

South Australia

## **Southern State Superannuation Variation Regulations 2003**

under the *Southern State Superannuation Act 1994*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Southern State Superannuation Variation Regulations 2003*.

#### **2—Commencement**

These regulations will come into operation on 18 December 2003.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Southern State Superannuation Regulations 1995***

#### **4—Insertion of regulation 14**

After regulation 13 insert:

##### **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
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- (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.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2003

No 259 of 2003

AGO 0304/03 CS