

South Australia

Southern State Superannuation (Police Superannuation) Variation Regulations 2008

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 (Police Superannuation) Variation Regulations 2008*.

2—Commencement

These regulations will come into operation on the day on which the *Statutes Amendment (Police Superannuation) Act 2008* comes into operation.

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 3B

After regulation 3A insert:

3B—Prescribed members (section 20)

Pursuant to paragraph (b) of the definition of *prescribed member* in section 20 of the Act, a member employed by SA Ambulance Service Inc—

- (a) who was a contributory member of the SA Ambulance Service Superannuation Scheme (the *ambulance scheme*) before electing to become a member of the Triple S Scheme and has not reached his or her normal retirement date for the purposes of the ambulance scheme; or
- (b) who—
 - (i) commenced his or her employment with SA Ambulance Service Inc on or after 1 July 2008; and
 - (ii) is classified as an operations employee under the *SA Ambulance Service Award*; and
 - (iii) is employed other than on a casual basis in the provision of ambulance services (within the meaning of the *Health Care Act 2008*),

is prescribed for the purposes of that definition.

5—Variation of regulation 4—Information to be provided by applicant

Regulation 4(1)—after "sections 22(4)" insert:

, 23A(4)

6—Variation of regulation 5—Prescribed activities

Regulation 5—after "sections 22(6)(b)" insert:

, 23A(6)(b)

7—Variation of regulation 6—Authorised conditions

Regulation 6—after "section 22(6)" insert:

, 23A(6)

8—Variation of regulation 7—Amount of invalidity/death insurance and amount of premiums (members)

- (1) Regulation 7(4)(a)—delete "for a person who is" and substitute:

in the case of a person who was

- (2) Regulation 7(4)(a)(ii)—delete "in any other case" and substitute:
if the person is of or over the age of 60
- (3) Regulation 7(4)(b)—delete "for a person who becomes a member on or after 1 July 2002" and substitute:
in any other case
- (4) Regulation 7(8)—delete "section 22(3) of the Act, all police officers and all police cadets must have" and substitute:
section 23A(1) of the Act, all prescribed members must have voluntary
- (5) Regulation 7(8)—delete "five" and substitute:
4

9—Insertion of regulation 11AA

After regulation 11 insert:

11AA—Prescribed rate of contributions (section 25)

Pursuant to section 25(4a) of the Act, a member employed by SA Ambulance Service Inc—

- (a) who was a contributory member of the SA Ambulance Service Superannuation Scheme (the *ambulance scheme*) before electing to become a member of the Triple S Scheme and has not reached his or her normal retirement date for the purposes of the ambulance scheme; or
- (b) who—
 - (i) commenced his or her employment with SA Ambulance Service Inc on or after 1 July 2008; and
 - (ii) is classified as an operations employee under the *SA Ambulance Service Award*; and
 - (iii) is employed other than on a casual basis in the provision of ambulance services (within the meaning of the *Health Care Act 2008*),

is required to contribute at a rate of at least 4.5% of salary.

10—Insertion of regulation 15

After regulation 14 insert:

15—Transitional arrangement for certain police members (Schedule 3 clause 15)

For the purposes of subclause (11)(b) of clause 15 of Schedule 3 of the Act, the benefits to which a police member may be entitled under that subclause on his or her retirement in lieu of benefits under section 31 of the Act are to be determined in accordance with the following formula:

$$LS = 5.4545 \times A \times FS \times \left(1 + \frac{0.1667 \times X}{100}\right) \times \left(1 + \frac{0.2778 \times Y}{100}\right) + Pn \times \frac{FS \times 1.36 \times M}{480}$$

where—

LS is the minimum benefit

FS is the member's actual or attributed salary as defined by the *Police Superannuation Act 1990* (expressed as an annual amount)

X is the number of months (if any) by which the member's age at retirement exceeds 50 years, with a maximum value of 60

Y is the number of months (if any) by which the member's age at retirement exceeds 55 years

Pn is—

- (a) in the case of a member who was employed on a full-time basis throughout his or her membership of the Police Superannuation Scheme and the Triple S Scheme—1; and
- (b) in any other case—

$$\frac{Pn8 \times M8 + PnTS \times (M - M8)}{M}$$

A is the lesser of the following:

- (a) unity;
- (b)

$$\frac{Pn \times M}{D}$$

M is the number of completed months between the day on which the member commenced service and the day of his or her retirement

D is—

- (a) if the age of the member at retirement is less than 55—360;
- (b) if the age of the member at retirement is 55 or greater but less than 60—360 plus *Y*;
- (c) if the age of the member at retirement is 60 or greater—420

Pn8 is, for the period of the member's membership of the Police Superannuation Scheme—

- (a) in the case of a member who was employed on a full-time basis throughout his or her membership of that Scheme—1; and
- (b) in any other case—the numerical value arrived at by expressing the member's employment for the period beginning on the day on which he or she became a member of that Scheme and ending on the day immediately before he or she became a member of the Triple S Scheme as a proportion of full-time employment during that period

M8 is the number of completed months between the day the member commenced service and the day immediately before the day on which he or she became a member of the Triple S Scheme

PnTS is, for the period of the member's membership of the Triple S Scheme—

- (a) in the case of a member who was employed on a full-time basis throughout his or her membership of that Scheme—1; and
- (b) in any other case—the numerical value arrived at by expressing the member's employment for the period beginning on the day on which he or she became a member of that Scheme and ending on the day of his or her retirement as a proportion of full-time employment during that period.

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 26 June 2008

No 201 of 2008

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