

Queensland



**LOCAL GOVERNMENT  
SUPERANNUATION  
AMENDMENT BILL (No. 2)  
1992**

# Queensland



## LOCAL GOVERNMENT SUPERANNUATION AMENDMENT BILL (No. 2) 1992

### TABLE OF PROVISIONS

Section	Page
1 Short title .....	4
2 Commencement .....	4
3 Amended Act .....	4
4 Amendment of s.5 (Meaning of terms) .....	4
5 Insertion of new heading .....	5
Division 2A—Board's Powers' .....	5
6 Amendment of s.30 (Financial accommodation) .....	5
7 Omission of s.32 (Transfer values and transfer funds) .....	5
8 Insertion of new s.33B .....	5
33B Establishment and acting as trustee of other superannuation schemes .....	5
9 Replacement of s.38A (Contribution rates—general) .....	7
10 Replacement of s.39 (Contribution rates of permanent employees who have not elected under section 38B) .....	7
11 Amendment of s.40 (Variation of amount of contribution to Board) .....	8
12 Amendment of s.45 (Amendment of Articles) .....	8
13 Amendment of s.48 (Costs of Administration) .....	8
14 Amendment of s.66 (Offences against Act) .....	8
15 Amendment of s.67 (Recovery of penalties) .....	9
16 Amendment of s.68 (Regulations) .....	9



**1992**

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**A BILL**

**FOR**

**An Act to amend the *Local Government Superannuation Act 1985***

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*Local Government Superannuation  
Amendment (No. 2)*

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BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows.

**Short title** 4

*Clause1.* This Act may be cited as the *Local Government Superannuation Amendment Act (No .2) 1992.* 5  
6

**Commencement** 7

*Clause2.* Sections 8, 9 and 10 are taken to have commenced on 1 July 1992. 8

**Amended Act** 9

*Clause3.* The *Local Government Superannuation Act 1985* is amended as set out in this Act. 10  
11

**Amendment of s.5 (Meaning of terms)** 12

*Clause4.(1)* Section 5 (definition “**Articles**”)— 13

*omit* ‘Local Government Superannuation Scheme’, 14

*insert* ‘Local Government Employees’ Superannuation Scheme’. 15

(2) Section 5 (definition “**Scheme**”)— 16

*omit* ‘Local Government Superannuation Scheme’, 17

*insert* ‘Local Government Employees’ Superannuation Scheme’. 18

*Local Government Superannuation  
Amendment (No. 2)*

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<b>Insertion of new heading</b>	1
<i>Clause 5.</i> After section 29—	2
<i>insert—</i>	3
‘ <b>Division 2A—Board’s Powers</b> ’.	4
<b>Amendment of s.30 (Financial accommodation)</b>	5
<i>Clause 6.</i> Section 30(3)—	6
<i>omit</i> ‘the Scheme’,	7
<i>insert</i> ‘—	8
(a) the Scheme; or	9
(b) any other superannuation scheme of which the Board acts as trustee’.	10
	11
<b>Omission of s.32 (Transfer values and transfer funds)</b>	12
<i>Clause 7.</i> Section 32—	13
<i>omit.</i>	14
<b>Insertion of new s.33B</b>	15
<i>Clause 8.</i> After section 33A—	16
<i>insert—</i>	17
<b>‘Establishment and acting as trustee of other superannuation schemes</b>	18
	19
<b>‘33B.(1)</b> In this section—	20
<b>“relevant person”</b> means—	21
(a) a person (other than an eligible employee) in relation to whom a local authority is required under the <i>Superannuation Guarantee (Administration) Act 1992</i> of the Commonwealth to contribute to a superannuation scheme; or	22
	23
	24
	25
(b) a person who—	26

*Local Government Superannuation  
Amendment (No. 2)*

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(i) otherwise works, or provides a service, to a local authority; and	1 2
(ii) is prescribed by regulation to be a person to whom this section applies.	3 4
‘(2) With the prior approval of the Governor in Council, the Board may—	5 6
(a) act as trustee of; or	7
(b) establish, and act as trustee of;	8
other superannuation schemes that provide superannuation benefits to relevant persons.	9 10
‘(3) If the Board acts under subsection (2)(a), the Board may make rules—	11 12
(a) amending the scheme’s rules (by whatever name called); and	13
(b) defining—	14
(i) the powers, rights and duties of the Board in relation to the scheme; and	15 16
(ii) the obligations, rights and entitlements of contributors to the scheme; and	17 18
(iii) any other matters in relation to the operation of the scheme.	19
‘(4) If the Board acts under subsection (2)(b), the Board may make rules defining—	20 21
(a) the scheme; and	22
(b) the powers, rights and duties of the Board in relation to the scheme; and	23 24
(c) the obligations, rights and entitlements of contributors to the scheme; and	25 26
(d) any other matters in relation to the operation of the scheme.	27
‘(5) Rules made under this section have no effect until they are approved by regulation setting out the rules.’.	28 29

*Local Government Superannuation  
Amendment (No. 2)*

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<b>Replacement of s.38A (Contribution rates—general)</b>	1
<i>Clause 9.</i> Section 38A—	2
<i>omit, insert—</i>	3
<b>‘Contribution rates—general</b>	4
<b>‘38A.</b> Subject to section 39, the annual contribution payable to the Board	5
by a local authority under section 36(1) in relation to a permanent employee	6
is—	7
(a) for the year starting on 1 July 1992—12.5% of the employee’s	8
salary;	9
(b) for the year starting on 1 July 1993—13% of the employee’s	10
salary;	11
(c) for the year starting on 1 July 1994—13.5% of the employee’s	12
salary;	13
(d) for the year starting on 1 July 1995—14% of the employee’s	14
salary;	15
(e) for the year starting on 1 July 1996—14.5% of the employee’s	16
salary;	17
(f) from 1 July 1997—15% of the employee’s salary.’.	18
<b>Replacement of s.39 (Contribution rates of permanent employees who</b>	19
<b>have not elected under section 38B)</b>	20
<i>Clause 10.</i> Section 39—	21
<i>omit, insert—</i>	22
<b>‘Contribution rates of permanent employees who have not elected</b>	23
<b>under section 38B</b>	24
<b>‘39.</b> The annual contribution payable to the Board by a local authority	25
under section 36(1) in relation to a permanent employee to whom section	26
38B applies and who has not made an election under section 38B is—	27
(a) for the year starting on 1 July 1992—10.5% of the employee’s	28
salary;	29

*Local Government Superannuation  
Amendment (No. 2)*

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(b) for the year starting on 1 July 1993—11% of the employee’s salary;	1 2
(c) for the year starting on 1 July 1994—11.5% of the employee’s salary;	3 4
(d) for the year starting on 1 July 1995—12% of the employee’s salary;	5 6
(e) for the year starting on 1 July 1996—12.5% of the employee’s salary;	7 8
(f) from 1 July 1997—13% of the employee’s salary.’.	9
<b>Amendment of s.40 (Variation of amount of contribution to Board)</b>	10
<i>Clause 11.</i> Section 40(3)—	11
<i>omit</i> ‘reduction’, <i>insert</i> ‘recalculation’.	12
<b>Amendment of s.45 (Amendment of Articles)</b>	13
<i>Clause 12.</i> Section 45—	14
<i>omit, insert</i> —	15
<b>‘Amendment of Articles</b>	16
‘45.(1) The Board may amend the Articles.	17
‘(2) An amendment has no effect until it is approved by the Governor in Council by regulation.’.	18 19
<b>Amendment of s.48 (Costs of Administration)</b>	20
<i>Clause 13.</i> Section 48—	21
<i>omit</i> ‘and the Scheme shall’, <i>insert</i> ‘in relation to the Scheme are to’.	22
<b>Amendment of s.66 (Offences against Act)</b>	23
<i>Clause 14.</i> Section 66(2)—	24
<i>omit</i> ‘\$500’, <i>insert</i> ‘10 penalty units’.	25

*Local Government Superannuation  
Amendment (No. 2)*

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**Amendment of s.67 (Recovery of penalties)** 1

**Clause 15.** Section 67(2)— 2

*omit, insert—* 3

**‘(2)** A penalty recovered in respect of an offence against this Act is to be 4  
paid to the Board and applied to the costs of administering this Act.’. 5

**Amendment of s.68 (Regulations)** 6

**Clause 16.** Section 68(d)— 7

*omit ‘\$100’, insert ‘2 penalty units’.* 8

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