
SUPERANNUATION

SZ301*

State Superannuation Act 2000

**State Superannuation Amendment
Regulations 2009**

Made by the Governor in Executive Council.

Part 1 — Preliminary matters**1. Citation**

These regulations are the *State Superannuation Amendment Regulations 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.

**Part 2 — *State Superannuation Regulations 2001*
amended****3. Regulations amended**

This Part amends the *State Superannuation Regulations 2001*.

4. Regulation 3 amended

In regulation 3(1) delete the definition of *phased retirement benefit* and insert:

phased retirement benefit means a benefit from a superannuation fund that is payable only as a transition to retirement income stream as defined in the SIS Regulations regulation 6.01;

5. Regulation 50 amended

In regulation 50(1) in the definition of *protected amount* delete “regulations 79A and 79B —” and insert:

regulation 80B —

6. Regulation 59 inserted

After regulation 58 insert:

59. Contribution of insurance payments

If —

- (a) there is in force a policy of insurance entered into with an insurer under regulation 70C to provide salary continuance insurance for a West State Super Member; and
- (b) an amount becomes payable under that policy in respect of the Member,

the Board may accept payment of all or part of that amount from the insurer as a contribution for the Member.

7. Regulation 67 amended

In regulation 67(1)(db) delete “Division 5A; and” and insert:

Division 5A (including any amounts paid under regulation 59); and

8. Regulation 79A amended

Delete regulation 79A(6).

9. Regulation 79B amended

Delete regulation 79B(2).

10. Regulation 80B inserted

After regulation 80A insert:

80B. Effect of part payment on protected amount

(1) In this regulation —

part payment, in respect of a West State Super Member, means —

- (a) the payment of a benefit to or in respect of the Member; or
- (b) the transfer of an amount to another scheme or superannuation fund in partial satisfaction of the Member’s entitlement to a benefit from the West State Super Scheme; or
- (c) the reduction of the balance of the Member’s west state account under regulation 219F,

if the amount of the benefit, transfer or reduction is less than the whole of the balance of the Member’s west state account.

(2) If a part payment is made in respect of a West State Super Member who was a West State Super Member on 30 June 2001 —

- (a) if the amount of the part payment is less than the Member’s protected amount —
 - (i) on the day on which the part payment is made the Member’s protected amount is reduced by the amount of the part payment; and
 - (ii) on and after that day, the interest under paragraph (a)(ii) of the definition of *protected amount* in regulation 50(1) is to be calculated on the basis of that reduced amount;

or

- (b) if the amount of the part payment is equal to or greater than the Member's protected amount — on the day on which the part payment is made the Member's protected amount is reduced to zero.

11. Regulation 94A inserted

At the end of Part 3A Division 3 Subdivision 1 insert:

94A. Contribution of insurance payments

If —

- (a) there is in force a policy of insurance entered into with an insurer under regulation 113(5) to provide salary continuance insurance for a GESB Super Member; and
- (b) an amount becomes payable under that policy in respect of the Member,

the Board may accept payment of all or part of that amount from the insurer as a contribution for the Member.

12. Regulation 102 amended

In regulation 102(1)(e) delete “or 112; and” and insert:

or 112 (including any amounts paid under regulation 94A); and

Part 3 — *State Superannuation Amendment Regulations (No. 4) 2008* repealed

13. Regulations repealed

The *State Superannuation Amendment Regulations (No. 4) 2008* are repealed.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.
