



Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Amendment (Further Transfer of Employees) Regulation 2002

under the

Superannuation Administration Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Superannuation Administration Act 1996*.

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The object of this Regulation is to provide for the transfer of certain employees who are currently members of the State Superannuation Scheme, the State Authorities Superannuation Scheme, the State Authorities Non-contributory Superannuation Scheme and the First State Superannuation Scheme to the Local Government Superannuation Scheme. The employees are to be transferred into Divisions of the Local Government Superannuation Scheme having equivalent benefits and rights to the schemes from which they are transferred. This results from:

- (a) parking patrol officers being transferred from the direction and control of the Commissioner of Police to the City of Sydney Council, and
- (b) the transfer of certain employees of Murrumbidgee Irrigation Limited to a non-government body.

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Explanatory note

This Regulation also provides for the payment of pensions from the Local Government Superannuation Scheme to certain ex-employees of Murrumbidgee Irrigation Limited and the spouses or children of such persons.

This Regulation is made under the *Superannuation Administration Act 1996*, including sections 128A, 128B and 129 (the general regulation-making power).

Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Amendment (Further Transfer of Employees) Regulation 2002

1 Name of Regulation

This Regulation is the *Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Amendment (Further Transfer of Employees) Regulation 2002*.

2 Amendment of Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Regulation 1997

The *Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Regulation 1997* is amended as set out in Schedule 1.

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 2)

[1] Clause 3 Definitions

Insert in alphabetical order:

parking patrol officer means a person:

- (a) who commenced employment as a parking patrol officer with the City of Sydney Council on 17 September 2001, and
- (b) who immediately before that day was employed by the Crown as a parking patrol officer (however described) and who, in the course of that employment, was subject to the direction and control of the Commissioner of Police.

[2] Clause 3 definition of “transfer day”

Omit the definition. Insert instead:

transfer day means:

- (a) except as provided by the following paragraphs, 1 July 1997, or
- (b) in relation to an employee referred to in clause 11 (1), the day the employee transfers to the county council referred to in clause 11 (2), or
- (c) in relation to an employee transferred under Division 2 of Part 2:
 - (i) 28 July 2000 for an employee of Job Support Inc., or
 - (ii) 22 July 2002 for an employee who is a parking patrol officer, or
 - (iii) 1 September 2002 for an employee of Murrumbidgee Irrigation Limited.

[3] Clause 3 definition of “transferred member”

Insert “or 12C” after “(b) or (c)”.

[4] Clause 4A

Insert before clause 5:

4A Application of Division

This Division does not apply to an employee transferred under Division 2.

[5] Clause 12 Transfer of payment of certain pensions

Omit “transfer day” wherever occurring. Insert instead “1 July 1997”.

[6] Clause 12A Definition

Omit the definition of *employee*. Insert instead:

employee means any of the following:

- (a) a person who was an employee of Jobsupport Inc. (ARBN 054 350 793) immediately before 28 July 2000,
- (b) a person who was an employee of Murrumbidgee Irrigation Limited immediately before 1 September 2002,
- (c) a person who is a parking patrol officer.

[7] Clause 12B Transfer of employees

Insert “one” after “in more than” in clause 12B (2).

[8] Clause 12B (5)

Omit “officer”. Insert instead “employee”.

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Schedule 1 Amendments

[9] Clause 12C

Insert after clause 12B:

12C Transfer of payment of pensions

- (1) On and from 1 September 2002, the pensions described in subclause (2) are payable under the local government superannuation scheme.
- (2) A pension payable to a person who, immediately before 1 September 2002, received a pension under any of the following Acts or regulations:
 - (a) *Superannuation Act 1916*,
 - (b) *State Authorities Superannuation Act 1987*,
 - (c) any of the Acts or regulations listed in clause 12 (1) (a) or (c),and who was employed by Murrumbidgee Irrigation Limited immediately before becoming entitled to the pension, or a pension payable (before or after 1 September 2002) to the spouse or child of any such person.
- (3) A reference to Murrumbidgee Irrigation Limited in this clause does not include a reference to a predecessor of Murrumbidgee Irrigation Limited.
- (4) For the purposes of the local government superannuation scheme, the person to whom a pension is payable, or to whose spouse or child a pension is payable, under the scheme because of this clause is taken to be a member of the following Division of the local government superannuation scheme:
 - (a) if the person received a pension under the *State Authorities Superannuation Act 1987* or any of the Acts or regulations listed in clause 12 (1) (a) or (c), Division B,
 - (b) if the person received a pension under the *Superannuation Act 1916*, Division D.

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Amendments

Schedule 1

[10] Schedule 1 Transferred employers

Insert at the end of the Schedule:

Murrumbidgee Irrigation Limited