



Queensland

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 2) 2019

Subordinate Legislation 2019 No. 96

made under the

Superannuation (State Public Sector) Act 1990

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1 Short title

This regulation may be cited as the *Superannuation (State Public Sector) Amendment of Deed Regulation (No. 2) 2019*.

2 Commencement

This regulation commences on 1 July 2019.

3 Deed amended

This regulation amends the *Superannuation (State Public Sector) Deed 1990*.

4 Amendment of s 22 (Membership categories)

Section 22(6)(b), ‘section 38’—

omit, insert—

section 27C(2)

5 Replacement of ch 1, pt 6B (Contributions paid by the Treasurer)

Chapter 1, part 6B—

omit, insert—

Part 6B Contributions—general

Division 1 Contributions paid by Treasurer

27B Contributions to fund paid by the Treasurer—Act, s 29

- (1) For section 29(1)(a) of the Act, the contribution payable by the Treasurer for a defined benefit for a defined benefit member is the amount decided by the board on the advice of the actuary.

[s 5]

- (2) The contribution under subsection (1) must be paid when the defined benefit member becomes entitled to the defined benefit, regardless of whether or not the defined benefit is paid out of the fund.
- (3) In addition to any contribution paid under subsection (1), the Treasurer may at any time pay to the fund a contribution the Treasurer considers necessary or desirable for the efficient and effective operation of the fund.
- (4) In this section—
defined benefit, for a defined benefit member, means a benefit to which the member is entitled under this deed.
defined benefit member means a member in a defined benefit category.

Division 2 Accepting contributions paid by or for a member

27C Acceptance of contributions

- (1) The board may accept a contribution made by or for a member under this deed only if the contribution is made in accordance with the SIS regulation, regulation 7.04.
- (2) In addition, the board may in its absolute discretion accept a voluntary contribution made by or for a member.
- (3) If the board accepts a voluntary contribution, the contribution must be credited to the member's accumulation account.
- (4) If the board does not accept a contribution, the board must return the contribution in accordance with the SIS regulation, regulation 7.04(4).

(5) In this section—

voluntary contribution means a contribution that is not required to be made under this deed.

6 Amendment of s 30 (Appeals)

Section 30(2), note—

omit, insert—

Note—

A person may appeal a decision of the board to the Australian Financial Complaints Authority if the decision is one that may be considered by the Authority under the Corporations Act.

7 Amendment of s 35 (Member compulsory contributions)

(1) Section 35(2)—

omit.

(2) Section 35(1A)—

renumber as section 35(2).

8 Omission of s 38 (Voluntary contributions and eligible spouse contributions)

Section 38—

omit.

9 Amendment of s 39 (Compulsory contributions after benefit determined)

Section 39, from ‘shall’ to ‘section 38’—

omit, insert—

must be credited towards the member’s accumulation account

[s 10]

10 Omission of ch 2, pt 3 (Acceptance of contributions)

Chapter 2, part 3—

omit.

11 Amendment of s 73 (Payment of employer contributions)

Section 73(2), ‘sections 74 and 75D’—

omit, insert—

sections 27C and 74

12 Omission of s 75A (Discretionary contributions)

Section 75A—

omit.

13 Amendment of s 75C (Tax file number not given to board within 6 months)

(1) Section 75C(2)—

omit, insert—

(2) The board must transfer the member to the basic accumulation category if the member does not give the board details of the member’s tax file number within 6 months after becoming a member.

(2) Section 75C(3), ‘subsection (2)(b)’—

omit, insert—

subsection (2)

14 Omission of ch 3, pt 3, div 1 (Acceptance of contributions)

Chapter 3, part 3, division 1—

omit.

15 Renumbering of ch 3, pt 3, divs 2 and 4

Chapter 3, part 3, divisions 2 and 4—

renumber as chapter 3, part 3, divisions 1 and 2.

16 Omission of s 337 (Voluntary contributions and eligible spouse contributions)

Section 337—

omit.

Endnotes

ENDNOTES

- 1 Consented to by the QSuper Board on 24 April 2019.
- 2 Made by the Governor in Council on 13 June 2019.
- 3 Notified on the Queensland legislation website on 14 June 2019.
- 4 The administering agency is Queensland Treasury.

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