

FIRE BRIGADES

FB301

FIRE BRIGADES SUPERANNUATION ACT 1985

**FIRE BRIGADES (SUPERANNUATION FUND)
AMENDMENT REGULATIONS 1991**

Made by His Excellency the Governor in Executive Council after issue of an Actuary's Certificate in accordance with regulation 48.

Citation

1. These regulations may be cited as the *Fire Brigades (Superannuation Fund) Amendment Regulations 1991*.

Principal regulations

2. In these regulations the *Fire Brigades (Superannuation Fund) Regulations 1986** are referred to as the principal regulations.

[* Published in the Gazette of 29 October 1986 at pp. 3991-4016.
For amendments to 19 August 1991 see pp. 238-239 of 1990 Index
to Legislation of Western Australia.]

Regulation 19 amended

3. Regulation 19 of the principal regulations is amended by repealing subregulation (1) and substituting the following subregulation —

“ (1) Subject to the Act and these regulations, where a member dies while in the employment of the employer on or before he reaches the age of 65 years, there shall be payable from the Superannuation Fund a lump sum benefit equal to —

(a) in the case of a person who upon the commencement of the *Fire Brigades (Superannuation Fund) Amendment Regulations 1991* was a member, the greater of —

(i) an amount calculated in accordance with Schedule 1;

(ii) an amount calculated in accordance with Schedule 1 using a period of membership determined in accordance with Schedule 1A; or

(iii) an amount calculated in accordance with Schedule 1 using a period of membership determined in accordance with Schedule 2;

(b) in any other case, the greater of —

(i) an amount calculated in accordance with Schedule 1; or

(ii) an amount calculated in accordance with Schedule 1 using a period of membership determined in accordance with Schedule 1A. ”.

Regulation 41 amended

4. Regulation 41 of the principal regulations is amended in subregulation (8) by deleting “19 (1) (b)” and substituting the following —

“ 19 (1) ”.

Schedule 1 amended

5. Schedule 1 to the principal regulations is amended by deleting “(Regulations 17, 19 (1) (a) and (b))” and substituting the following —

“ (Regulations 17 and 19 (1)) ”.

Schedule 1A inserted

6. After Schedule 1 to the principal regulations the following Schedule is added —

“SCHEDULE 1A(Regulation 19 (1))

**DEATH BENEFITS — GENERAL METHOD FOR CALCULATION
OF PERIOD OF MEMBERSHIP**

For the purposes of regulation 19 (1), the period of membership of the member shall be calculated under Schedule 1 as —

(a) $X + Y$ days

where —

X is the membership of the member expressed in days to the day immediately preceding the day of the member's death; and

Y is the number of days from the day of the member's death to the day immediately preceding the day on which the member would have reached the age of 65 years;

or

(b) 10 958 days,

whichever is the lesser.

”.

Schedule 2 amended

7. Schedule 2 to the principal regulations is amended —

(a) by deleting “(Regulation 19 (1) (b))” and substituting the following —

“ (Regulation 19 (1) (a)) ”;

(b) by deleting “CALCULATION OF PERIOD OF MEMBERSHIP” and substituting the following —

“ ALTERNATIVE METHOD FOR CALCULATION OF
PERIOD OF MEMBERSHIP ”;

and

(c) by deleting “regulation 19 (1) (b)” and substituting the following —

“ regulation 19 (1) (a) ”.

Transitional

8. Where a member became entitled to a benefit under regulation 19 or 20 on or after 1 October 1990 and before the commencement of these regulations, the benefit payable to the member shall be an amount equal to the greater of —

- (a) the benefit the member was entitled to under the principal regulations as in force at the time the entitlement arose; or
- (b) the benefit the member would have been entitled to, if at the time the entitlement arose, these regulations had been in force.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.