

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*.

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—Salary sacrifice

For the purposes of the definition of *prescribed person* in section 15B of the Act, the following are prescribed:

- (a) persons who—
 - (i) are employed by a recognised hospital or incorporated health centre (within the meaning of the *South Australian Health Commission Act 1976*); and
 - (ii) are active members of the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme;
- (b) Judges (within the meaning of the *Judges' Pensions Act 1971*).

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 voluntary 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 voluntary 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) if the person is under the age of 60—
 - (A) \$20 000; or
 - (B) 1 unit of standard insurance cover,whichever is the greater;
 - (ii) in any other case—1 unit of standard insurance cover;
 - (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 \$0.75 per week.
- (6) An applicant for voluntary 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 police officers 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 other than on a casual basis must not exceed \$1 000 000 (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 \$500 000 (inclusive of the member's basic cover).

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) PSS 1 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 Schedule 1 of the *Superannuation (STA Employees) Regulations 2005* 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.

12—Disability pension

For the purposes of section 33A(14) of the Act, persons who are—

- (a) employed or engaged for a specified period of time; and
 - (b) remunerated solely by a fee, allowance or commission,
- are prescribed.

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 months 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	75 000	0.75
35	72 000	0.75
36	69 000	0.75
37	66 000	0.75
38	63 000	0.75
39	60 000	0.75
40	57 000	0.75
41	54 000	0.75
42	51 000	0.75
43	48 000	0.75
44	45 000	0.75
45	42 000	0.75
46	39 000	0.75
47	36 000	0.75
48	33 000	0.75
49	30 000	0.75
50	27 000	0.75
51	24 000	0.75
52	22 000	0.75
53	20 000	0.75
54	18 000	0.75
55	16 000	0.75
56	14 000	0.75
57	12 500	0.75
58	11 000	0.75

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Age last birthday	One unit \$	Cost/week \$
59	9 500	0.75
60	8 000	0.75
61	6 500	0.75
62	6 000	0.75
63	5 500	0.75
64	5 000	0.75

Table 2—Fixed Insurance Cover

Age last birthday	One unit \$	Cost/week \$
20 and under	75 000	0.80
21	75 000	0.85
22	75 000	0.85
23	75 000	0.90
24	75 000	0.95
25	75 000	1.00
26	75 000	1.05
27	75 000	1.10
28	75 000	1.15
29	75 000	1.20
30	75 000	1.25
31	75 000	1.30
32	75 000	1.40
33	75 000	1.50
34	75 000	1.60
35	75 000	1.70
36	75 000	1.80
37	75 000	2.00
38	75 000	2.10
39	75 000	2.30
40	75 000	2.40
41	75 000	2.60
42	75 000	2.70
43	75 000	2.90
44	75 000	3.10
45	75 000	3.30

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Age last birthday	One unit	Cost/week
	\$	\$
46	75 000	3.50
47	75 000	3.70
48	75 000	3.90
49	75 000	4.10
50	75 000	4.40
51	75 000	4.70
52	75 000	5.10
53	75 000	5.50
54	75 000	6.00
55	75 000	6.50
56	75 000	7.10
57	75 000	7.70
58	75 000	8.40
59	75 000	9.20
60	75 000	10.10
61	75 000	11.00
62	75 000	12.00
63	75 000	13.00
64	75 000	14.10

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

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
2005	209	<i>Gazette 29.9.2005 p3563</i>	2.10.2005: r 2
2007	4	<i>Gazette 25.1.2007 p289</i>	1.2.2007: 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 2	<i>omitted under the Legislation Revision and Publication Act 2002</i>	2.10.2005
r 3		

	<i>the value of the future service benefit factor</i>	<i>deleted by 186/1998 r 3</i>	8.10.1998
	<i>the value of the supplementary future service benefit</i>	<i>deleted by 186/1998 r 3</i>	8.10.1998
	<i>the value of the supplementary future service benefit component</i>	<i>inserted by 186/1998 r 3</i>	8.10.1998
r 3A		<i>deleted by 135/2002 r 3</i>	1.7.2002
		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
		substituted by 4/2007 r 4	1.2.2007
r 6		varied by 186/1998 r 4	8.10.1998
		substituted by 135/2002 r 4	1.7.2002
		varied by 4/2007 r 5	1.2.2007
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 7(1)	varied by 4/2007 r 6(1)	1.2.2007
	r 7(4)	varied by 209/2005 r 4(1)	2.10.2005
	r 7(5)	varied by 209/2005 r 4(2)	2.10.2005
	r 7(6)	varied by 4/2007 r 6(2)	1.2.2007
	r 7(8)	varied by 4/2007 r 6(3)	1.2.2007
	r 7(9)	varied by 209/2005 r 4(3)	2.10.2005
	r 7(10)	varied by 209/2005 r 4(4)	2.10.2005
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		<i>substituted by 142/1997 r 3</i>	5.6.1997
		<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 209/2005 r 5</i>	2.10.2005
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
	varied by 4/2007 r 7(1), (2)	1.2.2007
r 11A	inserted by 27/1999 r 4	15.4.1999
	varied by 134/2004 r 5	17.6.2004
r 12	inserted by 186/1998 r 6	8.10.1998
	deleted by 135/2002 r 6	1.7.2002
	inserted by 4/2007 r 8	1.2.2007
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
Table 1 and 2	substituted by 209/2005 r 6	2.10.2005
<i>Note</i>	<i>deleted by 4/2007 r 9</i>	1.2.2007

Transitional etc provisions associated with regulations or variations

Southern State Superannuation Variation Regulations 2005 (No 209 of 2005), Sch 1

1—Transitional provision

The variations made by these regulations to the *Southern State Superannuation Regulations 1995* apply as follows:

- (a) the variation made by regulation 4(1) applies with respect to a benefit that becomes payable after the commencement of these regulations;
- (b) the variation made by regulation 6 that constitutes an increase in a unit of cover by virtue of the substitution of new tables applies with respect to a benefit that becomes payable after the commencement of these regulations;
- (c) the other variations apply in all respects from the commencement of these regulations.

Historical versions

17.6.2004

2.10.2005