

Fire and Emergency Services Superannuation Act 1985

## **Fire and Emergency Services (Superannuation Fund) Amendment Regulations (No. 2) 2012**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Fire and Emergency Services (Superannuation Fund) Amendment Regulations (No. 2) 2012*.

**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 — the day on which the *Fire and Emergency Services Legislation Amendment Act 2012* section 97 comes into operation.

**3. Regulations amended**

These regulations amend the *Fire and Emergency Services (Superannuation Fund) Regulations 1986*.

**4. Regulation 3 amended**

In regulation 3(1) delete the definition of *FESA Act*.

**Fire and Emergency Services (Superannuation Fund) Amendment  
Regulations (No. 2) 2012**

**r. 5**

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**5. Regulation 3A replaced**

Delete regulation 3A and insert:

**3A. Eligible FES employees**

For the purposes of the definition of *eligible FES employee* in section 3(1) of the Act —

- (a) a person holds a prescribed office if the person holds office as the FES Commissioner; and
- (b) a person is of a prescribed class if the person is employed or engaged as described in the FES Act section 20.

**6. Regulation 10 deleted**

Delete regulation 10.

**7. Regulation 11 amended**

Delete regulation 11(4) and insert:

- (4) If an eligible FES employee who made an election under subregulation (1)(d)(ii) ceases to be a GES member, subregulation (1) applies as if the employee had become an eligible FES employee when he or she ceased to be a GES member.

Note: The heading to amended regulation 11 is to read:

**Membership of eligible FES employee**

***Fire and Emergency Services (Superannuation Fund) Amendment  
Regulations (No. 2) 2012***

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**r. 8**

**8. Regulation 12B amended**

In regulation 12B(1):

- (a) in paragraph (a) delete “Board, the board of management of the Authority” and insert:

Board

- (b) in paragraph (b) delete “Authority” and insert:

FES Commissioner

**9. Regulation 47 amended**

- (1) In regulation 47(1) delete “Authority” and insert:

FES Commissioner

- (2) In regulation 47(2):

- (a) delete “Authority may,” and insert:

FES Commissioner may,

- (b) delete “election itself,” and insert:

election,

- (c) delete “Authority.” and insert:

FES Commissioner.

**Fire and Emergency Services (Superannuation Fund) Amendment Regulations (No. 2) 2012**

**r. 10**

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**10. Regulation 47A amended**

- (1) In regulation 47A(2) delete “Authority” and insert:

FES Commissioner

- (2) In regulation 47A(2a):

- (a) delete “Authority may,” and insert:

FES Commissioner may,

- (b) delete “ballot itself,” and insert:

ballot,

- (c) delete “Authority.” and insert:

FES Commissioner.

**11. Various references to “Authority” amended**

In the provisions listed in the Table delete “Authority” (each occurrence) and insert:

FES

**Table**

r. 3(1) def. of <i>temporary or casual employee</i>	r. 3(1) def. of <i>the employer</i> par. (a)
r. 6(a) and (b)	r. 7(1)(a)
r. 11(1), (2) and (5)	

**Fire and Emergency Services (Superannuation Fund) Amendment  
Regulations (No. 2) 2012**

r. 12

**12. Various references to “chief executive officer” amended**

In the provisions listed in the Table delete “chief executive officer” (each occurrence) and insert:

FES Commissioner

**Table**

r. 3(1) def. of <i>the employer</i> par. (a)	r. 6(a)
r. 7(1)(c)(vi)	r. 12(1) and (3)
r. 12A(1) and (3)(a)	r. 13(1)(a) and (c) and (2)(a) and (b)
r. 16(1) def. of <i>actuarial amount</i> par. (b)	r. 16(1) def. of <i>employer</i>
r. 16(2), (6) and (7)	r. 23B(10) def. of <i>satisfactory alternative employment</i>
r. 34A(1)	r. 35(1)
r. 36(4)	r. 42(3)(a)
r. 48(1) and (2)(a) and (b)	

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.