or any part thereof, at its discretion to or for the benefit of such person and the dependants of such person and in such proportions between them as the Board may determine; and
 - (i) insure all or part of any liability (contingent or otherwise) in respect of any benefits that could arise under or pursuant to this deed; and
 - (j) do all acts and things as and when and in the manner it considers in its discretion necessary or expedient or convenient for or in connection with the management, operation, control and administration of the scheme and for the exercise and performance of its powers, authorities, functions and duties.

Discretionary power of the Board

2.3(1) Where the Board is satisfied, after such inquiry as it thinks necessary, that a person has lost or ceased to be entitled to a right, privilege, or benefit under this scheme to which that person was otherwise entitled or might have obtained, and that it is just and equitable that the person should be allowed to have the enjoyment of the right, privilege, or benefit, the Board may permit the person to exercise the right or grant to the person the privilege or benefit.

(2) The Board may, in the exercise of its power under subsection (1) impose such conditions and requirements as it may think just.

PART 3—THE FUND

Income and expenditure

3.1 There shall be credited to the fund—

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- (a) all contributions paid by members;
- (b) all investment earnings of the fund;
- (c) all contributions paid by the Treasurer as referred to in sections 8.2 and 8.3;
- (d) all other moneys received by or on behalf of the Board in respect of the scheme;

and there shall be paid from the fund—

- (e) all tax payable; and
- (f) benefits payable in accordance with this deed to persons who are entitled to benefits from the fund; and
- (g) $\frac{2}{7}$ of all the expenses for the establishment, amendment and operation of the fund incurred from time to time.

Investment

3.2(1) The Board shall arrange for the investment of all moneys for the time being standing to the credit of the fund that in the Board's opinion are not immediately required for the payment of benefits in accordance with this deed or for the purposes of the Act.

(2) Upon the expiry of the appointment of the Queensland Treasury Corporation as investment manager of the fund as provided for in section 3.2(1) of the Act, moneys for the time being standing to the credit of the fund shall be invested in a manner approved for the time being by the Governor in Council whose approval may be of a particular investment or of a class of investment.

Appointment of investment manager

3.3(1) The investment manager appointed for the purposes of section 3.2(2) of the Act shall be appointed to act as agent of the Board in the investment of moneys for the time being standing to the credit of the fund that are available for investment.

(2) All investment of moneys shall be arranged through the investment manager.

(3) The investment manager—

- (a) shall comply with all requirements of the Governor in Council with respect to the manner in which the Board's moneys may be invested; and
- (b) shall operate within any investment strategy and policy as may be determined for the time being by the Board; and
- (c) shall report to the Board on the state of the Board's investment and the investment market at such times and in such manner as the Board determines.

Appointment of actuary

3.4 The Board shall from time to time arrange for the appointment of an Actuary to advise it in relation to the fund generally and in the particular instances where reference is made in this deed to the advice of the Actuary.

Actuarial reports

3.5(1) An investigation and report as to the state and sufficiency of the fund shall be made by the actuary before the expiration of 3 years after the commencement of this deed, and thereafter periodically so that there shall not be a period longer than 3 years between successive such investigations.

(1A) Any report given shall include—

- (a) a statement of assets of the fund; and
- (b) a statement as to any liability for benefit payments not expected to be financed out of the assets of the fund or any future contributions referred to in Part 8; and
- (c) any other matters which the actuary may consider appropriate generally.

(2) The Board shall provide a copy of the actuary's report to the Treasurer, and upon request, a copy or an extract of that report to any member.

PART 4—MEMBERSHIP

Commencement of membership

4.1 The membership of a member commences—

- (a) in the case of a person whose membership is declared by order in council under section 3.4(1) of the Act to be compulsory—
 - (i) on the day the person became required to contribute as a member; or
 - (ii) on the day on which the person became a person mentioned in the order in council;whichever is the earlier; and
- (b) in the case of a person whose membership is declared by order in council under section 3.4(1) of the Act to be discretionary, on such day as in the circumstances of the case the Board determines to be fair and equitable.

Determinations by Board

4.2 The Board is to determine whether—

- (a) a person is eligible for membership of the scheme; or
- (b) a person's membership of the scheme is compulsory or discretionary;

if any doubt exists because of an order in council made under section 3.4(1) of the Act.

Cessation

4.3(1) A member may not at the instance of that member cease to be a member so long as that person is employed by the same employer.

(2) Where a member changes employment or is to change employment from one employer to another employer and the period between ceasing employment with one employer and commencing employment with the other employer does not exceed 1 month the member may elect to continue

membership in the scheme, subject to such conditions as to the payment of contributions as the Board may determine.

(3) Where the Board determines that a member is entitled to a benefit under Part 7 which is other than a temporary disablement benefit, and the person has ceased employment with the employer, that person shall cease to be a member.

PART 5—MEMBER CONTRIBUTIONS

Member compulsory contributions

5.1(1) There shall be made contributions in respect of each member being an amount within the range of—

- (a) in the case of a member who is a member of the Queensland Police Service—3% to 9%; or
- (b) in the case of any other member—2% to 8%;

of the member's annual review date salary as is determined by the member in accordance with subsection (3).

(2) In the absence of special arrangements negotiated between the Board and the particular member, where a member is absent from the service of the employer without pay, contributions to the scheme shall be suspended until the member's pay recommences.

(3) A member may nominate the rate of contribution to be made provided that any nomination is to be made by notice in writing to the employer upon such conditions as the Board may instruct from time to time having regard to the proper administration of the scheme.

(4) Where a member fails to make a nomination the rate of contribution shall be the standard compulsory rate.

(5) The employer shall adjust the contributions to be paid to the Board in respect of a member in accordance with changes in the annual review date salary of the member and the contribution rate nominated under subsection 5.1(3).

(6) Notwithstanding subsections (1) to (5), benefits payable under this deed shall be calculated on the average rate of contributions paid in respect of a member and the Board is not required to pursue any member or employer in respect of any shortfall in contributions paid to the Board.

Average rate in excess of the standard compulsory rate

5.2 Where the average rate of contributions in respect of a member at an annual review date is in excess of the standard compulsory rate, any excess shall be credited towards the member's voluntary contribution and preservation account established under the provisions of section 6.1.

Contributions in excess of the maximum rate

5.3(1) Where the average rate of contributions in respect of a member is less than the standard compulsory rate, the Board shall not allow compulsory contributions in excess of—

- (a) in the case of a member who is a member of the Queensland Police Service—9% of the member's salary; or
- (b) in the case of any other member—8% of the member's salary;

to be made in respect of the member to make up part or all of the shortfall other than for the purpose of correcting what are, in the opinion of the Board, minor discrepancies.

(2) The Board may allow the additional contributions to be deducted from the member's voluntary contribution and preservation account.

Voluntary contributions

5.4(1) Voluntary contributions may be made to the scheme in respect of a member in such manner as the Board shall from time to time instruct.

(2) Contributions made under the provisions of this section shall be credited towards the member's voluntary contribution and preservation account.

Compulsory contributions after benefit determined

5.5 Where a total and permanent disablement benefit has been credited to a member's voluntary contribution and preservation account but the member has not ceased employment with the employer, any further compulsory contributions paid by the member shall be taken to be voluntary contributions for the purpose of section 5.4.

Authority to deduct contributions

5.6(1) Subject to subsection (1A), the employer is authorised to deduct such contributions as are required by section 5.1 from the member's salary and shall forward to the Board the contributions paid by each member in such manner and at such times as the Board shall instruct.

(1A) Subsection (1) does not apply to contributions constituting amounts that are required to be paid to the Treasurer under section 4.13.1(1) of the Act.

(2) If any contribution is not in the hands of the Board within the time specified the Board may determine that interest shall accrue on that contribution at a rate determined by the Board while the contribution remains outstanding, and, if the Board does so determine, interest shall so accrue and become payable by the relevant employer to the Board and upon payment shall become part of the fund.

PART 6—MEMBERS' ACCOUNTS

Voluntary contribution and preservation account

6.1 There shall be established as the case may require, in respect of each person who is a member or who ceases to be a Member, a voluntary contribution and preservation account to which shall be credited—

- (a) those contributions received pursuant to sections 5.2 and 5.4;
- (b) the amount of any benefits which are to be credited to this account pursuant to Part 7;

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- (c) interest as provided by section 6.2;
- (d) any other moneys which in the opinion of the Board are most appropriately dealt with by payment to this account;

and from which shall be debited—

- (e) any withdrawal of moneys paid to or in respect of the member or the former member under this deed;
- (f) any reasonable administrative fees and charges determined by the Board;
- (g) any insurance premiums paid in relation to the member pursuant to section 11.2;
- (h) any other moneys which in the opinion of the Board are most appropriately dealt with by deduction from this account.

Interest on accounts

6.2 The Board must from time to time credit each voluntary contribution and preservation account with interest compounded annually at whichever of the following rates is applicable—

- (a) while the member is employed by the employer—the smoothed earning rate; and
- (b) if paragraph (a) does not apply—the voluntary preservation earning rate or, if the Board decides otherwise, the smoothed earning rate.

Withdrawals from the voluntary contribution and preservation account

6.3(1) Withdrawals of all or part of a person's voluntary contribution and preservation account may be made by that person or that person's legal personal representative subject to such reasonable constraints as to times and frequencies of withdrawals as the Board may determine, but in any case no withdrawal shall be made before that person has ceased employment with the employer.

- (2) Where a person dies, withdrawals may be made by that deceased

person's legal personal representative or by such person or corporation as the Board, after the receipt of an application from that person or corporation, in its sole discretion may determine.

PART 7—BENEFITS

Benefit on age retirement

7.1 Where a member retires or otherwise leaves the service of the employer on or after the member's 55th birthday the Board shall credit to the member's voluntary contribution and preservation account a percentage of final average salary comprised of—

- (a) the member's compulsory contribution benefit; and
- (b) the member's basic benefit.

Member's compulsory contribution benefit

7.2(1) The member's compulsory contribution benefit shall be the sum of that member's annual compulsory contribution accruals.

(2) An annual compulsory contribution accrual shall be a percentage determined in accordance with the following formula—

$$\frac{\text{annual compulsory contribution rate}}{\text{standard compulsory rate}} \times \text{compulsory contribution benefit} \\ \% \text{ in Schedule 1 applicable to} \\ \text{that member}$$

Member's basic benefit

7.3(1) The member's basic benefit shall be the sum of that member's annual basic benefit accruals.

(2) The annual basic benefit accrual shall be a percentage determined in accordance with the following formula—

$$A \times B$$

where A is that part of the annual review year during which compulsory contributions have been received, or under this deed taken to have been received, in respect of a member; and

B is the basic benefit % in Schedule 1 applicable to that member.

Benefit on total and permanent disablement

7.4(1) Where a member becomes totally and permanently disabled before attaining the age of 55 years the Board shall credit to the member's voluntary contribution and preservation account a percentage of final salary comprised of—

- (a) the member's compulsory contribution benefit; and
- (b) the member's prospective membership benefit if payable; and
- (c) the member's basic benefit.

(2) A member who is eligible to receive a prospective membership benefit may elect but not later than 3 months after the Board has made its determination under subsection (1), to convert the entitlement credited to the member's voluntary contribution and preservation account in respect of the amounts referred to in subsection (1)(a) to (c) (including any interest accrued thereon) to an annual pension.

(2A) The annual pension shall be payable from the date of the Board's determination and shall be the product of—

- (a) FS; and
- (b) 75%; and
- (c) the ratio of the percentage determined in section 7.4(1) and—
 - (i) in the case of a member who is a member of the Queensland Police Service—857.5%; or
 - (ii) in the case of any other member—735%;

but with a maximum of 75% of FS; and the pension shall be indexed in accordance with section 7.12.

(3) The Board may reduce or suspend the pension provided for in subsection (2) where the recipient—

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- (a) engages in any business or occupation on the recipient's own account; or
- (b) is employed.

(4) Upon the death of a former member who had been receiving a pension under subsection (2) above within a period of less than 5 years since the pension commenced to be paid, there shall be credited to the voluntary contribution and preservation account of that former member an amount determined in accordance with the following formula—

(5—period in years and any part of a x current annual rate of pension.
year pension has been paid for)

Member's prospective membership benefit

7.5 A member's prospective membership benefit shall be the applicable percentage as set out in Schedule 1 multiplied by prospective membership and shall be payable where—

- (a) a member has 10 years or more contributory membership; or
- (b) (i) the member has fewer than 10 years contributory membership; and
 - (ii) the member lodged a personal medical statement at or about the time of entry to membership; and
 - (iii) the Board is of the opinion that the total and permanent disablement or death as the case may be was caused directly or indirectly other than by any condition which was disclosed on the personal medical statement or which in the opinion of the Board should reasonably have been disclosed on the personal medical statement; or
- (c) (i) the member has fewer than 10 years contributory membership; and
 - (ii) the member did not lodge a personal medical statement at or about the time of entry to membership; and
 - (iii) it is established to the satisfaction of the Board that the total and permanent disablement or death as the case may be was caused directly or indirectly other than by a condition that

ought reasonably to have been disclosed had a personal medical statement been submitted at or about the time of entry to membership.

(2) In this section—

“**contributory membership**” does not include a period of membership included under section 7.13.

Benefit on death

7.6(1) Where a member dies before reaching the age of 55 years the Board shall credit to that member’s voluntary contribution and preservation account the amount determined as for total and permanent disablement as provided for in section 7.4(1).

(2) If a benefit is payable under section 7.5, the Board shall also pay in respect of each child of the deceased member, a pension of \$62.57 per fortnight indexed in accordance with section 7.12.

(3) Whilst a child is under 18 years of age the pension shall be paid to the person who in the opinion of the Board has for the time being the care and control of the child.

Benefit on permanent and partial disablement

7.7 Where a member becomes permanently and partially disabled before attaining the age of 55 years the Board shall credit to the member’s voluntary contribution and preservation account a percentage of final salary comprised of—

- (a) the member’s compulsory contribution benefit; and
- (b) the member’s basic benefit.

Benefit on temporary disablement

7.8(1) Where a member who, if totally and permanently disabled would be entitled to a prospective membership benefit becomes temporarily disabled and has been absent from duty on sick leave without salary for a continuous period of 14 days (whether or not working days) or such lesser

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period as the Board determines in a particular case to be fair and equitable, the member shall receive a pension equal to 75% of final salary.

(2) The pension shall be indexed in accordance with section 7.12.

(3) The Board may reduce or suspend the pension provided for in subsection (1) where the recipient—

- (a) engages in any business or occupation on the recipient's own account; or
- (b) is employed; or
- (c) is in receipt of workers' compensation.

(4) For the purpose of calculating an annual compulsory contribution accrual in respect of any year in which the member was in receipt of a temporary disablement benefit, the member shall be taken to have contributed at the standard compulsory rate in respect of the period for which the temporary disablement benefit was paid, together with the period of 14 days without salary (or such lesser period as the Board may have determined in that regard) prior to the payment of that benefit.

(5) Where in the opinion of the Board, the total of all periods during which a member was, as the result of any 1 condition, in receipt of temporary disablement benefit, exceeds 2 years or such longer period as the Board in a particular case may determine, the member shall not be entitled to any further temporary disablement benefit in respect of that condition.

(6) This section does not apply to a member who is a member of the Queensland Police Service.

Benefit on involuntary termination or early retirement

7.9(1) In the case of involuntary termination or early retirement of a member there shall be credited to that member's voluntary contribution and preservation account a percentage of final salary comprised of—

- (a) the member's compulsory contribution benefit; and
- (b) the member's basic benefit.

Benefits on withdrawal

7.10(1) Where a member ceases employment with the employer and is not entitled to any other benefit under this deed there shall be credited to that member's voluntary contribution and preservation account a benefit equal to the amount of the member's compulsory contributions, accumulated with interest at the applicable smoothed earning rates, compounded annually.

(2) The Board shall credit to the voluntary contribution and preservation account of a person, being a person whose member's voluntary contribution and preservation account has been credited with a benefit under subsection (1), an amount determined in accordance with subsection (3) on the occurrence of the earlier of the following events—

- (a) the 55th birthday of that person; or
- (b) the death of that person; or
- (c) the total and permanent disablement of that person.

(3) The amount referred to in subsection (2) shall consist of the sum of 2 components which shall be calculated in accordance with subsections (3A) to (3C).

(3A) For the purposes of subsection (3)—

- (a) final salary shall be determined on the basis that the relevant event is the cessation of employment referred to in subsection (1); and
- (b) **“indexed final salary”** means the final salary, indexed from the date of cessation in accordance with subsection (4).

(3B) The first component of the amount shall be the member's basic benefit of indexed final salary.

(3C) The second component is the percentage of indexed final salary obtained by subtracting from the members' compulsory contribution benefit the amount (converted into a percentage of final salary) paid to the member's voluntary contribution and preservation account under subsection (1).

(4) For the purposes of this section, indexed final salary is the greater of the following amounts—

- (a) the final salary multiplied by the AWOTE for the quarter occurring 2 quarters before that in which the applicable event in

subsection (2) occurred, divided by the AWOTE for the quarter occurring 2 quarters before that in which the cessation of employment in subsection (1) occurred; and

- (b) the final salary.

Benefit on extended period of non-contributory membership

7.11 Where compulsory contributions have not been received in respect of a member for 2 years or such longer period (but not exceeding 3 years) as the Board may consider to be just and equitable in the circumstances, the member shall for the purposes of this scheme not be entitled to a prospective membership benefit until compulsory contributions are again received.

Indexation of pensions

7.12(1) Pensions payable under sections 7.4, 7.6 and 7.8 shall be indexed annually by the increase or decrease in the Consumer Price Index (All Groups) Brisbane.

(1AA) Pensions shall be indexed from the first pay-period occurring wholly in the month of August for the preceding financial year.

(1A) Where, at the end of that preceding financial year, a pension payable under section 7.4 or 7.8 had been payable only for a portion of the financial year, then only that portion of the indexation adjustment otherwise applicable is to be made.

(2) Where the percentage change in the Consumer Price Index (All Groups) Brisbane in a financial year is less than 1, no adjustment shall be made.

(3) Where in respect of 2 succeeding years the percentage change in each year was less than 1 but the aggregate was more than 1, the aggregate change shall be applied.

Contributory membership of persons who again become members

7.13(1) Where a person who has had a benefit determined under this Part credited to the voluntary contribution and preservation account again

becomes a member then contributory membership shall include membership relevant to that benefit provided the person has not made a withdrawal from the voluntary contribution and preservation account in respect of the benefit.

(2) The amount credited to the voluntary contribution and preservation account under subsection (1) (including any accrued interest) is to be deducted from the member's account.

PART 8—CROWN CONTRIBUTIONS

Payments from the fund

8.1 Subject to section 8.3, any payment out of the fund of a pension or withdrawal payable under this deed shall be satisfied, to the extent possible, from the amount of the contributions paid by the member together with accumulated interest at the applicable smoothed earning rates, compounded annually, remaining after any prior payment by way of pension or withdrawal from the fund.

Crown contributions

8.2 In accordance with section 4.14 of the Act, the Treasurer shall pay to the fund, for payment out of the fund each pension or withdrawal payable under this deed to the extent that it cannot be satisfied in accordance with section 8.1.

Crown contributions for temporary disablement

8.3 In accordance with section 4.14 of the Act, the Treasurer shall pay to the fund for payment out of the fund each temporary disablement benefit under this deed.

PART 9—MEDICAL AND OTHER EVIDENCE

Personal medical statement

9.1(1) A person may on becoming, or on again becoming, a member complete a personal medical statement in the form provided by the Board from time to time and furnish it to the Board.

(2) The Board may request a member to provide further information or submit to medical examinations following the completion of the personal medical statement.

Persons to give information

9.2 Every member and every person claiming a benefit or making a withdrawal from a voluntary contribution and preservation account or in receipt of a pension shall from time to time give the Board such information or evidence or such authorisation as may be necessary to obtain that information or evidence, and produce such documents, as the Board shall consider to be required for the purpose of the proper administration of the scheme.

Medical examinations

9.3 Following the lodgment of a claim for a benefit within the provisions of sections 7.4, 7.7 or 7.8, a person who lodges a claim for a benefit within the provisions of those sections shall submit to such medical examinations as the Board may reasonably direct.

PART 10—TRANSFERS

Transfers in

10.1(1) The Board may in its absolute discretion receive from some other superannuation pension or like scheme or fund or from the trustees or

administrators or other controlling body thereof any moneys in respect of a member's interest in that other scheme or fund or from a life assurance office or from a previous employer of that member or from such other source approved by the Board.

(2) The Board shall after consultation with the actuary, advise the member of the manner in which the Board intends to deal with those moneys.

Transfers out

10.2(1) The Board may pay to another superannuation, pension or like scheme or fund any moneys in a member's voluntary contribution and preservation account.

(2) If a member is a person or a member of a class of person declared under section 3.4(4) of the Act to be excepted from the Act, the Board may pay to another superannuation, pension or like scheme or fund an amount representing the member's entitlements under the scheme as determined by the Board on the advice of the actuary.

PART 11—MISCELLANEOUS

Salary reduction

11.1 Where—

- (a) the Board credits an amount to a member's voluntary contribution and preservation account under Part 7; and
- (b) the member's annual review date salary for any year of membership of the scheme was less than for a previous year or years of membership; and
- (c) the Board, after consulting the actuary and having regard to the reduction in salary and benefits that occurred and to the length of time the member received the higher salary, determines in its absolute discretion that an additional amount to compensate

wholly or partly for the reduction should be credited to the account referred to in paragraph (a);

the Board must credit the additional amount to that account.

Voluntary insurance

11.2(1) The Board may provide insurance against death or for total and permanent disablement to members on such terms and conditions as may from time to time be determined in accordance with the conditions of a group life assurance policy entered into by the Board for those purposes.

(1A) The Members referred to shall mean and include only those members—

- (a) who have made prior written application to the Board; and
- (b) who are in the opinion of the Board then eligible to participate in the group life assurance policy referred to in this section; and
- (c) whom the insurer under the group life assurance policy approves.

(2) The premiums payable by the Board on behalf of each member in respect of the insurance shall be deducted from the member's voluntary contribution and preservation account.

(3) Where a member's voluntary contribution and preservation account has insufficient funds to meet the payment of the premiums in subsection (2) above, the Board may cancel that member's insurance.

(4) The proceeds of any insurance in respect of a member effected under this section shall be taken to be contributions paid by that member for the purposes of sections 5.4(2) and 8.1.

Purchase of pension from fund

11.3(1) The Board may offer to former members who are entitled to benefits under section 7.1 or 7.9 the option to purchase with all or part of their benefits a pension with such features as the member may require.

(2) The rates of purchase of pensions shall be determined from time to time by the Board after receiving the advice of the actuary.

(3) The features which may be offered in a pension can include, but are

not limited to—

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

Purchase of annuity

11.4 The Board at the request of the former member, may purchase an annuity in the name of the member from a registered life office with all or part of the former member's benefits under section 7.1 or 7.9.

Information to members

11.5(1) The Board shall supply in writing to each member—

- (a) on becoming a member; and
- (b) after the close of each financial year; and
- (c) upon ceasing to be a member;

a statement containing such information as the Board considers necessary or desirable to give that member reasonable knowledge of that member's entitlements from the fund.

Mandatory commutation

11.6 Notwithstanding any provision of this deed where—

- (a) a person, whether a member or not, is in receipt of a pension under this deed; and
- (b) the Board receives a notice under section 15S of OSS Act;

then—

- (c) upon the receipt of that notice the Board is to treat the notice as a request to commute the amount whereby the pension exceeds the reasonable benefit limit specified in the notice as determined by the actuary; and
- (d) forthwith pay that lump sum to that person.

Members in part-time employment

11.7(1) A member who has been in the part-time employment of an employer during a period of membership shall, for the purposes of this deed, be taken to always be part-time for that period of membership.

(2) For the purposes of this section, a membership ratio means the proportion, expressed as a percentage, that the fixed ordinary time hours of work required by the terms and conditions of employment of a member employed part-time bears to the ordinary time hours of work that would have been so required of the member had the member been employed at all times in that position on a full-time basis.

(2A) The hours worked by the member working on a part-time basis shall exclude any hours that the member is occasionally or recurrently required to work, or is bound by the terms and conditions of the member's employment to work at particular times, in addition to the number of ordinary time hours required of the member normally.

(3) Except where a member is in receipt of a benefit under section 7.8, the salary of a member employed on a part-time basis shall be taken to be the salary that would be payable had that member been employed on a full-time basis in that position.

(4) The compulsory contributions to be paid in respect of a member pursuant to Part 5 shall be calculated as a product of the member's salary, the contribution rate applicable under that Part and the membership ratio of the member.

(5) When the annual basic benefit accrual is calculated according to subsection 7.3(2), it is additionally to be multiplied by the aggregate of the membership ratios for that review year having regard to the periods of time for which they were respectively applicable.

(6) Subject to subsection (7), any prospective membership benefit shall be calculated according to section 7.5, and shall additionally be multiplied by the aggregate of the membership ratios of the member, having regard to the periods of time for which they were respectively applicable, for the whole of that member's period of contributory membership.

(7) Where a person who was a member employed on a part-time basis for any period became, and continued to the time that person ceased to be a member as, a member employed on a full-time basis, the amount credited

in respect of that member under subsection 7.4(1) shall not be less than it would have been had that person first become a member at the time that person became a member employed on a full-time basis.

PART 12—DISPUTES

Appeal to Board

12.1(1) Any person aggrieved by any decision of the executive officer or his delegate may appeal to the Board for reconsideration of the executive officer's decision.

(2) The appeal to the Board shall be by way of rehearing.

(3) Where the Board has made a decision adverse to a person, the Board shall be required to consider any new evidence that may be submitted by or on behalf of that person.

SCHEDULE 1

Sections 7.2, 7.3 and 7.5

1. Subject to sections 2 to 6, the percentages in respect of benefits for members are—

- (a) compulsory contribution benefit—17.5%; and
- (b) basic benefit—3.5%; and
- (c) prospective membership benefit—21%.

2. The percentages in respect of benefits for members employed or engaged by—

- (a) the Townsville Port Authority; and
- (b) the Cairns Port Authority, other than those employed or engaged under an individual written contract;

are, until the Authority ceases to make contributions in respect of the members to Sunsuper—

- (c) compulsory contribution benefit—17.5%; and
- (d) basic benefit—0%; and
- (e) prospective membership benefit—17.5%;

4. The percentages in respect of benefits for members employed by the South East Queensland Water Board are—

- (a) compulsory contribution benefit—15.155%; and
- (b) basic benefit—3.5%; and
- (c) prospective membership benefit—18.655%.

5. The percentages in respect of members employed by the Queensland Police Service are—

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- (a) compulsory contribution benefit—21%;
- (b) basic benefit—3.5%;
- (c) prospective membership benefit—24.5%.

6.(1) The percentages for benefits for a member who is employed by the Port of Brisbane Authority as a crew member of the dredge ‘Sir Thomas Hiley’ on 30 June 1994 and continues the employment after that date are—

- (a) for employment up to 30 June 1994—the percentages calculated by the Actuary on the member’s salary as at 1 July 1994 that result in the member being entitled to benefits equal to the benefits the member would have been entitled to under Part 7 had the member ceased employment before 30 June 1994; and
- (b) for employment on and after 1 July 1994—the percentages mentioned in section 1.

6. The percentages in respect of members employed by the Plane Creek Cane Protection and Productivity Board are—

- (a) compulsory contribution benefit—14%; and
- (b) basic benefit—3.5%; and
- (c) prospective membership benefit—17.5%.

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IN WITNESS WHEREOF this deed has been duly executed by each member of the Board of Trustees on the day and year first written above.

SIGNED AND DELIVERED BY)
HENRY ROBERT SMERDON)
in the presence of)
)
F. STEVENSON)
A Justice of the Peace

H.R. SMERDON

SIGNED AND DELIVERED BY)
JOHN MERVYN HINCKS)
in the presence of)
)
F. STEVENSON)
A Justice of the Peace

J.M. HINCKS

SIGNED AND DELIVERED BY)
ROSS WILLIAM DUNNING)
in the presence of)
)
F. STEVENSON)
A Justice of the Peace

R.W. DUNNING

SIGNED AND DELIVERED BY)
DALE EDWARD HENNESSY)
in the presence of)
)
F. STEVENSON)
A Justice of the Peace

D.E. HENNESSY

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SIGNED AND DELIVERED BY)
DESMOND ERNEST BOYLAND)
in the presence of)
)

F. STEVENSON)
A Justice of the Peace

D.E. BOYLAND

SIGNED AND DELIVERED BY)
NOEL JOHN ROSS)
in the presence of)
)

F. STEVENSON)
A Justice of the Peace

N.J. ROSS

SIGNED AND DELIVERED BY)
KAREN SHIRLEY PEUT)
in the presence of)
)

F. STEVENSON)
A Justice of the Peace

K.S. PEUT

SIGNED AND DELIVERED BY)
THOMAS ALFRED BARTON)
in the presence of)
)

F. STEVENSON)
A Justice of the Peace

T.A. BARTON

ENDNOTES

1 Index to Endnotes

		Page
2	Date to which amendments incorporated	39
3	List of legislation	39
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5	Table of obsolete and redundant provisions	43
6	Table of renumbered provisions	43

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 28 July 1994. Future amendments of the Deed of the State Public Sector Superannuation Scheme may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 List of legislation

Deed of the State Public Sector Superannuation Scheme

pubd Gaz 23 June 1990 pp 1029–52

commenced on date of publication

as amended by—

Orders published Gazette—

22 December 1990 pp 2258–9

commenced on date of publication

18 May 1991 p 242

commenced on date of publication

29 June 1991 pp 1133–6, 1152

commenced on date of publication

Superannuation (State Public Sector) Order 1991 SL No. 89

pubd Gaz 28 September 1991 pp 389–9

commenced on date of publication

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Superannuation (State Public Sector—Deed) Order 1991 SL No. 160

pubd Gaz 14 December 1991 pp 1949–1953

commenced on date of publication

**Superannuation (State Public Sector) Variation of Deed Order (No. 1) 1992
SL No. 174**

pubd Gaz 26 June 1992 pp 1974–5

ss 1–2 commenced on date publication

remaining provisions commenced 1 July 1992 (see s 2)

**Superannuation (State Public Sector) Variation of Deed Order (No. 2) 1992
SL No. 173**

pubd Gaz 26 June 1992 pp 1971–3

ss 1–2 commenced on date of publication

remaining provisions commenced 1 July 1992 (see s 2)

**Superannuation (State Public Sector) Variation of Deed Regulation (No. 1) 1993
SL No. 138**

notfd Gaz 14 May 1993 pp 445–7

ss 1–2 commenced on date of notification

remaining provisions commenced 5 October 1992 (see s 2)

**Superannuation (State Public Sector) Variation of Deed Regulation (No. 2) 1993
SL No. 148**

notfd Gaz 21 May 1993 pp 541–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 1992 (see s 2)

**Superannuation (State Public Sector) Variation of Deed Regulation (No. 1) 1994
SL No. 71**

notfd Gaz 4 March 1994 pp 872–4

commenced on date of notification

**Superannuation (State Public Sector) Variation of Deed Regulation (No. 2) 1994
SL No. 223**

notfd Gaz 1 July 1994 pp 1170–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 1994 (see s 2)

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

Arrangement

s 1.3 om (see RA s 36)

Meaning of terms

s 1.4 amd (see RA s 39)
 def “**clause**” om (see RA s 39)
 def “**contributory membership**” amd o in c pubd Gaz 18 May 1991
 p 242
 def “**final average salary**” amd o in c pubd Gaz 18 May 1991 p 242
 def “**final salary**” amd o in c pubd Gaz 18 May 1991 p 242
 def “**smoothed earning rate**” sub 1994 SL No. 71 s 2 Sch
 def “**voluntary preservation earning rate**” ins 1991 SL No. 89 s 2
 sub 1991 SL No. 160 s 3

Commencement of membership

s 4.1 sub o in pubd Gaz 29 June 1991 pp 1133–6

Determinations by Board

s 4.2 sub o in c pubd Gaz 29 June 1991 pp 1133–6

Voluntary contributions

s 5.4 amd 1991 SL No. 160 s 4

Authority to deduct contributions

s 5.6 amd 1991 SL No. 160 s 5

Interest on accounts

s 6.2 sub 1991 SL No. 160 s 6
 amd 1991 SL No. 89 s 3; 1994 SL No. 71 s 2 Sch

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Members' prospective membership benefit

s 7.5 amd 1994 SL No. 71 s 2 Sch

Benefit on death

s 7.6 amd o in c pubd Gaz 29 June 1991 pp 1133–6

Benefit on temporary disablement

s 7.8 amd o in c pubd Gaz 18 May 1991 p 242; 1991 SL No. 160 s 7

Benefit on involuntary termination or early retirement

s 7.9 amd 1992 SL No. 173 s 4

Benefits on withdrawal

s 7.10 amd 1991 SL No. 160 s 8; 1992 SL No. 173 s 5;

Benefit on extended period of non-contributory membership

s 7.11 amd o in c pubd Gaz 18 May 1991 p 242

Indexation of pensions

s 7.12 amd 1991 SL No. 160 s 9

Contributory membership of persons who again become members

7.13 ins o in c pubd Gaz 18 May 1991 p 242
 amd o in c pubd Gaz 29 June 1991 pp 1133–6

Personal medical statement

s 9.1 amd 1994 SL No. 71 s 2 Sch

Transfers in

s 10.1 amd o in c pubd Gaz 29 June 1991 pp 1133–6

Transfers out

s 10.2 ins o in c pubd Gaz 29 June 1991 pp 1133–6

Transfers out

s 10.3 om o in c pubd Gaz 29 June 1991 pp 1133–6

Salary reduction

s 11.1 sub 1991 SL No. 160 s 10

Members in part-time employment

s 11.7 amd o in c pubd Gaz 29 June 1991 pp 1133–6; 1991 SL No. 160 s 11

Appeal to Board

s 12.1 hdg amd o in c pubd Gaz 29 June 1991 pp 1133–6

SCHEDULE 1

sub o in c pubd Gaz 22 December 1990 pp 2258–9; 29 June 1991
pp 1133–6
amd 1991 SL No. 160 s 12; 1992 SL No. 174 s 4; 1993 SL No. 138 s 3
Sch; 1993 SL No. 148 s 3 Sch; 1994 SL No. 223 s 3 Sch

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5 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
def “the Act”	Acts Interpretation Act 1954 s 36
defined terms—other parts of speech and grammatical forms	Acts Interpretation Act 1954 s 32
definitions to be read in context	Acts Interpretation Act 1954 s 32A
references included in citation of law	Acts Interpretation Act 1954 s 14H
references to a State	Acts Interpretation Act 1954 s 36 def “State”
references to a Territory	Acts Interpretation Act 1954 s 36 def “Territory”
references to certain provisions of an Act	Acts Interpretation Act 1954 s 35B and Statutory Instruments Act s 14
references to Commonwealth	Acts Interpretation Act 1954 s 36 def “Commonwealth”
references to Queensland implied	Acts Interpretation Act 1954 s 35
words and expressions have same meaning as in authorising Act	Statutory Instruments Act 1992 s 37
words indicating singular include plural etc.	Acts Interpretation Act 1954 s 32C

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6 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS
under the Reprints Act 1992 s 43

Original	Renumbered as
1.4 def, “assets of the fund”, (i)	1.4 def, “assets of the fund”, (a)
1.4 def, “assets of the fund”, (ii)	1.4 def, “assets of the fund”, (b)
1.4 def, “assets of the fund”, (iii)	1.4 def “assets of the fund”, (c)
1.4 def, “assets of the fund”, (iv)	1.4 def, “assets of the fund”, (d)
1.4 def, “assets of the fund”, (v)	1.4 def, “assets of the fund”, (e)
1.4 def, “child”, (i)	1.4 def, “child”, (a)
1.4 def, “child”, (ii)	1.4 def, “child”, (b)
1.4 def, “child”, (iii)	1.4 def, “child”, (c)
1.4 def, “voluntary preservation earning rate”, (i)	1.4 def, “voluntary preservation earning rate”, (a)
1.4 def, “voluntary preservation earning rate”, (ii)	1.4 def, “voluntary preservation earning rate”, (b)
1.4 def, “voluntary preservation earning rate”, (iii)	1.4 def, “voluntary preservation earning rate”, (c)
3.5(1), 2nd sentence	3.5(1A)
5.3, 1st sentence	5.3(1)
5.3, 2nd sentence	5.3(2)
7.4(2), 2nd sentence	7.4(2A)
7.6(2), 2nd sentence	7.6(3)
7.10(3)(a)	7.10(3)
7.10(3)(b)	7.10(3A)
7.10(3)(b)(i)	7.10(3A)(a)
7.10(3)(b)(ii)	7.10(3A)(b)
7.10(3)(c)	7.10(3B)
7.10(3)(d)	7.10(3C)
7.12(1), 2nd sentence	7.12(1AA)
7.12(2), 2nd sentence	7.12(3)
11.2(1), 2nd sentence	11.2(1A)
11.3, 1st sentence	11.3(1)
11.3, 2nd sentence	11.3(2)

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11.3, 3rd sentence
11.7(2), 2nd sentence

11.3(3)
11.7(2A)