State Superannuation Amendment Regulations (No. 4) 2009

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations are the *State Superannuation Amendment Regulations (No. 4) 2009*.

2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *State Superannuation Regulations 2001*.

4. Regulation 3 amended

In regulation 3 insert in alphabetical order:

*tax saving amount* has the meaning given in section 295-485 of the *Income Tax Assessment Act 1997* (Commonwealth);

5. Regulation 102 amended

After regulation 102(1) insert:

(2A) If —

(a) a benefit becomes payable on the death on or after 1 January 2010 of a GESB Super Member; and
6. Regulation 180 amended

After regulation 180(1) insert:

(2A) If —

(a) a lump sum benefit becomes payable on the death on or after 1 January 2010 of a Retirement Income Member; and

(b) the Board would be entitled to a deduction under the *Income Tax Assessment Act 1997* (Commonwealth) section 295-485 if it were to increase the amount of the benefit,

then the Board may, if it considers it appropriate to do so, credit to the Member’s GESB Super account an amount determined by the Board, not exceeding the tax saving amount in respect of the benefit.

7. Regulation 208 amended

After regulation 208(1) insert:

(2A) If —

(a) a benefit becomes payable on the death on or after 1 January 2010 of a GESB Super (Retirement Access) Member; and

(b) the Board would be entitled to a deduction under the *Income Tax Assessment Act 1997* (Commonwealth) section 295-485 if it were to increase the amount of the benefit,

then the Board may, if it considers it appropriate to do so, credit to the Member’s retirement access account an amount determined by the Board, not exceeding the tax saving amount in respect of the benefit.

By Command of the Lieutenant-Governor and deputy of the Governor,

PETER CONRAN, Clerk of the Executive Council.