

## FACT SHEET

### *Public Sector Superannuation Reform (Consequential and Transitional Provisions) Bill 2016*

- The purpose of the Public Sector Superannuation Reform (Consequential and Transitional Provisions) Bill 2016 is to make amendments to other Tasmanian legislation as a consequence of the enactment of the *Public Sector Superannuation Reform Act 2016*.
- The Bill updates references to legislation that is to be repealed by the *Public Sector Superannuation Reform Act 2016* and repeals provisions that are no longer necessary as they are contained in the *Public Sector Superannuation Reform Act 2016*. These provisions include:
  - that persons appointed or employed after 1 July 1999 cannot become members of the contributory scheme;
  - that persons appointed or employed on or after 1 July 1999 are to be members of the Tasmanian Accumulation Scheme;
  - how employer superannuation contributions are to be calculated;
  - the manner of payment of employer contributions;
  - the rate of employer contributions;
  - that a person may elect to become a member of an RSA or other complying superannuation scheme; and
  - the ability to elect to make voluntary and/or spouse contributions and for the transfer of lump sum benefits.
- The result of these amendments is that all of the superannuation arrangements for State Service and other employees will be prescribed within the one statute, namely the *Public Sector Superannuation Reform Act 2016*.
- The provisions that provide that a Government Business Enterprise or State-owned Company is a prescribed authority have also been repealed as these companies are prescribed in the definition of 'Agency' in the *Public Sector Superannuation Reform Act 2016*.
- The Bill provides that certain employees, who were employees for the purposes of the *Retirement Benefits Act 1993* or the *Public Sector Superannuation Reform Act 1999*, are taken to be employees for the purposes of the *Public Sector Superannuation Reform Act 2016*. This ensures that all of the existing arrangements in respect of these employees continue upon the commencement of the *Public Sector Superannuation Reform Act 2016*.
- The Bill also amends the *Public Sector Superannuation Reform Act 2016* to maintain the current arrangements whereby a person appointed to a statutory office, other than an excluded office, under an Act does not cease to be a member of the contributory scheme if he or she were a member of the contributory scheme immediately before he

or she is appointed to that office.

- An excluded office includes:
  - a person first appointed as Governor after 1 July 1999 in accordance with the *Governor of Tasmania Act 1982*;
  - a person appointed as a judge after 1 July 1999 in accordance with the *Supreme Court Act 1887*;
  - a person appointed as Associate Judge after 1 July 1999 in accordance with the *Supreme Court Act 1959*; and
  - a member of Parliament elected after 1 July 1999 and to whom neither the *Parliamentary Superannuation Act 1973* or the *Parliamentary Retiring Benefits Act 1985* applies.
- The Bill also inserts an additional regulation making power in the *Public Sector Superannuation Reform Act 2016* to allow for further consequential amendments to be made by regulations in order to ensure the consistent application of the Act. This will facilitate amendments being made to legislation that is currently, or scheduled to be, before Parliament prior to the commencement of the Act.