



New South Wales

State Authorities Non-contributory Superannuation Amendment (Firefighters) Regulation 2003

under the

State Authorities Non-contributory Superannuation Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *State Authorities Non-contributory Superannuation Act 1987*.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The *Crown Employees (NSW Fire Brigades Firefighting Staff Death and Disability) Award 2003* makes provision for the payment of death or incapacity benefits to or in respect of a firefighter to which it applies. The award makes provision for the payment of benefits to be offset by the amount of any compulsory employer contributions made by NSW Fire Brigades in respect of the firefighter.

The object of this Regulation is to allow SAS Trustee Corporation to provide to NSW Fire Brigades or the trustees of the Death and Disability Superannuation Fund information that it obtains in the administration of the *State Authorities Non-contributory Superannuation Act 1987*. Such information can only be provided with the consent of the relevant employee and only for the purposes of complying with or giving effect to the award.

This Regulation also allows SAS Trustee Corporation to transfer to the Death and Disability Superannuation Fund the amount of the relevant offset.

This Regulation is made under the *State Authorities Non-contributory Superannuation Act 1987* (as amended by the *Superannuation Legislation Further Amendment Act 2002*), including section 27AE (definition of *firefighters award*), section 27AG and section 34 (the general regulation-making power).

2003 No 533

Clause 1

State Authorities Non-contributory Superannuation Amendment
(Firefighters) Regulation 2003

State Authorities Non-contributory Superannuation Amendment (Firefighters) Regulation 2003

under the

State Authorities Non-contributory Superannuation Act 1987

1 Name of Regulation

This Regulation is the *State Authorities Non-contributory Superannuation Amendment (Firefighters) Regulation 2003*.

2 Amendment of State Authorities Non-contributory Superannuation Regulation 2000

The *State Authorities Non-contributory Superannuation Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 9D

Insert before clause 10 (in Part 4):

9D Death or incapacity benefits for firefighters

- (1) In this clause:

2003 firefighters award means the *Crown Employees (NSW Fire Brigades Firefighting Staff Death and Disability) Award 2003*.

- (2) For the purposes of the definition of **firefighters award** in section 27AE of the Act, the 2003 firefighters award is prescribed.
- (3) For the purposes of complying with or giving effect to the 2003 firefighters award, and only with the consent of the relevant employee, STC may provide to New South Wales Fire Brigades or the trustees of the Death and Disability Superannuation Fund under the 2003 firefighters award information obtained about the employee in the administration of the Act.
- (4) STC must, for the purposes of complying with or giving effect to the 2003 firefighters award, transfer to the Death and Disability Superannuation Fund the amount required as an offset under the 2003 firefighters award.
- (5) However, that amount must not be transferred unless the firefighter concerned has consented to the transfer.