



# Parliamentary Contributory Superannuation Regulation 2003

under the

Parliamentary Contributory Superannuation Act 1971

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Parliamentary Contributory Superannuation Act 1971*.

JOHN DELLA BOSCA, M.L.C.,

Special Minister of State

## Explanatory note

The object of this Regulation is to repeal and remake, without any changes in substance, the provisions of the *Parliamentary Contributory Superannuation Regulation 1998*, which was due to be repealed under the *Subordinate Legislation Act 1989* on 1 September 2003.

The new Regulation deals with the following matters:

- (a) meetings of trustees (clause 4),
- (b) signing of cheques (clause 5),
- (c) applications for pensions and other benefits (clause 6),
- (d) proof of age and marriage (clause 7),
- (e) notification of change of address (clause 8),
- (f) provision of further information to trustees (clause 9),
- (g) declarations as to certain matters (clause 10),
- (h) notification of changes in circumstances (clause 11),
- (i) the keeping of records (clause 12),
- (j) other minor, consequential or ancillary matters (clauses 1, 2, 3, 13 and 14).

## **2003 No 519**

Parliamentary Contributory Superannuation Regulation 2003

Explanatory note

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This Regulation is made under the *Parliamentary Contributory Superannuation Act 1971*, including sections 13, 16, 19A and 33 (the general regulation-making power).

This Regulation comprises or relates to matters of a machinery nature.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

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## 2003 No 519

Clause 1 Parliamentary Contributory Superannuation Regulation 2003

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# Parliamentary Contributory Superannuation Regulation 2003

under the

Parliamentary Contributory Superannuation Act 1971

### 1 Name of Regulation

This Regulation is the *Parliamentary Contributory Superannuation Regulation 2003*.

### 2 Definitions

In this Regulation:

*the Act* means the *Parliamentary Contributory Superannuation Act 1971*.

**Note.** Section 11 of the *Interpretation Act 1987* provides that expressions defined in the Act have the same meanings in this Regulation.

### 3 Notes

Notes included in this Regulation do not form part of the Regulation.

### 4 Meetings of trustees

- (1) Meetings of the trustees are to be held on such dates, and at such times and places, as the chairperson may appoint.
- (2) The procedure for calling a meeting is for the chairperson to notify the other trustees as to the date, time and place of the meeting.
- (3) The chairperson is to ensure that a written record is kept of each meeting of the trustees.
- (4) The functions conferred on the chairperson by this clause are, in the absence of the chairperson, to be exercised by the vice-chairperson.

### 5 Signing of cheques

Any cheque drawn on the Fund:

- (a) must be signed by at least 2 persons authorised by the trustees for that purpose, and

(b) must be drawn to order and crossed “not negotiable”.

## **6 Applications for pensions and other benefits**

An application for a pension or other benefit under the Act must be made in writing addressed to the trustees.

## **7 Proof of age and marriage**

- (1) The trustees may require a member or former member to furnish documentary evidence of one or more of the following:
  - (a) his or her age,
  - (b) if the person is married, his or her marriage,
  - (c) if the person is in a de facto relationship, his or her de facto relationship.
- (2) The trustees may require the spouse or de facto partner of a member or former member to furnish documentary evidence of one or more of the following:
  - (a) his or her marriage to the member or former member,
  - (b) his or her de facto relationship with the member or former member.

## **8 Pensioner to inform trustees of change of address**

Any person who is receiving a pension under the Act must inform the trustees of any change in the person’s address.

## **9 Trustees may require information concerning entitlement to pension**

The trustees may require a person to furnish specified particulars as to the person’s entitlement to receive a pension under the Act.

**Note.** This provision gives the trustees authority to require information from persons applying for a pension under the Act in order to satisfy the trustees that they are eligible for the pension.

## **10 Trustees may require pensioner to sign declaration**

The trustees may from time to time require a person who is receiving a pension under the Act to furnish a signed declaration, in a form approved by the trustees, to the effect that during the period in respect of which the pension has been paid:

- (a) the person has not become a Member of the Parliament of the Commonwealth or of any other State or Territory, and
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- (b) in the case of a person who is receiving a pension as the spouse or de facto partner of a member or former member who has died:
  - (i) the person has not become entitled to payment of any other pension because of having been a member of the Parliament of the Commonwealth or of any other State or Territory, and
  - (ii) the person has not become entitled to payment of any other pension as the spouse or de facto partner of a member of the Parliament of the Commonwealth or of any other State or Territory.

### 11 Trustees to be notified if entitlement to pension ceases

A person who ceases to be entitled to receive a pension under the Act must at once notify the trustees of that fact and of the date on which the person ceased to be so entitled.

### 12 Records

The trustees must cause records to be kept in respect of each member and person who is receiving or is entitled to receive a pension or other benefit under the Act showing all amounts paid into or from the Fund in respect of the member or person.

### 13 Repeal

The *Parliamentary Contributory Superannuation Regulation 1998* is repealed.

### 14 Savings

Any act, matter or thing that, immediately before the repeal of the *Parliamentary Contributory Superannuation Regulation 1998*, had effect under that Regulation continues to have effect under this Regulation.

BY AUTHORITY

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