

South Australia

Southern State Superannuation Regulations 1995

under the *Southern State Superannuation Act 1994*

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Schedule—Invalidity/death insurance benefits

Legislative history

1—Short title

These regulations may be cited as the *Southern State Superannuation Regulations 1995*.

2—Commencement

These regulations will come into operation on 1 July 1995.

3—Interpretation

In these regulations, unless the contrary intention appears—

the Act means the *Southern State Superannuation Act 1994*;

tobacco product means—

- (a) a cigarette; or
- (b) a cigar; or
- (c) cigarette or pipe tobacco; or
- (d) tobacco prepared for chewing or sucking; or
- (e) snuff.

3A—Prescription of enterprise agreements

The following enterprise agreements are prescribed for the purpose of section 3(3)(c) of the Act:

- (a) Adelaide Festival Centre, Professional and Administration Agreement 2001;
- (b) the Carclew Youth Arts Centre Enterprise Agreement No. 3;
- (c) the Country Arts SA Enterprise Agreement No. 3;
- (d) the Department of Administrative and Information Services-Forestry SA Enterprise Agreement 1999;
- (e) the Department of Human Services Salaried Medical Officers Enterprise Agreement 2003;
- (f) House of Assembly Enterprise Agreement 2002;
- (g) the Land Management Corporation Enterprise Agreement 2000;
- (h) the Legal Services Commission of South Australia Enterprise Agreement 1999;
- (i) Legislative Council Enterprise Agreement 2002;
- (j) the Nurses' (South Australian Public Sector) Enterprise Agreement 2001;
- (k) Parliament (Joint Services) Act 1985 Enterprise Agreement 2002;
- (l) Personal Assistants to the Members of the South Australian Parliament Enterprise Agreement 2003;
- (m) the Ports Corp South Australia Enterprise Bargaining Agreement 2000–2001;
- (n) the Public Trustee Office Enterprise Agreement 2000;
- (o) SA Water Corporation Enterprise Agreement 2001;
- (p) South Australian Education Staff (Government Preschools, Schools and TAFE) Certified Agreement 2002;
- (q) the South Australian Government Wages Parity Enterprise Agreement 1999;
- (r) South Australia Police Enterprise Agreement 2001;
- (s) State Governor's Establishment Enterprise Agreement 2002;
- (t) TransAdelaide Infrastructure Certified Agreement 2001;
- (u) TransAdelaide Maintenance Certified Agreement 2001;
- (v) TransAdelaide Operations Certified Agreement 2001;
- (w) TransAdelaide Salaried, Professional and Technical Employees Certified Agreement 2001;
- (x) West Beach Trust Enterprise Agreement 2002.

4—Information to be provided by applicant

- (1) Information of the following kinds is prescribed for the purposes of section 22(4) of the Act:
 - (a) information relating to medical advice, examination or treatment received by the applicant;
 - (b) information as to any other treatment received by the applicant for any illness, condition or disability suffered by the applicant;
 - (c) information as to any illness, condition or disability suffered by the applicant or any symptoms suffered by the applicant that may indicate an illness, condition or disability;
 - (d) information as to any drugs or other substances (whether legal or illegal and whether medicinal or not) taken by the applicant or to which the applicant has been exposed.
- (2) A member who has applied to be accepted as a supplementary future service benefit member must provide the Board with such information relating to his or her application as is relevant and is required by the Board.

5—Prescribed activities

The smoking, chewing or sucking of a tobacco product or any other activity involving the consumption of a tobacco product is an activity of a prescribed kind for the purposes of section 22(6)(b) of the Act.

6—Conditions authorised for the purposes of section 22(6)

A condition providing that the value of additional invalidity/death insurance in respect of the member in relation to whom the condition applies is to be reduced, or set at zero, if the member's invalidity or death is caused wholly or partly by—

- (a) a pre-existing illness, condition or disability; or
- (b) an illness, condition or disability arising out of a pre-existing illness, condition or disability; or
- (c) an activity of a prescribed kind,

is an authorised condition for the purposes of section 22(6) of the Act.

7—Amount of invalidity/death insurance benefits and amount of premiums

- (1) This regulation fixes the amount of basic and additional invalidity/death insurance benefits and the amount of premiums in respect of those benefits.
- (2) A reference in this regulation to Table 1 or Table 2 is a reference to the table so designated in the Schedule.
- (3) There will be 2 classes of invalidity/death insurance—
 - (a) *standard insurance cover* under Table 1 where—
 - (i) the value of a unit of cover, as designated in column 2, is determined on the basis of the member's age; and
 - (ii) the amount of corresponding premium per unit of cover is fixed at the price designated in column 3; or

- (b) *fixed insurance cover* under Table 2 where—
- (i) the value of a unit of cover is fixed at the amount designated in column 2; and
 - (ii) the amount of corresponding premium per unit of cover, as designated in column 3, is determined on the basis of the member's age at the time the insurance cover commences.
- (4) Subject to subregulation (7), the amount of basic invalidity/death insurance benefit is—
- (a) for a person who is a member immediately before 1 July 2002—
 - (i) \$20 000; or
 - (ii) 1 unit of standard insurance cover,whichever is the greater;
 - (b) for a person who becomes a member on or after 1 July 2002—1 unit of standard insurance cover.
- (5) Subject to subregulation (7), the premium for basic invalidity/death insurance is \$1 per week.
- (6) An applicant for additional invalidity/death insurance may apply for either standard insurance cover or fixed insurance cover.
- (7) If a member takes out fixed insurance cover, the member's basic invalidity/death insurance will be taken to be one unit of that cover with an appropriate premium fixed under column 3 of Table 2.
- (8) For the purposes of section 22(3) of the Act, all members of the police force and all police cadets must have invalidity/death insurance benefits at least equal in value to five units of standard insurance cover, determined according to their current age (and will be liable for premiums in respect of that insurance in accordance with this regulation).
- (9) The aggregate value of units of cover granted to a member employed on a permanent basis must not exceed \$500 000 (inclusive of the member's basic cover).
- (10) The aggregate value of units of cover granted to a member employed on a casual basis must not exceed \$250 000 (inclusive of the member's basic cover).

8—Value of the disability pension factor

- (1) The value of the disability pension factor for the purposes of section 27(7)(c) of the Act must be determined in respect of each member in respect of each financial year in accordance with the following formula:

$$DPF = S \times \frac{0.2}{100}$$

Where—

DPF is the disability pension factor

S is the amount of salary paid to or in respect of the member in respect of the financial year or, where the member reached the age of 55 years during the year, the amount of salary paid to or in respect of the member for that part of the financial year preceding the date of his or her 55th birthday.

- (2) The disability pension factor is zero in respect of a member who has reached the age of 55 years.

10—Exclusion of certain employees

The following persons are not members of the Triple S scheme—

- (a) persons employed by the Electoral Commissioner pursuant to section 12(2) of the *Electoral Act 1985* whose remuneration in respect of that employment does not exceed \$450 per month;
- (b) persons who are members of a Board or Committee that is an agency or instrumentality of the Crown and whose remuneration in respect of membership of the Board or Committee does not exceed \$450 per month;
- (c) persons employed to do work of a non recurring nature or to do seasonal work and whose remuneration in respect of that employment does not exceed \$450 per month;
- (d) a medical practitioner in respect of employment by a hospital or health centre incorporated under the *South Australian Health Commission Act 1976* where the medical practitioner is paid on a "fee for service" basis.

11—Section 14(6) members

- (1) The following persons are members of the Triple S scheme for the purposes of section 14(6) of the Act:
 - (a) old scheme members of the superannuation scheme established by the *Parliamentary Superannuation Act 1974* who are sitting members of the Legislative Council or the House of Assembly;
 - (b) subject to this regulation, members of a superannuation scheme established by a hospital or health centre incorporated under the *South Australian Health Commission Act 1976*;
 - (c) those members of the S.A.H.C Visiting Medical Officers Superannuation Fund established by a trust deed dated 24 February 1983 who were appointed as visiting medical specialists on or before the commencement of this paragraph;
 - (d) those members of the State Scheme referred to in clause 15(1)(c) of Schedule 1 of the *Superannuation Act 1988*;
 - (e) an employee of the Adelaide Festival Centre Trust who is a member of a scheme of superannuation established for the benefit of the employee;
 - (f) those contributors to the State Scheme who are employees of TransAdelaide and whose names appear in the Schedule to the *Superannuation (STA Employees) Regulations 1991* made under the *Superannuation Act 1988*;
 - (g) those persons whose names appear in the Schedule to the *Superannuation (Lyell McEwin Employees) Regulations 1999*;

- (h) those persons whose names appear in Schedule 1 of the *Superannuation (Julia Farr Services Employees) Regulations 2003*.
- (2) Subregulation (1)(b) does not apply to former members of the Bordertown Memorial Hospital Incorporated Superannuation Fund or the Kingston Soldiers' Memorial Hospital Incorporated Superannuation Fund.
- (3) Subregulation (1)(b) does not apply to former members of the Mothers' and Babies' Health Association Superannuation Fund.

11A—Minimum amount of contribution under section 25A

The minimum amount of an additional contribution under section 25A of the Act is \$50.

13—Notices

- (1) An employer who proposes to terminate the employment of a member under section 34(7) of the Act or a member who proposes to resign under that section must give the Board at least one month's written notice of the proposal before terminating the employment or resigning.
- (2) If the employment of a member terminates (or is terminated) in circumstances that will result in—
 - (a) the member being entitled to a benefit under the Act; or
 - (b) the member ceasing to be liable with respect to a payment under the Act,the member's employer at the time of the termination must give the Board written notice of the termination within 14 days after the date of the termination.

14—Non-member spouse entitlement

- (1) For the purposes of section 35D(4) of the Act, notice given by the Board to a non-member spouse of the non-member spouse's right to make an election in respect of his or her interest must—
 - (a) be in writing; and
 - (b) notify the non-member spouse that the interest may be retained in the Triple S Scheme; and
 - (c) advise the non-member spouse of—
 - (i) his or her option to make an election and the consequences of a failure to do so within 28 days; and
 - (ii) the value of the interest; and
 - (iii) the basis of any adjustments that have been, or will be, applied to the interest.
- (2) If the interest of a non-member spouse is transferred to the credit of the non-member spouse in the Triple S scheme because an election has not been made, the Board must, within 14 days of the interest being rolled over—
 - (a) advise the non-member spouse that his or her interest has been retained in the Triple S scheme; and

- (b) provide the non-member spouse with a membership identification number, a copy of the most recent annual report prepared in respect of the Triple S scheme and any other information that, according to a determination of the Board, may be of assistance to the non-member spouse.

Schedule—Invalidity/death insurance benefits

Table 1—Standard Insurance Cover

Age last Birthday	One Unit \$	Cost/Week \$
Up to 34	50 000	1.00
35	48 000	1.00
36	46 000	1.00
37	44 000	1.00
38	42 000	1.00
39	40 000	1.00
40	38 000	1.00
41	36 000	1.00
42	34 000	1.00
43	32 000	1.00
44	30 000	1.00
45	28 000	1.00
46	26 000	1.00
47	24 000	1.00
48	22 000	1.00
49	20 000	1.00
50	18 000	1.00
51	16 000	1.00
52	14 000	1.00
53	12 000	1.00
54	10 000	1.00
55	9 000	1.00
56	8 000	1.00
57	7 000	1.00
58	6 000	1.00
59	5 000	1.00

Table 2—Fixed Insurance Cover

Age last Birthday	One Unit \$	Cost/week \$
20 and under	50 000	1.10
21	50 000	1.15
22	50 000	1.20
23	50 000	1.25
24	50 000	1.30
25	50 000	1.40
26	50 000	1.50
27	50 000	1.70
28	50 000	1.80
29	50 000	1.90
30	50 000	2.00
31	50 000	2.10
32	50 000	2.30
33	50 000	2.40
34	50 000	2.60
35	50 000	2.70
36	50 000	2.90
37	50 000	3.10
38	50 000	3.30
39	50 000	3.50
40	50 000	3.70
41	50 000	3.90
42	50 000	4.10
43	50 000	4.30
44	50 000	4.60
45	50 000	4.90
46	50 000	5.10
47	50 000	5.40
48	50 000	5.70
49	50 000	6.00
50	50 000	6.30
51	50 000	6.70
52	50 000	7.00
53	50 000	7.40

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Age last Birthday	One Unit \$	Cost/week \$
54	50 000	7.70
55	50 000	8.20
56	50 000	8.60
57	50 000	9.00
58	50 000	9.50
59	50 000	10.10

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
1995	127	<i>Gazette 29.6.1995 p3070</i>	1.7.1995: r 2
1996	14	<i>Gazette 25.1.1996 p842</i>	25.1.1996: r 2
1997	142	<i>Gazette 5.6.1997 p2919</i>	5.6.1997: r 2
1998	186	<i>Gazette 8.10.1998 p1101</i>	8.10.1998 except r 5—1.7.1998: r 2
1998	212	<i>Gazette 17.12.1998 p1960</i>	1.1.1999: r 2
1999	27	<i>Gazette 15.4.1999 p2021</i>	15.4.1999: r 2
1999	265	<i>Gazette 23.12.1999 p3822</i>	23.12.1999: r 2
2001	4	<i>Gazette 25.1.2001 p319</i>	25.1.2001: r 2
2001	31	<i>Gazette 12.4.2001 p1603</i>	12.4.2001: r 2
2001	189	<i>Gazette 9.8.2001 p2914</i>	9.8.2001: r 2
2002	30	<i>Gazette 16.5.2002 p1919</i>	16.5.2002: r 2
2002	135	<i>Gazette 27.6.2002 p2744</i>	1.7.2002: r 2
2002	191	<i>Gazette 3.10.2002 p3599</i>	3.10.2002: r 2
2003	42	<i>Gazette 17.4.2003 p1780</i>	17.4.2003: r 2
2003	194	<i>Gazette 25.9.2003 p3642</i>	1.10.2003: r 2
2003	259	<i>Gazette 18.12.2003 p4596</i>	18.12.2003: r 2
2004	134	<i>Gazette 17.6.2004 p2237</i>	17.6.2004: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
r 3		
<i>the value of the future service benefit factor</i>	<i>deleted by 186/1998 r 3</i>	<i>8.10.1998</i>
<i>the value of the supplementary future service benefit</i>	<i>deleted by 186/1998 r 3</i>	<i>8.10.1998</i>
<i>the value of the supplementary future service benefit component</i>	<i>inserted by 186/1998 r 3</i>	<i>8.10.1998</i>

	<i>deleted by 135/2002 r 3</i>	1.7.2002
r 3A	inserted by 265/1999 r 3	23.12.1999
	substituted by 4/2001 r 3	25.1.2001
	substituted by 31/2001 r 3	12.4.2001
	varied by 189/2001 r 3	9.8.2001
	varied by 30/2002 r 3	16.5.2002
	varied by 191/2002 r 3	3.10.2002
	varied by 42/2003 r 4	17.4.2003
	varied by 134/2004 r 4	17.6.2004
r 6	varied by 186/1998 r 4	8.10.1998
	substituted by 135/2002 r 4	1.7.2002
r 7	inserted by 14/1996 r 3	25.1.1996
	substituted by 186/1998 r 5	1.7.1998
	substituted by 135/2002 r 4	1.7.2002
r 7A	<i>inserted by 14/1996 r 4</i>	25.1.1996
	<i>deleted by 186/1998 r 5</i>	1.7.1998
r 8	substituted by 142/1997 r 3	5.6.1997
	deleted by 186/1998 r 6	8.10.1998
	inserted by 186/1998 r 5	1.7.1998
r 9	<i>deleted by 186/1998 r 6</i>	8.10.1998
	<i>inserted by 186/1998 r 5</i>	1.7.1998
	<i>deleted by 135/2002 r 5</i>	1.7.2002
r 10	substituted by 186/1998 r 6	8.10.1998
r 11	inserted by 186/1998 r 6	8.10.1998
r 11(1)	varied by 212/1998 r 3	1.1.1999
	varied by 27/1999 r 3	15.4.1999
	varied by 194/2003 r 4	1.10.2003
r 11A	inserted by 27/1999 r 4	15.4.1999
	varied by 134/2004 r 5	17.6.2004
r 12	<i>inserted by 186/1998 r 6</i>	8.10.1998
	<i>deleted by 135/2002 r 6</i>	1.7.2002
r 13		
r 13(1)	r 13 inserted by 186/1998 r 6	8.10.1998
	r 13 redesignated as r 13(1) by 135/2002 r 7	1.7.2002
r 13(2)	inserted by 135/2002 r 7	1.7.2002
r 14	inserted by 259/2003 r 4	18.12.2003
Sch	inserted by 135/2002 r 8	1.7.2002