



# **Superannuation (Resolution of Complaints) Regulations 1994**

**Statutory Rules 1994 No. 56 as amended**

made under the

*Superannuation (Resolution of Complaints) Act 1993*

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taking into account amendments up to SR 2001 No. 38

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**1 Name of Regulations** [see Note 1]

These Regulations are the *Superannuation (Resolution of Complaints) Regulations 1994*.

**2 Commencement** [see Note 1]

These regulations commence on the commencement of the *Superannuation (Resolution of Complaints) Act 1993*.

**3 Interpretation**

In these regulations:

*the Act* means the *Superannuation (Resolution of Complaints) Act 1993*.

**4A Exempt public sector superannuation schemes taken to be regulated super funds (Act, s 4A)**

An exempt public sector superannuation scheme specified in Schedule 1 is taken to be a regulated superannuation fund for the purposes of the Act.

**5 Payment of death benefits — period for objections and complaints**

For the purposes of paragraph 14 (3) (b), subparagraph 15 (2) (a) (ii), paragraph 15B (2) (b), subparagraph 15C (2) (a) (ii), paragraph 15F (2) (b), subparagraph 15G (2) (a) (ii), paragraph 15J (2) (b) and subparagraph 15K (2) (a) (ii) of the Act, the prescribed period is 28 days.

**5A Statement of amount or amounts in respect of person's contributed amounts — period to make complaint**

For the purposes of subsection 15CA (2) of the Act, the prescribed period is 12 months.

**6 Complaint-handling bodies**

For the purposes of subsection 22A (1) of the Act, a body specified in Schedule 2 is prescribed.

**7 Method of calculation of interest**

For the purposes of subparagraph 37A (3) (a) (iii), paragraph 37A (4) (c) and subparagraphs 37B (2) (a) (iii), 37D (3) (a) (iv), 37D (5) (a) (iv), 37F (3) (a) (iv) and 37F (5) (a) (iv) of the Act, interest on any:

- (a) money received under a life policy; or
- (b) money received in relation to a life policy fund; or
- (c) money received under an annuity policy; or
- (d) money received under an RSA; or
- (e) money received under a contract of insurance, the premiums for which are paid from an RSA;

that is required by the Tribunal to be repaid is to be worked out in accordance with the formula:

$$p \times [(1 + i)^n - 1];$$

where:

*p* is the amount of money received in a particular calendar month.

*n* is the number of whole calendar months since the end of that calendar month to the date of the repayment; and

*i* is  $0.05 \div 12$ , worked out to 5 decimal places.

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**Schedule 1      Exempt Public Sector  
Superannuation Schemes  
taken to be regulated  
superannuation funds**  
(regulation 4A)

**1.            QUEENSLAND**

- 1.1          Parliamentary Contributory Superannuation Fund
- 1.2          State Public Sector Superannuation Scheme (Q Super)

**2.            WESTERN AUSTRALIA**

- 2.1          Schemes established by or under:
  - (a)    the *Superannuation and Family Benefits Act 1938*
  - (b)    the *Government Employees Superannuation Act 1987*

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## Schedule 2      Complaint-handling bodies

(regulation 6)

Item	Complaint handling body
1	Australian Association of Permanent Building Societies Inc
2	Australian Banking Industry Ombudsman Limited
3	Credit Union Dispute Resolution Centre
4	Financial Industry Complaints Service Limited
5	Insurance Brokers Dispute Facility
6	Insurance Enquiries and Complaints Limited

## Table of Statutory Rules

## Notes to the *Superannuation (Resolution of Complaints) Regulations 1994*

### Note 1

The *Superannuation (Resolution of Complaints) Regulations 1994* (in force under the *Superannuation (Resolution of Complaints) Act 1993*) as shown in this compilation comprise Statutory Rules 1994 No. 56 amended as indicated in the Tables below.

### Table of Statutory Rules

Year and number	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
1994 No. 56	11 Mar 1994	1 July 1994 (a)	
1994 No. 374	1 Nov 1994	1 Nov 1994	—
1995 No. 77	21 Apr 1995	21 Apr 1995	—
1995 No. 318	26 Oct 1995	1 Nov 1995	—
1995 No. 429	22 Dec 1995	22 Dec 1995	—
1996 No. 151	12 July 1996	12 July 1996	—
1996 No. 306	18 Dec 1996	3 Feb 1997	—
1997 No. 9	12 Feb 1997	14 Feb 1997	—
1997 No. 115	21 May 1997	1 June 1997	—
1997 No. 118	29 May 1997	2 June 1997: (see r. 1 and <i>Gazette</i> 1997, S202)	—
1997 No. 307	5 Nov 1997	5 Nov 1997	—
1998 No. 84	5 May 1998	5 May 1998	—
2001 No. 38	1 Mar 2001	1 Mar 2001	—

(a) Regulation 4 of Statutory Rules 1994 No. 56 was disallowed by the Senate on 29 August 1994.

## Table of Statutory Rules

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## Table of Amendments

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision affected	How affected
R. 1 .....	rs. 2001 No. 38
R. 3 .....	am. 1995 No. 318; 1997 No. 118
R. 4 .....	ad. 1994 No. 374 am. 1995 No. 77 rs. 1995 No. 318 rep. 1997 No. 118
R. 4A .....	ad. 1996 No. 306
R. 5 .....	rs. 1995 No. 429 am. 1997 No. 118
R. 5A .....	ad. 1997 No. 307
R. 6 .....	ad. 1995 No. 429 am. 1996 No. 306
R. 7 .....	ad. 1996 No. 151 am. 1997 No. 118
Schedule 1 .....	ad. 1996 No. 306 rs. 1997 No. 9 am. 1997 No. 115; 1998 No. 84
Heading to Schedule .....	rep. 1996 No. 306
Heading to Schedule 2 .....	ad. 1996 No. 306
Schedule .....	ad. 1995 No. 429
Schedule 2 .....	am. 1997 No. 118 rs. 2001 No. 38

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