

Superannuation (NSW Health Department Computer and Information Systems Branch Employees Transfer) Transitional Regulation 1991

[1991-464]



New South Wales

Status Information

Currency of version

Repealed version for 30 August 1991 to 28 November 2002 (accessed 19 December 2024 at 20:58)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Regulation was repealed by the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2002 No 112](#), Sch 3 with effect from 29.11.2002.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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New South Wales

1 Name of Regulation

This Regulation may be cited as the *Superannuation (NSW Health Department Computer and Information Systems Branch Employees Transfer) Transitional Regulation 1991*.

2 Definitions

In this Regulation:

Board means the State Authorities Superannuation Board.

CSA means Computer Sciences of Australia Pty Ltd.

CSA Superannuation Plan means the superannuation arrangements embodied in the trust deed called the Computer Sciences of Australia Superannuation Plan.

CSA Trustees means the trustees appointed under the CSA Superannuation Plan.

Health CIS Branch means the Computer and Information Systems Branch of the NSW Health Department.

preserved benefit means a preserved benefit provided by Division 3A of Part 4 of the Act.

State Fund means the State Superannuation Fund.

the Act means the *Superannuation Act 1916*.

transferred contributor means a contributor to the State Fund who:

- (a) is, not earlier than 5 August 1991 and not later than 30 August 1991, appointed to the staff of CSA, and

(b) was, immediately before that appointment, an officer employed in the Health CIS Branch.

3 Schedule 23 to the Act (Special provisions for preserving benefits of certain contributors) to apply to certain staff of CSA

For the purposes of Schedule 23 to the Act, the transfer of employees from the Health CIS Branch to CSA is declared to be a transfer of employment to which that Schedule applies.

4 Preservation of accrued benefit without transferring it to the CSA Superannuation Plan

If, on being accepted as a member of the CSA Superannuation Plan, a transferred contributor:

(a) elects to preserve his or her accrued benefit in the State Fund as provided by Division 3A of Part 4 of the Act, and

(b) does not exercise the entitlement conferred by clause 3 of Schedule 23 to the Act,

the benefit must be preserved in accordance with that Division as from and including the contributor's date of appointment to the staff of CSA.

5 Transfer of accrued benefit to the CSA Superannuation Plan

(1) If, on being accepted as a member of the CSA Superannuation Plan, a transferred contributor:

(a) elects to preserve his or her accrued benefit in the State Fund as provided by Division 3A of Part 4 of the Act, and

(b) exercises the entitlement conferred by clause 3 of Schedule 23 to the Act,

then, subject to subclause (2), the benefit so preserved must be paid to the CSA Trustees as the contributor directs.

(2) The entitlement referred to in subclause (1) (b) may be exercised not earlier than 5 August 1991 and not later than 31 October 1991.

(3) The payment must be made as soon as practicable after the date of election.

(4) The payment of a preserved benefit in accordance with this clause is a payment to which clause 3 of Schedule 23 to the Act applies and must be made in accordance with clause 6.

6 Obligations of the Board with respect to the disposition of a preserved benefit

If a transferred contributor has, in accordance with clause 5 (1), directed his or her preserved benefit to be transferred to the CSA Superannuation Plan, the Board must, before paying the preserved benefit to the CSA Trustees, satisfy itself that the CSA Superannuation Plan includes provisions that adequately provide for the disposition of

amounts paid from the State Fund to the CSA Trustees and that those provisions provide for the payment to or in respect of the contributor of a benefit that will reflect the amount of the preserved benefit to be transferred in the form of:

- (a) a cash benefit to be paid when, for any reason, the contributor's appointment to the staff of CSA is terminated, or
- (b) a defined benefit in terms of the CSA Superannuation Plan.

7 Schedule 23 not to apply unless election is made within the relevant period

For the purposes of the operation of the Act (and no other purposes), a transferred contributor who does not make an election to preserve a benefit under Schedule 23 to the Act during the period beginning with 5 August 1991 and ending with 31 October 1991 will be treated as having resigned from his or her employment on the date of his or her appointment to the staff of CSA.