

South Australia

Superannuation (Electricity Industry Pensioners) Regulations 2016

under the *Superannuation Act 1988*

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Schedule 1—Revocation of *Superannuation (Electricity Industry Pensioners) Regulations 2001*

1—Short title

These regulations may be cited as the *Superannuation (Electricity Industry Pensioners) Regulations 2016*.

2—Commencement

These regulations will come into operation on 1 September 2016.

3—Interpretation

In these regulations—

Act means the *Superannuation Act 1988*;

electricity industry pensioner or *pensioner* means a person who has been transferred from the Electricity Industry Superannuation Scheme to the State Scheme under clause 2(1) or 3(3) of Schedule 1B of the Act.

4—Notional pension when determining spouse pension

If—

- (a) before the transfer of an electricity industry pensioner to the State Scheme the pensioner had commuted part of the pensioner's pension on the basis that the commutation would not be taken into account when determining the amount of the pension payable to the pensioner's spouse; and
- (b) the pensioner dies and is survived by a spouse who is entitled to a spouse pension under the Act,

the notional pension for the purpose of determining the spouse's pension will be the pension that the electricity industry pensioner would have been receiving immediately before the pensioner's death if the commutation referred to in paragraph (a) had not occurred.

Schedule 1—Revocation of *Superannuation (Electricity Industry Pensioners) Regulations 2001*

The *Superannuation (Electricity Industry Pensioners) Regulations 2001* are revoked.

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 25 August 2016

No 202 of 2016

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