



Superannuation (PSSAP) Trust Deed

made under section 10 of the

Superannuation Act 2005

Compilation No. 13

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About this compilation

This compilation

This is a compilation of the *Superannuation (PSSAP) Trust Deed* that shows the text of the law as amended and in force on 11 March 2015 (the **compilation date**).

This compilation was prepared on 25 March 2015.

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on ComLaw (www.comlaw.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on ComLaw for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on ComLaw for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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TRUST DEED

THIS DEED, to be known as the Superannuation (PSSAP) Trust Deed, is made on 29 June 2005 by the COMMONWEALTH OF AUSTRALIA.

WHEREAS section 10 of the *Superannuation Act 2005* (in this Deed called the “Act”) provides that before 1 July 2005, the Minister must, for and on behalf of the Commonwealth, by deed:

- (a) establish a superannuation scheme that:
 - (i) is to be known as the Public Sector Superannuation Accumulation Plan;
 - (ii) may also be known as PSSAP; and
 - (iii) is for the benefit of persons who will be members of PSSAP; and
- (b) establish and vest in the Australian Reward Investment Alliance (formerly known as the PSS Board) established under section 20 of the *Superannuation Act 1990* (the “Board”), a fund for the purposes of the PSSAP; and
- (c) set out the functions and powers of CSC in relation to PSSAP and the PSSAP Fund;

AND WHEREAS section 12 of the Act provides that the Rules for the administration of PSSAP set out in the Schedule to the Deed referred to in section 10 of the Act (in this Deed called the Rules):

- (a) may provide that, when a splitting agreement or splitting order is received by CSC in respect of a superannuation interest under the Act;
 - (i) the non-member spouse is entitled to benefits determined in accordance with the Rules; and
 - (ii) the benefits of the member spouse are reduced in accordance with the Rules; and
- (b) may include any other provision that is related to, or consequential on, provisions referred to in paragraph (a) concerning a splitting agreement or splitting order;

NOW THIS DEED WITNESSES AS FOLLOWS:

1 Interpretation

- 1.1 In this Deed, where the context requires or admits, a reference to the Deed shall include a reference to the Rules, as set out in the Schedule, and the Rules shall form part of the Deed. In the case of an inconsistency between the Deed and the Rules, the Deed shall prevail.
- 1.2 In this Deed, where the context requires or admits, words and expressions defined in the Act have the same meanings when used in the Deed. The headings in this Deed are for the convenience of reference only and shall not affect its interpretation.
- 1.4 In this Deed, “Minister” means:
 - (a) the Commonwealth Minister of State for Finance;
 - (b) if 2 or more Commonwealth Ministers administer Departments which have functions in relation to the administration of matters to which the Deed relates, the Minister who administers the Department which has the function in relation to each of those matters; or

- (c) a member of the Executive Council acting for the time being for and on behalf of any of those Ministers; or
- (d) a person, as defined in clause 9, to whom the Minister for Finance has delegated his powers.

1.5 In this Deed, “APS employee” has the same meaning as in the *Public Service Act 1999*.

1.7 In this Deed, “PSSAP member” means a person who is a member of PSSAP due to the operation of Part 3 of the Act.

Subclauses 1.3, 1.6 and 1.8 deleted in the 5th amending deed.

2 Establishment of the Public Sector Superannuation Accumulation Plan (PSSAP) and the PSSAP Fund

2.1 There is hereby established from 1 July 2005 a superannuation scheme (to be known as the “Public Sector Superannuation Accumulation Plan” or “PSSAP”) for the benefit of members of PSSAP and non-member spouses entitled to benefits, to be administered in accordance with the Deed:

- (a) in relation to the period from 1 July 2005 to immediately before the commencement of the *Governance of Australian Government Superannuation Schemes Act 2011*, by the Australian Reward Investment Alliance (which, in this Deed, is called “the Board”); and
- (b) in relation to the period immediately following the commencement of the *Governance of Australian Government Superannuation Schemes Act 2011*, by the Commonwealth Superannuation Corporation (CSC) as defined in the *Governance of Australian Government Superannuation Schemes Act 2011* (in this Deed called “CSC”).

2.2 There is hereby established from 1 July 2005, and vested in CSC (formerly referred to as “the Board”), a fund for the purposes of PSSAP (to be known as the PSSAP Fund”).

3 Functions and Powers of CSC in relation to PSSAP

3.1 The functions of CSC in relation to PSSAP and the PSSAP Fund are to administer PSSAP and to manage and invest the PSSAP Fund in accordance with the provisions of the Act and this Deed including, without limiting the generality of the foregoing, the following functions:

- (a) to receive payments from designated employers as provided for in the Act and other superannuation entities in accordance with this Deed;
- (b) to pay benefits to the persons entitled to receive benefits from PSSAP in accordance with the Act and this Deed;
- (c) to provide information about benefits or potential benefits, and available options, to:
 - (i) PSSAP members;
 - (ii) non-member spouses; and
 - (iii) potential PSSAP members;
- (d) to provide advice to the Minister on proposed changes to the Act and the Deed; and
- (e) to determine interest rates for the purposes of PSSAP.

- 3.2 CSC has power in Australia and elsewhere to do all things necessary or convenient to be done for, or in connection with, the performance of its functions and, in particular, may:
- (a) give guarantees;
 - (b) underwrite or sub-underwrite any form of investment including the underwriting or sub-underwriting of the issue of shares, debentures or units in a unit trust;
 - (c) borrow moneys and give security over the whole or any part of the assets of the PSSAP Fund;
 - (d) appoint agents and attorneys;
 - (e) act as agent for other persons;
 - (f) engage consultants and investment managers;
 - (g) engage a panel of persons to assist it in determining whether a person is to be retired on the grounds of invalidity;
 - (h) establish a Reconsideration Advisory Committee or Committees to examine and report on decisions of CSC and its delegates under the Rules relating to entitlements to benefits of PSSAP members and non-member spouses entitled to benefits;
 - (i) effect policies with insurers in CSC's name to provide death and invalidity cover and income protection cover for members in accordance with the Rules;
 - (j) take action to control or manage, or to enhance or protect, the value of, any investment made out of the PSSAP Fund, or to enhance or protect, the return on any such investment;
 - (k) arrange for the purchase of income products, including retirement income products, by members, non-members and beneficiaries as provided for in the Rules;
 - (l) establish a trust for the purpose of investing the PSSAP Fund and manage and administer the trust; and
 - (m) charge reasonable fees in relation to the administration of the PSSAP Fund, including arrangements connected with PSSAP members and non-member spouses choosing particular investment strategies and arrangements connected with splitting of superannuation interests under the *Family Law Act 1975*.
- 3.3 In exercising its functions and powers, CSC shall comply with the requirements of the *Superannuation Industry (Supervision) Act 1993* and Regulations made under that Act, and have regard to the interests of PSSAP members, their employers and non-member spouses entitled to benefits.
- 3.4 CSC must cause proper records to be kept in respect of:
- (a) contributions paid into the PSSAP Fund; and
 - (b) benefits paid under the Act and this Deed.

Notes:

1. Under section 52 of the *Superannuation Industry (Supervision) Act 1993*, this Deed is taken to contain the covenants set out in that section.

5 Operation of the PSSAP Fund

- 5.1 All contributions and other moneys paid to CSC for the purposes of PSSAP, or as directed by CSC, shall be held in trust by CSC in the PSSAP Fund. The PSSAP Fund shall be managed and invested by CSC in accordance with the Act and the Deed.
- 5.2 The PSSAP Fund shall comprise:
- (a) contributions made by members;
 - (b) contributions made by employers pursuant to the Act and the Deed;
 - (c) any other moneys paid or transferred to CSC pursuant to the Act and the Deed or which become subject to the trusts of the Deed;
 - (d) the income arising or derived from investments held within the PSSAP Fund; and
 - (e) any accretions to or profits on realisation of investments held within the PSSAP Fund.
- 5.3 CSC must pay benefits to or in re of PSSAP members and the costs, taxes and expenses relating to PSSAP and the PSSAP Fund from the PSSAP Fund in accordance with section 34 of the Act.

Subclauses 5.4 and 5.5 deleted in the 5th amending deed.

6 Investment of the PSSAP Fund

- 6.1 For the purposes of this clause:
- (a) “invest” means expend moneys with a view to obtaining a present or future financial return (whether by way of income, profit or otherwise); and
 - (b) “profit” includes capital profit.
- 6.2 Moneys standing to the credit of the PSSAP Fund which are, in the opinion of CSC, moneys that are not for the time being required for the purpose of making payments out of the PSSAP Fund under the Act and the Deed shall, so far as is practicable, be invested by CSC in accordance with the Act and the Deed, but CSC shall so manage the PSSAP Fund that moneys that are from time to time required to pay benefits that are payable out of the PSSAP Fund are available for that purpose.
- 6.3 Moneys that, by virtue of subclause 6.2, are required to be invested by CSC may be invested in any manner and, without limiting the generality of the foregoing, may be invested by CSC jointly with another person or other persons.
- 6.4 CSC must determine an investment strategy and policy of the PSSAP Fund as soon as possible after 1 July 2005 and thereafter regularly review such a strategy and policy, and, where it considers it necessary or desirable, change its existing investment strategy or policy. In determining and reviewing its investment strategy and policy, CSC shall consult with such persons or bodies as it thinks fit.
- 6.5 CSC shall invest moneys standing to the credit of the PSSAP Fund that are available for investment only through an investment manager or managers who undertake to invest, and manage the investment of those funds on behalf of CSC.
- 6.6 CSC shall ensure that any investment manager engaged by CSC in relation to the PSSAP Fund:

- (a) operates within the investment powers of CSC and the investment strategy and policy as determined for the time being by CSC; and
- (b) reports to CSC on the state of CSC's investments and the investment market at such times and in such manner as CSC determines.

7 Requests by Minister for Information

- 7.1 CSC shall furnish to the Minister such information relating to the general administration and operation of PSSAP and the PSSAP Fund as the Minister may from time to time require.

8 Delegation by CSC

- 8.1 Subject to subclause 8.2, CSC may by an instrument under its seal delegate to:
- (a) a member of CSC; or
 - (b) the CEO of ComSuper; or
 - (c) a member of staff of ComSuper assisting the CEO in the performance of the CEO's function; or
 - (d) an APS employee in the Department referred to in subclause 1.4; or
 - (e) an officer or employee of the person who is responsible for investing money forming part of a superannuation fund vested in or managed by CSC; or
 - (f) any other person who performs duties in connection with the operation of the Deed; or
 - (g) a committee consisting of 2 or more persons each of whom is a person referred to in any of the above paragraphs; or
 - (h) any other person;
- all or any of its powers under the Deed other than its power to reconsider its own decisions or decisions made by its delegates.
- 8.2 CSC may by an instrument under its seal delegate to a Reconsideration Advisory Committee established under the Rules CSC's power to reconsider its own decision or a decision made by its delegate in relation to PSSAP or the PSSAP Fund and to determine the matter by:
- (a) affirming the decision under reconsideration; or
 - (b) varying the decision; or
 - (c) substituting another decision; or
 - (d) setting the decision aside;
- and, at its discretion, refunding any fee paid.
- 8.3 If CSC delegates a power under subclause 8.1, other than paragraph (h), the delegate may, by writing, sub-delegate the power:
- (a) if the delegate is a member of CSC — to:
 - (i) another member of CSC; or
 - (ii) a person referred to in paragraph 8.1(b), (c), (d), (e) or (f); or

- (b) if the delegate is the CEO of ComSuper — to a person referred to in paragraph 8.1(c), (d), (e) or (f); or
 - (c) if the delegate is a person referred to in paragraph 8.1(c), (d), (e) or (f) — to:
 - (i) another person referred to in the same paragraph; or
 - (ii) a person referred to in another of those paragraphs.
- 8.4 Section 34AA and paragraphs 34AB(a), (b) and (d) of the *Acts Interpretation Act 1901* apply in relation to a sub-delegation in a corresponding way to the way in which they apply to a delegation.
- 8.5 Section 34A and paragraphs 34AB(c) and (d) of the *Acts Interpretation Act 1901* apply in relation to a sub-delegation as if it were a delegation.

9 Delegations by the Minister for Finance

- 9.1 The Minister may by signed instrument delegate all or any of his or her powers under the Deed, other than this power of delegation, to:
- (a) CSC; or
 - (b) an APS employee in the Department referred to in subclause 1.4; or
 - (c) the CEO of ComSuper or a member of staff of ComSuper assisting the CEO in the performance of the CEO's function.

THE SCHEDULE

RULES FOR THE ADMINISTRATION OF THE PUBLIC SECTOR SUPERANNUATION ACCUMULATION PLAN (PSSAP) (THE RULES)

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PART 1 — INTRODUCTION

Division 1

Understanding the Rules

Structure of the Rules

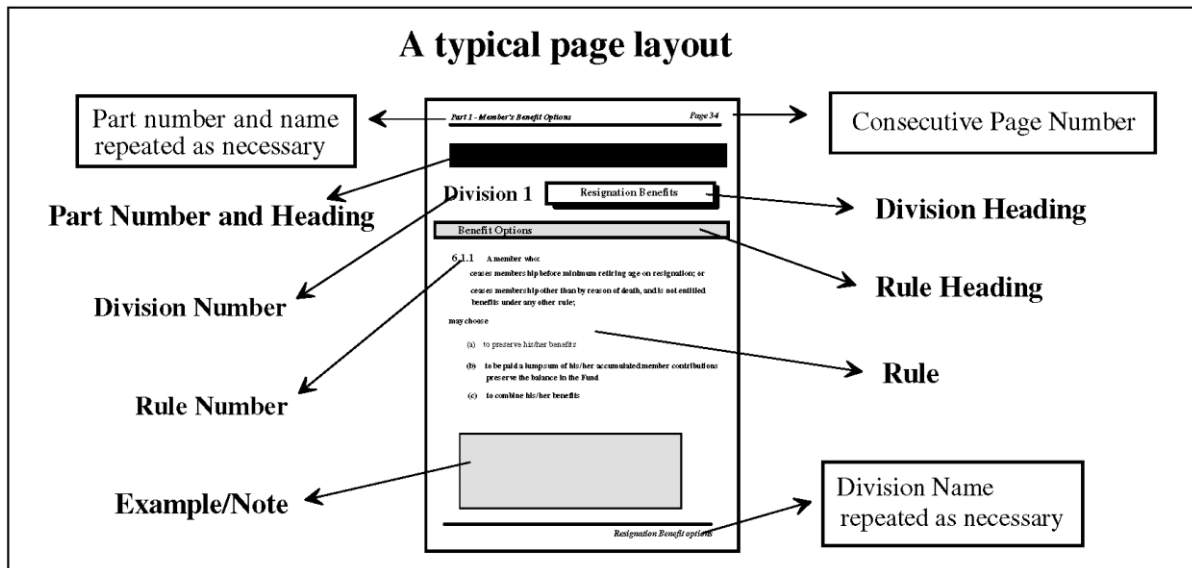
1.1.1 These Rules are divided into 7 Parts, each dealing with a major aspect of the operation of PSSAP. The Parts and a general guide to each Part are set out below.

Guide to the 7 Parts of the Rules		
Part	Title	Deals With
1	Introduction	The structure of the Rules and defines special terms and phrases, and some concepts, used in the Rules.
2	Membership and contributions	How you become a member of PSSAP. Also covers the payment to CSC of contributions and transfer amounts in respect of an ordinary employer-sponsored member of PSSAP by designated employers and by or on behalf of employees and the transfer of amounts to the plan from other superannuation entities.
3	Benefits and payments	Payment of benefits, roll-over of amounts from PSSAP, invalidity benefits, income protection benefits, transition to retirement products and retirement income products.
4	Insurance	Provision of death and invalidity cover and income protection cover.
5	Other matters	Personal accumulation accounts, investment earnings and losses, superannuation surcharge and member investment choice.
6	Review of decisions	The internal review mechanisms available to have a decision of CSC or its delegate reconsidered in relation to PSSAP.
7	Family Law Superannuation Splitting	Splitting of superannuation between a member spouse and a non-member spouse following a splitting agreement or splitting order under the <i>Family Law Act 1975</i> .

1.1.2 Each Part is further divided into Divisions addressing unique groupings within the Part and each Division is made up of Rules containing specific provisions. Rules do not necessarily have their own Rule headings.

1.1.3 The Rules have been numbered so that the first number refers to the Part, the second number refers to the Division number within that Part and the third to the Rule number within that Division. For example, Rule 2.3.1 is the first Rule in Division 3 of Part 2 of the Rules.

1.1.4 There are several notes within the Rules to help readers understand the more complicated superannuation concepts or to inform them of the need to refer to another area of the Rules. However, these aids (including Part, Division and Rule headings) do not form part of the Rules.



Division 2

Words and phrases used in the Rules

Explanations of certain words and phrases

1.2.1 Because some words and phrases have a special meaning when used in the Rules they have been explained below or in the Trust Deed. They appear throughout the Rules in **bold print** to remind the reader that they have a special meaning.

account-based pension	has the same meaning as in the SIS Regulations .
accumulation amount	in relation to a PSSAP member means the amount specified in Rule 5.1.4.
additional employer contributions	means, in respect of an ordinary-employer-sponsored member , contributions made by the designated employer of that member under Rule 2.2.4, and, in respect of a current government scheme member , salary sacrifice contributions made by the designated employer of that member under Rule 2.2.4A.
APS Agency	means an Agency within the meaning of the <i>Public Service Act 1999</i> .
assessment	has the same meaning as in the <i>Superannuation Contributions Tax (Assessment and Collection) Act 1997</i> .
Australian government superannuation scheme member	has the same meaning as in the Act .
AWA	means an “AWA” within the meaning of clause 1 of Schedule 7A to the <i>Workplace Relations Act 1996</i> , as continued in existence as a transitional instrument under the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> .
basic employer contributions	means, in respect of an ordinary employer-sponsored member , contributions paid by the designated employer of that member under Rule 2.2.1.
benefit application	means a written application to CSC requesting CSC to pay a benefit under these Rules.
binding member nomination	means a notice in such form and manner as CSC specifies from time to time that meets the requirements of the SIS Act , given by a PSSAP member to CSC requiring CSC to pay some or all of a PSSAP member ’s benefit on or after their death to the person or persons mentioned in the notice.

cash	has the same meaning as in the SIS Act .
compensation leave	means any period during which a person is absent full-time from his/her employment due to an incapacity for work resulting from an injury in respect of which compensation is payable under section 19 or 22 of the <i>Safety, Rehabilitation and Compensation Act 1988</i> or any period in respect of which persons not covered by that Act are receiving similar compensation payments.
CSC	(short for Commonwealth Superannuation Corporation) has the same meaning as in the <i>Governance of Australian Government Superannuation Schemes Act 2011</i> .
CSS	means the superannuation scheme established by the <i>Superannuation Act 1976</i> , known as the Commonwealth Superannuation Scheme.
current government scheme member	means a person who has a PSSAP membership because they were, and continue to be, an Australian government superannuation scheme member .
death and invalidity cover	means insurance coverage provided or offered to PSSAP members and non-member spouses under Division 1 of Part 4 of the Rules.

Note: Where a **current government scheme member**, who is employed by two or more **designated employers**, ceases to be the employee of one or more, but not all, of those **designated employers**, the person does not cease to be a **current government scheme member**. Also, where a person is a **current government scheme member** with one **designated employer** and, upon ceasing to be the employee of that **designated employer**, immediately becomes the employee of another **designated employer**, the person does not cease to be a **current government scheme member**. See Rule 2.1.5.

decision	<p>for the purposes of reconsidering decisions of CSC under Part 6 of the Rules, includes:</p> <ul style="list-style-type: none"> (a) making, suspending, revoking or refusing to make an order or determination; (b) giving, suspending, revoking or refusing to give a certificate, direction, approval, consent or permission; (c) issuing, suspending, revoking or refusing to issue an authority or other instrument; (d) imposing a condition or restriction; (e) making a declaration, demand or requirement; (f) retaining, or refusing to deliver up, an article; and (g) doing or refusing to do any other act or thing; <p>under the Rules.</p>
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dependant	has the same meaning as in the SIS Act .
designated employer	in relation to an ordinary employer-sponsored member , or a current government scheme member , is the designated employer of that member determined in accordance with section 19 of the Act .
directed termination payment	has the same meaning as in the <i>Income Tax (Transitional Provisions) Act 1997</i> .
director	has the same meaning as in the <i>Governance of Australian Government Superannuation Schemes Act 2011</i> .
eligible roll-over fund	has the same meaning as in the SIS Act .
eligible spouse contributions	has the same meaning as in the SIS Act .
employee contributions	means contributions paid by a PSSAP member under Rules 2.3.1, 2.3A.1 or 2.3B.1.
employer contribution shortfall	means the amount, if any, reported under Rule 2.2.10.
enterprise agreement	means a “enterprise agreement” within the meaning of section 12 of the <i>Fair Work Act 2009</i> .
former Australian government superannuation scheme member	has the same meaning as in the Act .
former government scheme member	means a person who has a PSSAP membership because they were, and continue to be, a former Australian government superannuation scheme member .
general insurance company	has the same meaning as in the <i>Income Tax Assessment Act 1997</i> .
government scheme member	means a person who has a PSSAP membership because they are or were an Australian government superannuation scheme member or former Australian government superannuation scheme member .
income protection benefits	means benefits payable under Division 4 of Part 3.
income protection cover	means insurance cover provided in respect of PSSAP members or non-member spouses under Division 3 of Part 4 of the Rules.
insurance company	means either a life insurance company or general insurance company .

insurance premium	means any amounts payable in respect of a PSSAP member or a non-member spouse for insurance coverage under Part 4 of the Rules.
invalidity retirement	means the termination of the employment of an ordinary employer-sponsored member on the ground that they are unable to perform their duties because of any mental or physical condition.
legal personal representative	has the same meaning as in the SIS Act .
life insurance company	has the same meaning as in the <i>Income Tax Assessment Act 1997</i> .
maternity or parental leave	in relation to an ordinary employer-sponsored member means leave of absence taken: <ul style="list-style-type: none"> (a) in relation to the birth of a child of the person; or (b) because the person's pregnancy ended for reasons other than birth; or (c) in relation to the adoption of a child by the person.
member-financed benefits	has the same meaning as in the SIS Act .
member spouse	in relation to a superannuation interest in the PSSAP Fund , means the spouse who has the superannuation interest.
MySuper product	has the same meaning as in the SIS Act .
non-commutable allocated annuity	has the same meaning as in the SIS Act .
non-commutable allocated pension	has the same meaning as in the SIS Act .
non-commutable annuity	has the same meaning as in the SIS Act .
non-commutable income stream	has the same meaning as in the SIS Act .
non-commutable pension	has the same meaning as in the SIS Act .
non-member spouse	in relation to a superannuation interest in the PSSAP Fund , means the spouse who is not the member spouse in relation to that interest.
non-member spouse interest	means an interest created in the PSSAP Fund for the non-member spouse under Part 7 of the Rules.
non-member spouse interest account	means an account created by CSC in respect of a non-member spouse interest under Rule 7.2.1.

ordinary employer-sponsored member

means a person who is an **ordinary employer-sponsored member** of PSSAP in accordance with Part 4 of the Act.

Note: Where an **ordinary employer-sponsored member**, who is employed by two or more **designated employers**, ceases to be the employee of one or more, but not all, of those **designated employers**, the person does not cease to be an **ordinary employer-sponsored member**. Also, where a person is an **ordinary employer-sponsored member** with one **designated employer** and, upon ceasing to be the employee of that **designated employer**, immediately becomes the employee of another **designated employer**, the person does not cease to be an **ordinary employer-sponsored member**. See Rule 2.1.2.

ordinary time earnings

has the same meaning as in the *Superannuation Guarantee (Administration) Act 1992*.

other approved employment

means:

- (a) employment with an organisation or association registered or recognised under the *Fair Work (Registered Organisations) Act 2009*, the membership of which includes people who are members of the CSS or the PSS or the PSSAP or a body consisting of such organisations;
- (b) if the person is employed in an **APS Agency** — employment that is approved by the Agency Head (within the meaning of the *Public Service Act 1999*) of the Agency on the basis that the engagement of the person in the other employment is in the interests of the Australian Public Service; or
- (c) if the person is not employed in an **APS Agency** — employment that is approved by the person's **designated employer** on the basis that the engagement of the person in the other employment is in the interests of the **designated employer**;

provided the temporary employer agrees to reimburse the **designated employer** for the cost of making **basic employer contributions**.

pay advice document

means a pay-slip or other document advising an employee about the amount of salary or wages paid for a period of time and includes a document in electronic form.

pay day	<p>means the day on which a regular salary payment is made by a designated employer to an ordinary employer-sponsored member and, in the case of an ordinary employer-sponsored member who:</p> <ul style="list-style-type: none"> (a) is referred to in Rule 2.2.2(b); and (b) does not receive a salary payment from a designated employer due to a period of: <ul style="list-style-type: none"> (i) unpaid leave of 12 weeks or less; or (ii) maternity or parental leave; or (iii) sick leave without pay; or (iv) a period of compensation leave; or (v) a period of leave of absence for the purposes of engaging in other approved employment, <p>also means the day that the ordinary employer-sponsored member would otherwise have received a salary payment from the designated employer.</p>
pension account	means an account established by CSC under Rule 3.6.4.
permanent incapacity	has the same meaning as in the SIS Act .
personal accumulation account	means the account kept by CSC for each PSSAP member under Division 1 of Part 5 of the Rules.
pre-reform AWA	means a “pre-reform AWA” within the meaning of clause 1 of Schedule 7 to the <i>Workplace Relations Act 1996</i> , as continued in existence as a transitional instrument under the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> .
pre-reform certified agreement	means a “a pre-reform certified agreement” within the meaning of clause 1 of Schedule 7 to the <i>Workplace Relations Act 1996</i> , as continued in existence as a transitional instrument under the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> .
preservation age	has the same meaning as in the SIS Act .
PSS member	means a person who is a member of the PSS due to the operation of Part 3 of the 1990 Act.
PSS	means the superannuation scheme established by the Trust Deed, as amended from time to time, referred to in section 4 of the 1990 Act.
PSSAP pensioner	means a person who has a pension account or accounts, other than a reversionary beneficiary .

quarter	has the same meaning as in the <i>Superannuation Guarantee (Administration) Act 1992</i> .
release authority	means: <ul style="list-style-type: none">(a) a release authority received from a PSSAP member or the Commissioner of Taxation under section 292-410 of the <i>Income Tax Assessment Act 1997</i>; or(b) a transitional release authority received from a PSSAP member under section 292-80B of the <i>Income Tax (Transitional Provisions) Act 1997</i>; or(c) a release authority issued by the Commissioner of Taxation under item 1 or 2 of the table in subsection 135-10(1) in Schedule 1 to the <i>Taxation Administration Act 1953</i> and received from a PSSAP member or the Commissioner of Taxation under Subdivision 135-B of that Schedule.
remuneration determination	means: <ul style="list-style-type: none">(a) any determination made under the <i>Remuneration Tribunal Act 1973</i>; or(b) any determination made under another Act or a law of a Territory in respect of remuneration for a person holding a statutory office or appointed under an Act or law of a Territory, not being a determination of remuneration made under section 24 of the <i>Public Service Act 1999</i> or section 24 of the <i>Parliamentary Service Act 1999</i>; or(c) an assignment to an amount of remuneration under subsection 14(3) of the <i>Remuneration Tribunal Act 1973</i> for a Secretary of a Department appointed under the <i>Public Service Act 1999</i>.
reversionary beneficiary	means a person who is receiving an account-based pension because of the death of a PSSAP pensioner .
roll-over	has the same meaning as in the SIS Act .
roll-over application	means a written application to CSC requesting CSC to roll-over or transfer benefits from the PSSAP to a superannuation entity , an RSA or a life insurance company .
roll-over superannuation benefit	has the same meaning as the <i>Income Tax Assessment Act 1997</i> .
RSA	has the same meaning as in the SIS Act .

shortfall component	means the shortfall component within the meaning of section 64A or 64B of the <i>Superannuation Guarantee (Administration) Act 1992</i> .
SIS Act	means the <i>Superannuation Industry (Supervision) Act 1993</i> and the regulations in force under that Act.
SIS Regulations	means the <i>Superannuation Industry (Supervision) Regulations 1994</i> .
standard risk	in relation to an ordinary employer-sponsored member being assessed by a life office for the provision of supplementary death and invalidity cover or income protection cover under Part 4 of the Rules, means an ordinary employer-sponsored member who does not: <ul style="list-style-type: none"> (a) suffer from any physical or mental incapacity or condition; or (b) engage in any hazardous occupation or pursuit.
superannuation entity	has the same meaning as in the SIS Act .
superannuation salary	has the meaning given in Rule 2.2.2.
surcharge	has the same meaning as in the <i>Superannuation Contributions Tax (Assessment and Collection) Act 1997</i> .
surchargeable contributions	has the same meaning as in the <i>Superannuation Contributions Tax (Assessment and Collection) Act 1997</i> .
temporary incapacity	has the same meaning as in the SIS Act .
total benefit	in relation to a PSSAP member , means the balance of the member's personal accumulation account at the end of the day before the benefit is paid.
transfer	has the same meaning as in the SIS Act .
transfer amount	means an amount transferred or rolled-over in respect of: <ul style="list-style-type: none"> (a) an ordinary employer-sponsored member to CSC under Rule 2.4.1; or (b) a PSSAP member to CSC under Rule 2.4.1A or Rule 2.4.1D; or (c) a current government scheme member to CSC under Rule 2.4.1B; or (d) a former government scheme member to CSC under Rule 2.4.1C; less income tax payable by the PSSAP Fund in relation to that amount.

transitional member	means an ordinary employer-sponsored member who has attained their preservation age .
transition to retirement income stream	has the same meaning as in the SIS Act .
workplace agreement	means a “workplace agreement” within the meaning of section 4 of the <i>Workplace Relations Act 1996</i> , as continued in existence as a transitional instrument under the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> .
workplace determination	means a “workplace determination” within the meaning of section 12 of the <i>Fair Work Act 2009</i> .

PART 2 — MEMBERSHIP AND CONTRIBUTIONS

Division 1

Membership

Becoming a PSSAP member

Note: A person becomes a **PSSAP member** under Part 3 of the Act, which also specifies the duration of the person's PSSAP membership. As well as specifying when a person is eligible to become a member of PSSAP, that Part empowers the Minister to either declare that a particular person is eligible to become a **PSSAP member** or is not eligible to become a **PSSAP member**.

A **designated employer** is required to pay contributions only in respect of:

- **ordinary employer-sponsored members**; and
- **current government scheme members** (salary sacrifice contributions only).

Part 4 of the Act sets out the situations in which a **PSSAP member** is an **ordinary employer-sponsored member** of PSSAP.

Concurrent memberships – ordinary employer-sponsored member

2.1.1 A person may be an **ordinary employer-sponsored member** in respect of two or more concurrent employments.

2.1.2 Where an **ordinary employer-sponsored member**, who is employed by two or more **designated employers** at the same time, ceases to be an employee of one or more but not all of those **designated employers**, the person will not cease to be an **ordinary employer-sponsored member**. Also, where an **ordinary employer-sponsored member** ceases to be employed by one **designated employer** but immediately afterwards becomes an employee of another **designated employer**, the person does not cease to be an **ordinary employer-sponsored member**.

2.1.3 Where a person is an **ordinary employer-sponsored member** in respect of two or more concurrent employments, **CSC** may maintain one **personal accumulation account** for the member.

Note: **CSC** must keep a **personal accumulation account** (and/or **pension account**) for each **PSSAP member**. (See Rule 5.1.1.)

Concurrent memberships – current government scheme member

2.1.4 A person may be a **current government scheme member** in respect of two or more concurrent employments.

2.1.5 Where a **current government scheme member**, who is employed by two or more **designated employers** at the same time, ceases to be an employee of one or more but not all of those **designated employers**, the person will not cease to be a **current government scheme member**. Also, where a **current government scheme member** ceases to be employed by one

designated employer but immediately afterwards becomes an employee of another **designated employer**, the person does not cease to be a **current government scheme member**.

2.1.6 Where a person is a **current government scheme member** in respect of two or more concurrent employments, **CSC** may maintain one **personal accumulation account** for the member.

Note: **CSC** must keep a **personal accumulation account** (and/or **pension account**) for each **PSSAP member**. (See Rule 5.1.1.)

Concurrent memberships – ordinary employer-sponsored and government scheme member

2.1.7 A person may have concurrent **PSSAP** memberships as an **ordinary employer-sponsored member** and as a **government scheme member**.

2.1.8 Where a person is concurrently an **ordinary employer-sponsored member** and a **government scheme member**, **CSC** may maintain one **personal accumulation account** for the member.

Note: **CSC** must keep a **personal accumulation account** (and/or **pension account**) for each **PSSAP member**. (See Rule 5.1.1.)

Division 1A**MySuper product****MySuper product**

Note: A MySuper product is defined in Rule 1.2.1 as having the same meaning as in the SIS Act.

MySuper product – general characteristics**2.1A.1 CSC must ensure that:**

- (a) amounts held as a **MySuper product**, in respect of **PSSAP members** and **non-member spouses**, are invested in accordance with a single diversified investment strategy; and
- (b) all **PSSAP members** and **non-member spouses** who hold a **MySuper product** are entitled access to the same options, benefits and facilities in relation to their **MySuper product**; and
- (c) amounts credited to the **personal accumulation account** or **non-member spouse interest account** in respect of a **MySuper product** under Division 2 of Part 5, or Division 3 of Part 7 of the Rules must not stream gains or losses to only some of those members, except to the extent permitted under Rule 2.1A.2; and
- (d) the process used to credit and debit amounts to a **personal accumulation account** or a **non-member spouse interest account** in respect of a **MySuper product** must be the same for each member; and
- (e) **SIS Act** requirements for the provision of a **MySuper product** are complied with in relation to persons holding a **MySuper product** or in relation to amounts held as a **MySuper product**.

2.1A.2 CSC may, for the purposes of Rule 2.1A.1, choose to adopt a single diversified investment strategy that allows gains and losses from different classes of assets of the **PSSAP Fund** to be streamed to different subclasses of the members of the fund who hold a **MySuper product**, in respect of their **MySuper product**, on the basis of the age of those members or some other basis which is permitted as a lifecycle exception within the meaning of the **SIS Act**.

MySuper product – fees

2.1A.3 CSC must ensure that any fees deducted from a **personal accumulation account** or a **non-member spouse interest account** in respect of a **MySuper product** comply with requirements under the **SIS Act** for the provision of a **MySuper product**.

MySuper product – insurance

2.1A.4 If required by the **SIS Act**, CSC must provide **death and invalidity cover**, in accordance with Division 1 of Part 4, to all **PSSAP members** and **non-member spouses** who hold a **MySuper product**, in respect of their **MySuper product**.

2.1A.5 CSC must ensure that the **death and invalidity cover** provided in respect of a **MySuper product** under Division 1 of Part 4 of the Rules complies with requirements under the **SIS Act** for the provision of a **MySuper product**.

Division 2

Contributions by employers

Basic contributions by designated employers

2.2.1 Each **pay day** the **designated employer** of an **ordinary employer-sponsored member** must pay as contributions to **CSC** an amount equal to 15.4% of the **superannuation salary** of the member on that day. However, **CSC** must reject any contributions paid under this Rule if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by **CSC** may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund.

Superannuation salary

2.2.2 The **superannuation salary** of an **ordinary employer-sponsored member** is:

- (a) where the circumstances referred to in Rule 2.2.3 apply — the **ordinary time earnings** of the person; and
- (b) in all other cases the amount that would have been the person's "fortnightly contribution salary" if they were a **PSS member**.

2.2.3 The **superannuation salary** of an **ordinary employer-sponsored member** will be the person's **ordinary time earnings** if this is specified in:

- (a) a **workplace agreement** that applies to the **ordinary employer-sponsored member**;
- (b) a **pre-reform certified agreement** that applies to the **ordinary employer sponsored member**;
- (c) a **pre-reform AWA** that applies to the **ordinary employer-sponsored member**;
- (d) an **AWA** that applies to the **ordinary employer-sponsored member**;
- (e) a **remuneration determination** that applies to the **ordinary employer-sponsored member**; or
- (f) an **enterprise agreement** that applies to the **ordinary employer-sponsored member**; or
- (g) a **workplace determination** that applies to the **ordinary employer-sponsored member**; or
- (h) an agreement in writing between the **ordinary employer-sponsored member** and their **designated employer** in the case of an **ordinary employer-sponsored member** not covered by a **workplace agreement**, a **pre-reform certified agreement**, a **pre-reform AWA**, an **AWA**, a **remuneration determination**, an **enterprise agreement**, or a **workplace determination**.

Additional employer contributions

2.2.4 In addition to the amounts required to be paid by the **designated employer** under Rule 2.2.1, the **designated employer** of an **ordinary employer-sponsored member** may pay additional contributions to **CSC** in respect of that member, where the method of payment complies with any **CSC** determination under Rule 2.2.5. However, **CSC** must reject any contributions paid under this Rule if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by **CSC** may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund.

Note: This Rule allows employers to make contributions for or on behalf of an employee in addition to any amounts the employer is required to pay as **basic employer contributions**. Circumstances where an employer may make additional contributions include, but are not limited to:

- as a result of salary sacrifice arrangements with an employee;
- to avoid an **employer contribution shortfall**;
- to provide additional superannuation cover as specified in an Australian workplace agreement or a certified agreement;
- to provide additional superannuation cover as specified in an enterprise agreement or a workplace determination;
- to provide superannuation contributions in circumstances where contributions would otherwise not be required to be paid. These circumstances differ depending upon whether the **ordinary employer-sponsored member** has their **superannuation salary** based on **ordinary time earnings** or on fortnightly contribution salary. See Rule 2.2.2.

Additional employer contributions – salary sacrifice contributions for current government scheme members

2.2.4A Subject to Rule 2.2.4B, the **designated employer** of a **current government scheme member** may pay salary sacrifice contributions to **CSC** in respect of that member:

- (a) where the **current government scheme member** has elected a particular investment strategy; and
- (b) where **CSC** has accepted the election made by the **current government scheme member** to choose a particular investment strategy; and
- (c) where the method of payment complies with any **CSC** determination under Rule 2.2.5.

Note: This rule allows employers to make contributions as a result of salary sacrifice arrangements with an employee. Salary sacrifice contributions are the only contributions the employer of a **current government scheme member** can make to the **PSSAP Fund**.

CSC must only accept salary sacrifice contributions under this Rule if the person they are in respect to was an **Australian government superannuation scheme member** at the time the contributions were made. These contributions are considered to be “**additional employer contributions**” for the purpose of the Rules.

2.2.4B **CSC** must reject any contributions paid under Rule 2.2.4A if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by **CSC** may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund.

Method of payment of employer contributions

2.2.5 **CSC** may from time to time determine the way in which **basic employer contributions** and **additional employer contributions** must be paid to **CSC**.

2.2.6 The **designated employer** of an **ordinary employer-sponsored member** must pay **basic employer contributions** and any **additional employer contributions** in accordance with any determination of **CSC** under Rule 2.2.5.

2.2.6A The **designated employer** of a **current government scheme member** must pay any **additional employer contributions** in accordance with any determination of **CSC** under Rule 2.2.5.

Payments to be paid into the PSSAP Fund

2.2.7 CSC must pay any **basic employer contributions** and any **additional employer contributions** into the **PSSAP Fund**.

Reporting of employer contributions

2.2.8 Each **designated employer**, in respect of an **ordinary employer-sponsored member** to whom Rule 2.2.2(a) applies, must inform the member in writing, at least quarterly, of the amount of **basic employer contributions** and **additional employer contributions** paid to the **PSSAP Fund**.

2.2.9 Within one month of the end of each **quarter**, each **designated employer** must, in respect of an **ordinary employer-sponsored member** to whom Rule 2.2.2(b) applies or has applied at any time during the **quarter**, inform the member and **CSC** in writing of the total amount of **basic employer contributions** and **additional employer contributions** paid to the **PSSAP Fund** in the **quarter** expressed:

- (a) in **dollars** and cents; and
- (b) as a percentage of the **ordinary time earnings** of the **ordinary employer-sponsored member** for the **quarter**.

2.2.10 If the percentage reported under Rule 2.2.9(b) is less than the relevant charge percentage for the quarter, as specified in the table at subsection 19(2) of the *Superannuation Guarantee (Administration) Act 1992*, the **designated employer** is required to notify in writing the **ordinary employer-sponsored member** and **CSC** of an **employer contribution shortfall**. The amount of the **employer contribution shortfall** to be notified is the amount, expressed in dollars and cents, by which the reported amount falls short of the relevant charge percentage multiplied by the **ordinary time earnings** of the **ordinary employer-sponsored member**.

2.2.11 For the purposes of Rules 2.2.8 and 2.2.9 an **ordinary employer-sponsored member** is taken to have been informed in writing if the information is included in a **pay advice document** issued to the member.

Division 3

Contributions by ordinary employer-sponsored members

When employee contributions can be made

2.3.1 An **ordinary employer-sponsored member** may pay **employee contributions** to **CSC** at any time and in any amount:

- (a) **except** that **CSC** must reject any contributions paid under this Rule if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by **CSC** may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund; and
- (b) **where** the method of payment complies with any **CSC** determination under Rule 2.3.5.

2.3.2 An **ordinary employer-sponsored member** is not required to make **employee contributions**.

2.3.3 Except as set out in Divisions 3A and 3B of Part 2, a **PSSAP member** who is not an **ordinary employer-sponsored member** may not make **employee contributions** to the **PSSAP Fund**.

Eligible spouse contributions

2.3.4 **Eligible spouse contributions** may be made on behalf of an **ordinary employer-sponsored member** at any time and in any amount:

- (a) **except** that **CSC** must reject any contributions paid under this Rule if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by **CSC** may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund; and
- (b) **where** the method of payment complies with any **CSC** determination under Rule 2.3.5.

Method of payment of employee contributions and eligible spouse contributions

2.3.5 **CSC** may determine the way in which **employee contributions** and **eligible spouse contributions** received in accordance with this Division must be paid to **CSC**.

Payments to be paid into the PSSAP Fund

2.3.6 **CSC** must pay any **employee contributions** and **eligible spouse contributions** into the **PSSAP Fund**.

Division 3A

Contributions by current government scheme members

When current government scheme member contributions can be made

2.3A.1 Subject to Rule 2.3A.2, a **current government scheme member** may pay **employee contributions** to **CSC** at any time and in any amount:

- (a) where the member has elected a particular investment strategy; and
- (b) where **CSC** has accepted the election made by the member to choose a particular investment strategy; and
- (c) where the method of payment complies with any **CSC** determination under Rule 2.3A.6.

2.3A.2 **CSC** must reject any contributions paid under Rule 2.3A.1 if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by **CSC** may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund.

2.3A.3 A **current government scheme member** is not required to make **employee contributions** under Rule 2.3A.1.

Eligible spouse contributions

2.3A.4 Subject to Rule 2.3A.2, **eligible spouse contributions** may be made on behalf of a **current government scheme member** at any time and in any amount:

- (a) where the member has elected a particular investment strategy; and
- (b) where **CSC** has accepted the election made by the member to choose a particular investment strategy; and
- (c) where the method of payment complies with any **CSC** determination under Rule 2.3A.6.

2.3A.5 **CSC** must reject any contributions paid under Rule 2.3A.4 if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by **CSC** may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund.

Method of payment of employee contributions and eligible spouse contributions

2.3A.6 **CSC** may determine the way in which **employee contributions** and **eligible spouse contributions** received in accordance with this Division must be paid to **CSC**.

Payments to be paid into the PSSAP Fund

2.3A.7 **CSC** must pay any **employee contributions** and **eligible spouse contributions** received in accordance with this Division into the **PSSAP Fund**.

Division 3B

Contributions for consolidation with pension accounts

When contributions can be made for consolidation purposes

2.3B.1 Subject to Rule 2.3B.2, a **PSSAP member** may pay **employee contributions** to **CSC** in any amount:

- (a) where the member has elected a particular investment strategy; and
- (b) where **CSC** has accepted the election made by the member to choose a particular investment strategy; and
- (c) where the contributions are made for the sole purpose of:
 - (i) combination with amounts commuted or to be commuted from a **pension account** established by **CSC** under Rule 3.6.1; or
 - (ii) commencing an **account-based pension**; and
- (d) where the member has made an application for benefits to be cashed as an **account-based pension** under paragraph 3.1.1(g), using contributions paid under this Rule, amounts, if any, commuted from a **pension account** and amounts, if any, transferred or rolled-over under Division 4 of this Part; and
- (e) where the method of payment complies with any **CSC** determination under Rule 2.3B.6.

2.3B.2 **CSC** must reject any contributions paid under Rule 2.3B.1 if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by **CSC** may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund.

2.3B.3 A **PSSAP member** is not required to make **employee contributions** under Rule 2.3B.1.

Eligible spouse contributions

2.3B.4 Subject to Rule 2.3B.5, **eligible spouse contributions** may be made on behalf of a **PSSAP member** in any amount:

- (a) where the member has elected a particular investment strategy; and
- (b) where **CSC** has accepted the election made by the member to choose a particular investment strategy; and
- (c) where the contributions are expressly made for the sole purpose of:
 - (i) combination with amounts commuted or to be commuted from a **pension account** established by **CSC** under Rule 3.6.1; or
 - (ii) commencing an **account-based pension**; and
- (d) where the member has made an application for benefits to be cashed as an **account-based pension** under paragraph 3.1.1(g), using contributions paid under this Rule, amounts, if any, commuted from a **pension account** and amounts, if any, transferred or rolled-over under Division 4 of this Part; and
- (e) where the method of payment complies with any **CSC** determination under Rule 2.3B.6.

2.3B.5 CSC must reject any contributions paid under Rule 2.3B.4 if the **SIS Act** would prevent the **PSSAP Fund** from accepting the contributions or if acceptance of the contributions by CSC may jeopardise the status of the **PSSAP Fund** as a complying superannuation fund.

Method of payment of contributions and eligible spouse contributions

2.3B.6 CSC may determine the way in which **employee contributions** and **eligible spouse contributions** received in accordance with this Division must be paid to CSC.

Payments to be paid into the PSSAP Fund

2.3B.7 CSC must pay any **employee contributions** and **eligible spouse contributions** received in accordance with this Division into the **PSSAP Fund**.

Division 4

Transfer amounts

Amounts that may be transferred or rolled-over into the PSSAP Fund

2.4.1 Subject to the **SIS Act**, an **ordinary employer-sponsored member** may **transfer** or **roll-over** any or all of the following amounts to **CSC** as a **transfer amount**:

- (a) a **roll-over superannuation benefit**;
- (b) a **directed termination payment**;
- (c) an amount of **shortfall component** payable to, or in respect of, the person in accordance with the *Superannuation Guarantee (Administration) Act 1992*; and
- (d) an amount payable in respect of the person under the *Superannuation (Government Co-contribution for Low Income Earners) Act 2003*,

provided the method of payment complies with Rule 2.4.2.

2.4.1A Subject to the **SIS Act**, a **PSSAP member** may **transfer** or **roll-over** an amount payable in respect of the person under the *Superannuation (Government Co-contribution for Low Income Earners) Act 2003* to **CSC** as a **transfer amount** where the amount, in total or part, relates to a period where the person was an **ordinary employer-sponsored member**, provided the method of payment complies with Rule 2.4.2.

2.4.1B Subject to the **SIS Act**, a **current government scheme member** may **transfer** or **roll-over** a **roll-over superannuation benefit** to **CSC** as a **transfer amount** where the member has elected a particular investment strategy and **CSC** has accepted the election.

2.4.1C Subject to the **SIS Act**, a **former government scheme member** may **roll-over** to **CSC** as a **transfer amount** their:

- (a) **PSS** accumulated transfer amount paid under **PSS** Rule 11.2.4A; or
- (b) **PSS** Accumulated Additional Contributions paid under **PSS** Rule 11.4.10A,

where the member has elected a particular investment strategy and **CSC** has accepted the election.

2.4.1D Subject to the **SIS Act**, a **PSSAP member** may **transfer** or **roll-over** a **roll-over superannuation benefit** to **CSC** as a **transfer amount** where:

- (b) the member has elected a particular investment strategy and **CSC** has accepted the election; and
- (c) the member has made an application for benefits to be cashed as an **account-based pension** under paragraph 3.1.1(g), using the amount of the **roll-over superannuation benefit** under this Rule and amounts paid, if any, under Division 3B of this Part, and amounts, if any, in the **PSSAP member's personal accumulation account**.

Note: **CSC** may only accept a **transfer amount** under Rule 2.4.1B or 2.4.1C if they are in respect of a person who is an **Australian government superannuation scheme member** or **former Australian government superannuation scheme member** at the time of the **transfer** or **roll-over**.

Rule 2.4.1D allows **PSSAP members** to **transfer** or **roll-over** a **transfer amount** where that amount will be used to purchase an **account-based pension**, in combination with any **employee contributions** paid under Division 3B of Part 2 and any amounts in the member's **personal accumulation account**.

2.4.1E Subject to the **SIS Act**, a **PSSAP pensioner** may **transfer** or **roll-over** a **roll-over superannuation benefit** to **CSC** as a **transfer amount**:

- (a) where the member has elected a particular investment strategy; and
- (b) where **CSC** has accepted the election made by the member to choose a particular investment strategy; and
- (c) where the **transfer amount** is transferred for the sole purpose of combination with amounts commuted or to be commuted from an existing **pension account** established by **CSC** under Rule 3.6.1; and
- (d) where the method of payment complies with any **CSC** determination under Rule 2.4.2.

Method of payment of transfer amounts

2.4.2 **CSC** may determine the way in which **transfer amounts** must be paid to **CSC**.

Payments to be paid into the PSSAP Fund

2.4.3 **CSC** must pay any **transfer amount** into the **PSSAP Fund**.

Division 5**Administration fees****Administration fees for certain PSSAP members**

2.5.1 CSC must determine fees to be paid from the **personal accumulation account** of a person who is a **government scheme member** in relation to the costs of administering their **personal accumulation account**.

Note: Fees in relation to the cost of administering the **personal accumulation account** of **PSSAP members** that are not **government scheme members** are, unless otherwise specified, paid by the Commonwealth.

The **personal accumulation account** of a **government scheme member** can continue to attract administration fees after the person exits the **CSS** or **PSS**). If such a member commutes their pension under Rule 3.6.8(c), their **personal accumulation account** can continue to attract administration fees.

PART 3 — BENEFITS

Division 1

Benefits

Applications for payment of benefits

3.1.1 A **benefit application** may be made to **CSC** by:

- (a) an **ordinary employer-sponsored member** who:
 - (i) *paragraph deleted in the 2nd Amending Deed*;
 - (ii) has applied for approval of their invalidity retirement under Rule 3.3.1;
 - (iv) is a **transitional member** who is applying for an amount of benefits to be **cashed** as an income product which may be a **transition to retirement income stream**, a **non-commutable allocated annuity**, a **non-commutable allocated pension**, a **non-commutable annuity** or a **non-commutable pension**;
- (b) a **PSSAP member** other than in the capacity of an **ordinary employer-sponsored member** applying under paragraph (a);
- (c) a **PSSAP member** who is applying for the payment of benefits on compassionate grounds or due to severe financial hardship;
- (d) the **legal personal representative** of a **PSSAP member**;
- (e) a person claiming to be entitled to the benefit of a deceased **PSSAP member**;
- (f) a **PSSAP member** or the Commissioner of Taxation, applying for the payment of a benefit pursuant to a **release authority**;
- (g) a **PSSAP member** who is applying for an amount of benefits to be cashed as an **account-based pension**; or
- (h) a **PSSAP pensioner** or **reversionary beneficiary** who is applying to commute all or part of the balance of their pension account; or
- (i) a **PSSAP member** who is applying for **income protection benefits** under Rule 3.4.1.

3.1.2 A **benefit application** must be made in a form acceptable to **CSC** and must include any supporting evidence of entitlement to the benefit required by **CSC**.

Payment of benefits to a PSSAP member who has ceased to be an ordinary employer-sponsored member

3.1.4 On receiving a **benefit application** from or on behalf of a **PSSAP member** pursuant to Rule 3.1.1(b), **CSC** must pay to or in respect of the member a lump sum amount of such part of their **total benefit** as requested in the **benefit application**, subject to the **SIS Act**.

Note: Where part of a benefit is paid to a person under Rule 3.1.4, the remainder of the benefit must be retained in the **personal accumulation account** of the **PSSAP member** or **rolled-over** or **transferred** to another superannuation entity. See Rule 3.1.12.

Payment of benefits to a PSSAP member on compassionate and financial hardship grounds

3.1.6 If CSC receives a **benefit application** from a **PSSAP member** pursuant to Rule 3.1.1(c), CSC may pay the person such part of their **total benefit** as requested in the **benefit application**, subject to the **SIS Act**:

- (a) on a compassionate ground in accordance with a determination of the Australian Prudential Regulatory Authority under the **SIS Act**; or
- (b) on grounds of severe financial hardship in accordance with the **SIS Act**.

Payment of benefits to ordinary employer-sponsored members

3.1.7 If CSC receives or is taken to have received a **benefit application** from or on behalf of an **ordinary employer-sponsored member** pursuant to Rule 3.1.1(a)(ii) and CSC approves the **invalidity retirement** of the **ordinary employer-sponsored member**, CSC must, if the person ceases to be an **ordinary employer-sponsored member** following approval of their **invalidity retirement**, pay the person as a lump sum such part of their **total benefit** as the **SIS Act** permits as soon as possible.

3.1.8 If CSC receives a **benefit application** from or on behalf of an **ordinary employer-sponsored member** pursuant to Rule 3.1.1(i), the member, subject to Rules 3.4.2 and 3.4.5, is entitled to **income protection benefits** in accordance with Rule 3.4.3.

3.1.9 If CSC receives a **benefit application** from a **transitional member** pursuant to Rule 3.1.1(a)(iv) and CSC has in place arrangements for members to purchase the income product requested in the application, CSC, in accordance with Rule 3.5.1, must, on behalf of the **transitional member**, arrange for the purchase by the member of an income product of the type so requested costing an amount equal to the total benefit set out in the **benefit application**.

Payment of benefits to a legal personal representative where member not deceased

3.1.10 On receiving a **benefit application** from the **legal personal representative** of a **PSSAP member** under Rule 3.1.1(d), CSC may pay to the **legal personal representative** such part of the **total benefit** as the **SIS Act** permits if CSC is satisfied that:

- (a) the **PSSAP member** is under a legal disability; and
- (b) the **PSSAP member** is entitled to the payment of a benefit under the Rules.

Payment of death benefits

3.1.11 When CSC:

- (a) receives an application for benefits from a person claiming to be entitled to the benefit of a person who is a deceased **PSSAP member**; or
- (b) otherwise becomes aware that a **PSSAP member** has died;

CSC must determine who is entitled to be paid the death benefits in accordance with Division 2 of this Part and pay the **total benefit** to the person or persons so entitled in such shares as CSC determines.

Payment in accordance with a release authority

3.1.11A Subject to the **SIS Act**, where CSC receives a **release authority**, CSC must pay a lump sum benefit in respect of the **PSSAP member** equal to the lesser of:

- (a) the amount (if any) requested by the **PSSAP member** or Commissioner of Taxation;
- (b) the amount specified for release in the **release authority**; or
- (c) the **total benefit**.

Note: For a **release authority** issued under item 1 or 2 of the table in subsection 135-10(1) in Schedule 1 to the *Taxation Administration Act 1953*, this Rule is subject to any requirement(s) contained in Division 135 of Schedule 1 to that Act.

Preservation of benefits not paid

3.1.12 Where a part of the **total benefit** is paid to or in respect of a **PSSAP member** under this Division, the remainder of the benefit is retained in the **personal accumulation account** of the **PSSAP member** unless a **roll-over application** or **benefit application** is made in relation to the remainder of the benefit.

Applications for roll-over or transfer of benefits

3.1.13 A **roll-over application** may be made to **CSC**, in accordance with the **SIS Act**, by:

- (a) a **PSSAP member**, or in respect of a **PSSAP member**, other than in their capacity as a **transitional member** applying under paragraph (b); or
- (b) a **transitional member** who is applying for an amount of benefits to be **cashed** as an income product, which may be a **transition to retirement income stream**, a **non-commutable allocated annuity**, a **non-commutable allocated pension**, a **non-commutable annuity** or a **non-commutable pension**.

Notes:

Concerning paragraph 3.1.13(a)

1. Under Divisions 6.4 and 6.5 of the **SIS Regulations**, a member of a regulated superannuation fund may, in writing, ask the trustee of the fund to roll over or transfer an amount that is the whole or part of the member's withdrawal benefit, and the trustee of the fund must roll over or transfer, as permitted by SIS, the amount in accordance with the request. Division 6.5 prescribes circumstances where the trustee must roll over or transfer an amount in accordance with a request by the member.

Concerning paragraph 3.1.13(b)

2. Under Division 6.3 of the **SIS Regulations**, a member of a regulated superannuation fund, upon reaching the preservation age, is allowed to cash their benefits as a non-commutable income stream, subject to the conditions of release and the relevant restrictions set out in Schedule 1 of the **SIS Regulations**.

3.1.14 Subject to the **SIS Act**, a **roll-over application** must be made in a form acceptable to **CSC** and must include any supporting evidence of entitlement to the benefit required by **CSC**.

Preservation or transfer of benefits

3.1.15 Subject to the **SIS Act**, if **CSC** receives a **roll-over application** from a **PSSAP member** under Rule 3.1.13(a), **CSC**, where required by the **SIS Act**, must, and, where not so required, may **roll-over** or **transfer** so much of the person's **total benefit** as is requested in the **roll-over application** to a **superannuation entity**, **RSA** or **life insurance company**.

Notes:

1. Regulation 6.35 of the **SIS Regulations** sets out when a trustee may refuse to **roll-over** or **transfer** an amount in response to a request from a scheme member.
2. Regulations 6.33 and 6.34 of the **SIS Regulations** set out that a trustee must **roll-over** or **transfer** an amount as soon as possible or within a timeframe allowed under the **SIS Regulations**, in response to a request from a scheme member.

3.1.18 If CSC receives a **roll-over application** from a **transitional member** under Rule 3.1.13(b), CSC must, subject to the **SIS Act**, **roll-over** or **transfer** such part of the person's **total benefit** as is requested in the **roll-over application** to a **superannuation entity** or **life insurance company**.

3.1.19 If no **benefit application** or **roll-over application** is received upon a **PSSAP member** ceasing to be an **ordinary employer-sponsored member** and Rule 3.1.20 does not apply, the **total benefit** is retained in the **personal accumulation account** of the **PSSAP member**.

Payment of benefits to eligible roll-over fund

3.1.20 Subject to the **SIS Act**, CSC may pay a benefit to an **eligible roll-over fund** if CSC is unable to locate a **PSSAP member**.

Division 2

Death benefits

Who is entitled to be paid death benefits

3.2.1 If, upon the death of a **PSSAP member**, **CSC** is in receipt of a current valid **binding member nomination** in relation to the deceased **PSSAP member**, then the member's **total benefit** will be paid by **CSC** to the person or persons specified in the **binding member nomination**.

3.2.2 Subject to Rule 3.2.1, in the event of the death of a **PSSAP member**, **CSC** must pay or apply the deceased member's **total benefit** to or for the benefit of one or more, as determined by **CSC**, of the following:

- (a) one or more **dependants** of the deceased **PSSAP member**;
- (b) the **legal personal representative** of the deceased **PSSAP member**.

3.2.3 If, after making reasonable enquiries, **CSC** upon the death of a **PSSAP member** has not found either a **legal personal representative** or a **dependant** of the deceased **PSSAP member**, **CSC** will pay or apply the deceased member's **total benefit** to or for the benefit of such one or more individuals as determined by **CSC**.

Division 3

Permanent invalidity

Application for approval of invalidity retirement

3.3.1 An application for approval of the **invalidity retirement** of an **ordinary employer-sponsored member** may be made to CSC by:

- (a) the **ordinary employer-sponsored member**; or
- (b) the **designated employer** of the **ordinary employer-sponsored member**.

3.3.2 An **ordinary employer-sponsored member** in respect of whom an application under Rule 3.3.1 is made is taken to have also made a **benefit application**.

Invalidity retirement process

3.3.3 Following receipt of an application to approve the **invalidity retirement** of an **ordinary employer-sponsored member**, CSC may approve the person's **invalidity retirement** if it is satisfied that the person has a **permanent incapacity**.

3.3.4 CSC may determine the process it will follow before approving the **invalidity retirement** of an **ordinary employer-sponsored member**.

3.3.5 CSC must advise its **decision** under Rule 3.3.3 to the **ordinary employer-sponsored member** and the **designated employer** of the **ordinary employer-sponsored member**. The advice is to include a statement of the reasons for the **decision**.

Division 4**Income protection benefits****Income protection benefits**

3.4.1 A **PSSAP member** or **non-member spouse** may apply to **CSC** for **income protection benefits** if the **PSSAP member** or **non-member spouse**:

- (a) is unable to work due to a **temporary incapacity**; and
- (b) holds **income protection cover**.

Assessment of applications for income protection benefits

3.4.2 Following receipt of an application for **income protection benefits** that meets the requirements of Rule 3.4.1 **CSC** must make a claim against the policy or policies providing the **income protection cover**.

Payment of income protection benefits

3.4.3 Subject to the **SIS Act**, any amount paid by an **insurance company** in response to a claim against a policy providing **income protection cover**:

- (a) must be paid into the **PSSAP Fund** and paid from the **PSSAP Fund** to the **PSSAP member** or **non-member spouse** as a **non-commutable income stream**; or
- (b) must be paid directly to the **PSSAP member** or **non-member spouse** as a **non-commutable income stream**.

3.4.4 Any amount paid into the **PSSAP Fund** or directly to a **PSSAP member** or **non-member spouse** under Rule 3.4.3 does not form part of the **personal accumulation account** of the **PSSAP member** or **non-member spouse**.

3.4.5 Nothing in this Deed requires **CSC** to pay **income protection benefits** where:

- (a) a **PSSAP member** or **non-member spouse** does not hold **income protection cover**; or
- (b) an **insurance company** does not pay any amount in response to a claim by **CSC**.

Division 5**Retirement income products****CSC may arrange income products**

3.5.1 CSC may enter into arrangements with a provider of products and services other than the Commonwealth to offer income products, including retirement income products, for purchase by persons in receipt of benefits under the Rules.

3.5.2 A person in receipt of benefit under Division 1 of this Part may use the benefits to purchase income products arranged by CSC, subject to the **SIS Act**.

Division 6

Account-based pensions provided by CSC

3.6.1 If CSC receives a benefit application from a **PSSAP member** pursuant to Rule 3.1.1(g), CSC may, subject to the **SIS Act** and the person satisfying any requirements determined under Rule 3.6.2, provide one or more **account-based pensions** to the person.

3.6.2 CSC may, subject to the **SIS Act** and this Division, determine terms and conditions for the provision of an **account-based pension**, including the amount and manner of payments from the account.

Note: Rule 3.6.2 allows **CSC** to set terms and conditions for the provision of an **account-based pension**.

For example, **CSC** may:

- Decide to only provide a pension where the amount paid from a **PSSAP member's personal accumulation account** into their **pension account** is above a certain amount.
- Allow **PSSAP pensioners** to select the amounts and timing of their pension payments, within specified restrictions.
- Offer **PSSAP pensioners** the opportunity to elect to have amounts held in their **pension account** invested in accordance with particular investment strategies, including conditions on how and when changes to their investment strategy can be made.
- Determine the eligibility requirements and the manner and form required for the nomination, and variations of nomination, of **reversionary beneficiaries**.

Payment of account-based pensions

3.6.3 If **CSC** provides an **account-based pension** under Rule 3.6.1, the following conditions, in addition to any terms and conditions determined by **CSC** under Rule 3.6.2, shall apply to the pension:

- (a) the pension shall be paid from the **pension account**;
- (b) payment of the pension shall be made at least annually until the earlier of the member's death or the date that the **pension account** balance is exhausted;
- (c) the amount of any pension payment cannot be greater than balance of the **pension account** at the time of the payment;
- (d) the amount of the pension shall be subject to the minimum and maximum limits specified by the **SIS Act**;
- (e) once the pension is commenced, no amounts can be added to it by way of contribution or **roll-over** to the **pension account**;
- (f) the pension is transferable to another person only on the death of the **PSSAP pensioner** or **reversionary beneficiary** or as otherwise permitted under the **SIS Act**;
- (g) the capital value of the pension and income from the pension cannot be used by a person as security for a borrowing; and
- (h) the pension is to be commuted in whole or part to a lump sum only if permitted or required by the **SIS Act**.

Note: Under the **SIS Regulations**, **account-based pensions** are subject to an annual minimum based on the pensioner's age. Where a **PSSAP pensioner** has reached their relevant preservation age and is taking their pension as a transition to retirement income stream, the **SIS Regulations** also prescribe an annual maximum for the payments, based on the total account balance.

Pension account

3.6.4 Where **CSC** provides one or more **account-based pensions** to a **PSSAP member** under Rule 3.6.1, **CSC** shall establish and maintain a separate **pension account** for each pension.

3.6.5 At any particular time, the balance of the **pension account** of a **PSSAP pensioner** is equal to the total of the amounts credited to the **pension account** of the **PSSAP pensioner** under Rule 3.6.6 less the total of the amounts debited to the **pension account** under Rule 3.6.7.

3.6.6 The following amounts are to be credited to a **pension account**:

- (a) the amount transferred from the **personal accumulation account** or **non-member spouse interest account** of the **PSSAP pensioner**, as requested by the **PSSAP pensioner**;
- (b) the interest (if any) in respect of fund earnings on the **pension account** as determined by **CSC**;
- (c) the amount (if any) of **roll-over superannuation benefit** transferred or rolled-over under Rule 2.4.1D, unless that amount is credited to the **PSSAP member's personal accumulation account**; and
- (d) such other amounts as **CSC** determines from time to time.

3.6.7 The following amounts are to be debited to a **pension account**:

- (a) any pension payments made to or in respect of the **PSSAP pensioner** or a **reversionary beneficiary**;
- (b) the interest (if any) in respect of fund losses on the **pension account** as determined by **CSC**;
- (c) any fees, costs and expenses paid or deducted from the **pension account** under Rule 3.6.9;
- (d) any amounts commuted under Rule 3.6.8; and
- (e) such other amounts as **CSC** determines from time to time.

Commutation of amounts held in pension account

3.6.8 If **CSC** receives a benefit application from a **PSSAP pensioner**, **reversionary beneficiary** or **non-member spouse** pursuant to Rule 3.1.1(h), **CSC** may, subject to the **SIS Act**:

- (a) **roll-over** or **transfer** to a superannuation entity or life assurance company;
- (b) pay to the person (as a lump sum);
- (c) if the application is from a **PSSAP member**, credit the person's **personal accumulation account**;
- (d) if the application is from a **non-member spouse**, credit the person's **non-member spouse interest account**;

- (e) if the application is from a **PSSAP member** with no **personal accumulation account**, create a **personal accumulation account** for the person, and credit that **personal accumulation account**;

such part of the person's **pension account** as is requested in the application.

Notes:

- 1 The **SIS Regulations** may restrict the commutation of the pension if minimum thresholds for pension payments have not yet been paid in the financial year. There may also be restrictions on commutation where a transition to retirement income stream is taken.
- 2 A **reversionary beneficiary** may also be a **PSSAP member**. In these circumstances, the balance of the pension account may be added to the reversionary beneficiary's own **personal accumulation account**.

Fees, costs and expenses relating to pension accounts

3.6.9 Fees, costs and expenses incurred in relation to a **pension account** are to be determined by **CSC** and deducted from that **pension account**.

Pension account – member investment choice on death

3.6.10 If **CSC** is satisfied that a **PSSAP pensioner** or **reversionary beneficiary** has died, **CSC** may, pending payment of the person's benefit, switch the investment options in which the person's benefit was then invested to an investment option that **CSC** selects.

References in other rules

3.6.11 A reference in Rule 3.1.1(c), Rule 3.1.1(d), Rule 3.1.1(e), Rule 3.1.1(f), Rule 3.1.6, Rule 3.1.10, Rule 3.1.11A, and Rule 3.1.20 to a **PSSAP member** is taken to include a **PSSAP pensioner** or **reversionary beneficiary**.

3.6.12 A reference in Rule 3.1.6, Rule 3.1.10, and Rule 3.1.11A to **total benefit** is taken to include the balance of the person's **pension account**.

Nomination of reversionary beneficiary

3.6.13 A **PSSAP pensioner** may, before their **account-based pension** commences to be paid or at such other times as **CSC** may allow, nominate one or more dependants as a beneficiary.

Death of a person with a pension account

3.6.14 On the death of a **PSSAP pensioner**:

- (a) if there is a valid nomination of a beneficiary under Rule 3.6.13 at the date of the death of the **PSSAP pensioner**, **CSC** must continue payment of the pension to the nominated beneficiary if the **SIS Act** permits it to do so; or
- (b) if the pensioner has not nominated a beneficiary under Rule 3.6.13, but has made a valid **binding member nomination**, **CSC** must deal with payment of that balance in accordance with that **binding member nomination** subject to the **SIS Act**; or
- (c) where paragraphs (a) and (b) do not apply, **CSC** may pay the **pension account** balance in such manner and in such proportions as it determines, as permitted or required by the **SIS Act**.

3.6.15 On the death of a **reversionary beneficiary**, any remaining **pension account** balance will be paid as determined by **CSC**, subject to the **SIS Act**.

PART 4 — INSURANCE

Division 1

Death and invalidity cover

CSC to arrange policy

4.1.1 CSC must take out a policy or policies with an **insurance company** or companies in its name to provide **death and invalidity cover** for **ordinary employer-sponsored members**. **Death and invalidity cover** is to be on the terms and conditions, including the circumstances, agreed between CSC and the relevant **insurance company** or companies.

Note: CSC may take out death cover and invalidity cover in separate policies.

4.1.1A CSC may take out a policy or policies with an **insurance company** or companies in its name to **provide death and invalidity cover** for some or all **PSSAP members** and **non-member spouses** (other than **ordinary employer-sponsored members**). **Death and invalidity cover** is to be on the terms and conditions, including the circumstances, agreed between CSC and the relevant **insurance company** or companies.

Note: Rule 2.1A.4 may require CSC to take out such a policy or policies in relation to persons who hold a **MySuper product**, in respect of their **MySuper product**.

Provision of death and invalidity cover

4.1.2 An **ordinary employer-sponsored member** will be provided with **death and invalidity cover** on and subject to the terms and conditions of the policy taken out pursuant to Rule 4.1.1, unless the **insurance company** does not provide cover in respect of the member under that policy.

4.1.2A Subject to the **SIS Act**, CSC may offer **death and invalidity cover** to some or all **PSSAP members** and **non-member spouses**, except **ordinary employer-sponsored members**, subject to the terms and conditions of the policy taken out pursuant to Rule 4.1.1A, unless the **insurance company** does not provide cover in respect of the person under that policy.

4.1.2B Subject to the **SIS Act**, CSC may determine the terms and conditions of any **death and invalidity cover** provided to persons under Rule 4.1.2A.

Note: Terms and conditions determined by CSC under this rule may include the circumstances in which persons can cease to be covered and whether the member may elect to cease cover. Terms and conditions determined by CSC under this rule may also include any special requirements that apply in respect of persons who hold a **MySuper product**, consistent with the **SIS Act**.

Claims by CSC

4.1.3 Where an **ordinary employer-sponsored member** dies or an application for approval of their **invalidity retirement** is made under Rule 3.3.1, **CSC** must make a claim against the policy providing the **death and invalidity cover**, unless the **insurance company** does not provide cover in respect of the member under that policy.

4.1.3A Where a **PSSAP member** or **non-member spouse** who has been provided with **death and invalidity** cover under Rule 4.1.2A dies, or makes an application for a claim against their invalidity cover, **CSC** must make a claim against the policy providing the **death and invalidity cover**.

Note: **CSC** may determine the terms and conditions that apply to an application for a claim against an invalidity insurance policy for persons holding invalidity cover under Rule 4.1.2A.

4.1.3B Any amount paid by a **insurance company** to **CSC** in response to a claim under Rule 4.1.3A against a policy providing **death and invalidity cover** must be paid into the **PSSAP Fund** and is credited to the **personal accumulation account** of the **PSSAP member** or **non-member spouse interest account** of the **non-member spouse**.

4.1.4 Any amount paid by an **insurance company** to **CSC** in response to a claim under Rule 4.1.3 against a policy providing **death and invalidity cover** must be paid into the **PSSAP Fund** and is credited to the **personal accumulation account** of the **ordinary employer-sponsored member**.

Death and invalidity cover premiums

4.1.5 All premiums for **death and invalidity cover** provided under Rule 4.1.1 and Rule 4.1.1A are to be paid by **CSC** from the **PSSAP Fund**.

4.1.6 Subject to Rule 4.1.7, the premium for **death and invalidity cover** provided in respect a **PSSAP member** or **non-member spouse** is the amount determined by **CSC**, being the same amount as the amount of premium specified in the **death and invalidity cover** policy, and must be deducted from the **personal accumulation account** or **non-member spouse interest account** of the person.

4.1.7 Where a premium payable for **death and invalidity cover** is more than the amount in the **personal accumulation account** or **non-member spouse interest account** of the **PSSAP member** or **non-member spouse**, Rule 4.1.6 shall not apply.

Cessation of death and invalidity cover

4.1.8 The **death and invalidity cover** of a **PSSAP member** or **non-member spouse** ceases in the circumstances set out in the terms and conditions agreed between **CSC** and the relevant **insurance company** or companies, but subject to the requirements of the **SIS Act**.

4.1.9 Subject to the **SIS Act**, a **PSSAP member** or **non-member spouse** may elect to cease their **death and invalidity cover**, in accordance with terms and conditions determined by **CSC**, which may include the amount of notice that must be given, and whether the member may elect to cease cover.

Division 3

Income protection cover

CSC to arrange policy

4.3.1 CSC must take out a policy or policies with an **insurance company** or companies in its name to provide **income protection cover** for **ordinary employer-sponsored members**. A **income protection cover** policy is to be on the terms and conditions, including the circumstances, agreed between **CSC** and the relevant **insurance company** but subject to the requirements of the **SIS Act**.

4.3.1A CSC may take out a policy or policies with an **insurance company** or companies in its name to provide **income protection cover** for some or all **PSSAP members** and **non-member spouses** (other than **ordinary employer-sponsored members**). **Income protection cover** is to be on the terms and conditions, including the circumstances, agreed between **CSC** and the relevant **insurance company** or companies.

Provision of income protection cover

4.3.2 Subject to the terms of the **income protection cover** policy taken out pursuant to Rule 4.3.1, **ordinary employer-sponsored members** will be provided with **income protection cover** in accordance with arrangements made under Rule 4.3.1 unless:

- (a) the **ordinary employer-sponsored member** has notified **CSC** in writing that they do not wish to be provided with **income protection cover**; or
- (b) in accordance with the policy between **CSC** and the **insurance company**, the company refuses to provide cover in respect of the **ordinary employer-sponsored member**.

4.3.2A Subject to the **SIS Act**, **CSC** may offer **income protection cover** to some or all **PSSAP members** and **non-member spouses**, except **ordinary employer-sponsored members**, subject to the terms and conditions of the policy taken out pursuant to Rule 4.3.1A, unless the **insurance company** does not provide cover in respect of the person under that policy.

4.3.2B Subject to the **SIS Act**, **CSC** may determine the terms and conditions of any income protection cover provided to persons under Rule 4.3.2A.

Cessation of income protection cover

4.3.3 The **income protection cover** of a **PSSAP member** or **non member spouse** ceases on the terms and conditions, including the circumstances, agreed between **CSC** and the relevant **insurance company** but subject to the requirements of the **SIS Act**.

Income protection cover premiums

4.3.4 All premiums for **income protection cover** are to be paid by **CSC** from the **PSSAP Fund**.

4.3.5 Subject to Rule 4.3.6, the premium for **income protection cover** provided in respect of a **PSSAP member** or **non-member spouse** is the amount determined by **CSC**, being the same amount as the amount of premium specified in the **income protection cover** policy, and must be deducted from the **personal accumulation account** or **non-member spouse interest account** of the **PSSAP member** or **non-member spouse**.

Note: CSC may make a claim against a policy providing **income protection cover**. See Rule 3.4.2.

Amounts paid by an insurer in response to a claim are paid to the **PSSAP Fund** for payment to the **PSSAP member** or **non-member spouse** or directly to the **PSSAP member** or **non-member spouse** but are not credited to their **personal accumulation account** or **non-member spouse interest account**. See Rules 3.4.3 and 3.4.4.

4.3.6 Where a premium payable for **income protection cover** is more than the amount in the **personal accumulation account** of the **PSSAP member** or **non-member spouse**, Rule 4.3.5 shall not apply.

PART 5 — OTHER MATTERS

Division 1

Personal accumulation account

CSC must keep personal accumulation accounts

5.1.1 CSC must keep a **personal accumulation account** and/or **pension account** for each **PSSAP member**.

Note: A **PSSAP member** includes an **ordinary employer-sponsored member** and a **government scheme member**.

5.1.2 CSC may keep only one **personal accumulation account** for each **PSSAP member**.

5.1.3 The **personal accumulation account** records the **accumulation amount** of a **PSSAP member**.

Accumulation amount

5.1.4 The **accumulation amount** of a **PSSAP member** is equal to the total of the amounts credited to the **personal accumulation account** of the **PSSAP member** under Rule 5.1.5 less the total of the amounts debited to the **personal accumulation account** under Rule 5.1.6.

5.1.5 If any or all of the following amounts are paid to the **PSSAP Fund** in respect of a **PSSAP member**, the amounts must be credited to the person's **personal accumulation account**:

- (a) **basic employer contributions**;
- (b) any **additional employer contributions**;
- (c) **employee contributions** that have been paid by the **PSSAP member**;
- (d) **eligible spouse contributions** accepted by **CSC** under Part 2 of the Rules paid on behalf of the **PSSAP member**;
- (e) the interest credited (if any) in respect of fund earnings on the person's **accumulation amount** as decided by **CSC** under Rule 5.2.1;
- (f) any amount paid by an insurance **company** to **CSC** in respect of the person in response to a claim against a life policy unless the amount is an amount referred to in Rule 3.4.3;
- (g) any **transfer amounts**;
- (h) any amount credited to the person's **personal accumulation account** under Rule 7.2.2;
- (i) amount of any tax offset as determined by **CSC**;
- (j) any amount credited to the person's **personal accumulation account** under Rule 3.6.8.

5.1.6 If any or all of the following amounts are paid from the **PSSAP Fund** or are payable by or in respect of a **PSSAP member** the amounts must be debited from the person's **personal accumulation account**:

- (a) income tax as determined by **CSC**;
- (b) any **insurance premium** payable under Rule 4.1.6 and 4.3.5 paid from the person's **accumulation amount**;
- (c) the interest debited (if any) in respect of fund losses on the person's **accumulation amount** as decided by **CSC** under Rule 5.2.1;
- (d) any benefit paid to or in respect of the **PSSAP member** from their **accumulation amount** including any benefit paid as a **roll-over** or **transfer**;
- (e) any fees, costs and expenses paid from the person's **personal accumulation account** under Rule 5.4.3 and Rule 2.5.1;
- (f) any **surcharge** payable by **CSC** under Rule 5.3.1 in respect of the **PSSAP member**;
- (g) any benefit paid to or in respect of the **PSSAP member** from their **accumulation amount** under Rule 3.1.1(g).

Division 2**Crediting of fund earnings and debiting of fund losses****Crediting of earnings and debiting of expenses and losses**

5.2.1 CSC may determine the amounts to be credited or debited to a person's **personal accumulation account** under Rule 5.1.5(e) and 5.1.6(c) that reasonably reflects the after tax earnings or losses derived from the investment of the amount in the account.

5.2.2 In determining the amount referred to in Rule 5.2.1 CSC must have regard to:

- (a) the charges, costs and expenses incurred in the investment of amounts in all **personal accumulation accounts**; and
- (b) if, under Rule 5.4.1, a **PSSAP member** may choose between two or more investment strategies — the investment strategies chosen by the **PSSAP member** for their **personal accumulation account**.

Note: The PSSAP is subject to provisions relating to financial management of funds (including solvency and winding up of accumulation funds) set out at Part 9 of the **SIS Regulations**.

Division 3

Superannuation surcharge

Application of the Superannuation Contributions Tax

5.3.1 CSC must pay from the **PSSAP Fund** any amount of **surcharge** payable in respect of an **assessment of surcharge on surchargeable contributions** for a **PSSAP member** held in the **PSSAP Fund**.

Note: As well as covering possible surcharge assessments received in respect of surchargeable contributions made on or after 1 July 2005 (legislation has been introduced in Parliament to abolish the surcharge from 1 July 2005), Rule 5.3.1 will cover surcharge assessments received in relation to surchargeable contributions made before 1 July 2005 and transferred by **PSSAP members** to the **PSSAP Fund**.

Division 4**Member investment choice****Member Investment Choice**

5.4.1 CSC may offer **PSSAP members** the opportunity to elect to have amounts held in their **personal accumulation account** invested in accordance with a particular investment strategy.

5.4.2 CSC may determine when and how **PSSAP members**, or particular **PSSAP members**, may make or change an election about their choice of investment strategy.

5.4.3 CSC may determine, in relation to choice of investment strategy, the fees, costs and expenses to be paid from a person's **personal accumulation account**, including, fees, costs and expenses in connection with the investment of contributions, the realisation of those investments, the choice of an investment strategy and changes to an investment strategy.

Division 5

Incorrectly paid amounts

CSC must redirect incorrectly paid amounts and correct the PSSAP Fund

5.5.1 If any moneys paid to or withdrawn from the **PSSAP Fund**, in the opinion of **CSC**, have been paid to or withdrawn from the **PSSAP Fund** by mistake (whether of law or of fact), **CSC** must take steps to correct the mistake, including:

- (a) in the case of moneys paid by mistake — refunding those moneys to the person who paid them to the **PSSAP Fund** and doing all things necessary to correct the records of the **PSSAP Fund** to reflect such refunding;
- (b) in the case of moneys withdrawn by mistake — taking all reasonable steps to recover the moneys and doing all things necessary to correct the records of the **PSSAP Fund** to reflect such recovery.

Note: Among other things, Rule 5.5.1 covers the situation where an amount transferred to **CSC** by the Australian Taxation Office under Rule 2.4.1(c) or (d) has been found, upon reassessment by the Commissioner of Taxation, to be more than the correct amount.

CSC must redirect incorrectly paid amounts and correct personal accumulation accounts, pension accounts and non-member spouse accounts

5.5.2 If any moneys paid to or withdrawn from the **personal accumulation account**, **pension account** or **non-member spouse interest account** of a **PSSAP member**, **PSSAP pensioner** or **reversionary beneficiary** were, in the opinion of **CSC**, paid into or withdrawn from the respective account by mistake (whether of law or of fact), **CSC** must take steps to correct the mistake, including:

- (a) withdrawing an amount from the **personal accumulation account**, **pension account** or **non-member spouse interest account** or paying an amount to the **personal accumulation account**, **pension account** or **non-member spouse interest account**; and
- (b) doing all things necessary to correct the records of the **PSSAP Fund** to reflect action taken under paragraph (a).

CSC must return contributions that should not have been accepted

5.5.3 If **CSC** becomes aware that it has accepted contributions in relation to a **PSSAP member** which should not be accepted into the **PSSAP Fund** under the **SIS Act**, **CSC** must repay, return or refund them to the contributor and make any adjustments it considers appropriate to the **personal accumulation account** of the **PSSAP member**. Subject to the **SIS Act**, **CSC** may adjust the repaid, returned or refunded contributions for:

- (a) **insurance premiums** paid from the person's **personal accumulation account** during the period the contributions were held in the **PSSAP Fund**;
- (b) interest (if any) in respect of the fund earnings or fund losses for the period the contributions were held in the **PSSAP Fund**; and
- (c) fees, costs and expenses paid from the person's **personal accumulation account** during the period the contributions were held in the **PSSAP Fund**.

Note: Among other things, Rule 5.5.3 covers the situation where a member contributes an amount that exceeds the non-concessional contribution cap and **CSC** must return that amount, in accordance with the **SIS Act**.

PART 6 — REVIEW OF DECISIONS

Division 1

Reconsideration Advisory Committees

Establishing Reconsideration Advisory Committees

6.1.1 CSC will establish one or more Reconsideration Advisory Committees comprising people with such qualifications as CSC determines and may refer a **decision** of CSC, or of a delegate of CSC, to be considered by a Reconsideration Advisory Committee. A member of a Reconsideration Advisory Committee may also be a **director** of CSC.

6.1.2 Subject to CSC directions, a Reconsideration Advisory Committee will regulate its own affairs.

CSC responsibilities to Reconsideration Advisory Committees

6.1.3 Where CSC has referred a **decision** in relation to **PSSAP** to a Reconsideration Advisory Committee, CSC is to provide the Committee with all relevant evidence and information.

Recommendation by Reconsideration Advisory Committees

6.1.4 Where CSC has referred a **decision** in relation to **PSSAP** to a Reconsideration Advisory Committee for review and to make a recommendation to CSC, the Committee is to review the **decision** and make a recommendation to CSC whether the **decision** should be affirmed, varied, substituted or set aside.

Division 2

Reconsidering delegate's decisions

Request for reconsideration

6.2.1 A person affected by a **decision** in relation to **PSSAP** made by a delegate of **CSC** may request **CSC** to reconsider the original **decision**.

6.2.2 A request for reconsideration must be made in writing, or any other form acceptable to **CSC**, and must set out the particulars of the **decision** to be reconsidered.

Reconsideration of decision of delegate

6.2.3 Where **CSC** accepts a request to reconsider a **decision** of a delegate of **CSC** in relation to **PSSAP**, **CSC** must:

- (a) if **CSC** has delegated to a Reconsideration Advisory Committee **CSC**'s power to determine the matter, refer the request to the Committee for review and to exercise that power and in that event the Committee must review the **decision** and determine the matter in accordance with the delegated power by:
 - (i) affirming the **decision** under review;
 - (ii) varying the **decision**;
 - (iii) substituting another **decision**; or
 - (iv) setting the **decision** aside; or
- (b) itself review the **decision** and decide whether to affirm the **decision**, vary the **decision**, substitute another **decision** or set the **decision** aside, after considering the recommendation of a Reconsideration Advisory Committee, if any, if, at its discretion, it has referred the request to the Committee for review and to make a recommendation in relation to the **decision**.

Decision to be notified to affected person

6.2.4 The **decision** of **CSC** or the Reconsideration Advisory Committee under Rule 6.2.3 on a reconsideration must be notified to the person requesting reconsideration of the original **decision**. The notification is to include a statement of reasons for the **decision**.

Division 3

Reconsidering CSC Decisions

Request for reconsideration

6.3.1 A person affected by a **decision** of CSC in relation to PSSAP, including a **decision** under Division 2 or 4 of this Part, may request CSC to reconsider that **decision**.

6.3.2 A request for reconsideration of a **decision** of CSC in relation to PSSAP must be made in writing and:

- (a) set out the particulars of the **decision** to be reconsidered;
- (b) specify the grounds for the request;
- (c) include new evidence, being evidence not previously known to CSC, supporting the grounds for the request; and
- (d) be accompanied by the fee prescribed under the Act.

6.3.3 CSC must not proceed with a request for reconsideration of a **decision** of CSC in relation to PSSAP:

- (a) that does not include new evidence; or
- (b) if in the opinion of CSC, the evidence included in the request does not support the grounds specified for the request;

and CSC may refund the fee paid. CSC may subsequently proceed with the request if sufficient new evidence is provided.

Clear decision in favour of person

6.3.4 If CSC accepts a request to reconsider a **decision** of CSC in relation to PSSAP, CSC may decide in favour of the person seeking reconsideration without referring the request to a Reconsideration Advisory Committee or to an Assessment Panel if, after considering:

- (a) the new evidence provided with the request; and
- (b) any other evidence CSC considers relevant;

it is satisfied there is no reasonable doubt it should decide in favour of the person.

Reconsideration of decision of CSC

6.3.5 Where CSC accepts a request to reconsider one of its **decisions** in relation to PSSAP, CSC, unless under Rule 6.3.4 it has decided in favour of the person seeking reconsideration, must:

- (a) if CSC has delegated to a Reconsideration Advisory Committee CSC's power to determine the matter, refer the request to the Committee for review and to exercise that power and in that event the Committee must review the **decision** and determine the matter in accordance with the delegated power by:
 - (i) affirming the **decision** under review;
 - (ii) varying the **decision**;
 - (iii) substituting another **decision**; or
 - (iv) setting the **decision** aside; or

- (b) itself review the **decision** and decide whether to affirm the **decision**, vary the **decision**, substitute another **decision** or set the **decision** aside, after considering the recommendation of a Reconsideration Advisory Committee, if any, if, at its discretion, it has referred the request to the Committee for review and to make a recommendation in relation to the **decision**;

after first obtaining, if appropriate, the recommendation of an Assessment Panel, and the Committee or CSC, as the case requires, may, at its discretion, refund the fee paid.

Decision to be notified to affected person

6.3.6 The **decision** of CSC or the Reconsideration Advisory Committee under Rule 6.3.5 must be notified to the person requesting reconsideration of the original **decision**. The notification is to include a statement of reasons for the **decision**.

Division 4**CSC initiated reconsiderations****CSC may initiate a reconsideration of a decision**

6.4.1 CSC, on its own motion, may initiate the reconsideration of a delegate's **decision** or a **decision** of CSC in relation to **PSSAP** and may vary the **decision**, substitute another **decision** or set the **decision** aside. CSC will advise the person affected of that reconsideration and any changed decision.

PART 7 — FAMILY LAW SUPERANNUATION SPLITTING

Division 1

CSC powers and duties: superannuation interests subject to payment split

Powers and duties of CSC: adoption of SIS Regulations

7.1.1 Subject to this Part, where an interest in the **PSSAP Fund** becomes subject to a payment split under the *Family Law Act 1975*:

- (a) **CSC** shall have the same powers and duties in relation to the interest as a trustee has under Part 7A of the **SIS Regulations** in relation to a relevant accumulation interest;
- (b) a **non-member spouse** in relation to the interest has the same rights in relation to benefits connected with the interest as the **non-member spouse** would have in relation to benefits connected with the interest if Part 7A of the **SIS Regulations** applied in relation to the interest; and
- (c) a **member spouse** in relation to the interest has the same rights in relation to reduction of benefits connected with the interest as the **member spouse** would have in relation to such reduction if Part 7A of the **SIS Regulations** applied in relation to the interest.

Division 2

CSC to establish a non-member spouse interest account where a non-member spouse interest is created

CSC to establish a non-member spouse interest account

7.2.1 Where CSC creates a **non-member spouse interest**, CSC must create an account to which the value of the **non-member spouse interest** is credited (**non-member spouse interest account**).

Note: Regulation 7A.20 of the **SIS Regulations** governs the apportionment of the **non-member spouse interest** among unrestricted non-preserved benefits, restricted non-preserved benefits and preserved benefits.

CSC to consolidate non-member spouse interest account and personal accumulation account

7.2.2 Where the **non-member spouse** is a **PSSAP member** with both a **personal accumulation account** and a **non-member spouse interest account**, CSC shall, within 28 days after being requested to do so by the **non-member spouse**:

- (a) increase the amount credited to the **personal accumulation account** of the **PSSAP member** by the amount credited to the **non-member spouse interest account**; and
- (b) thereafter and on the same day reduce to zero the value of the **non-member spouse interest account** and then close the **non-member spouse interest account**.

Division 3

Rights and restrictions applying to a non-member spouse interest

CSC may determine terms and conditions for non member spouse interest

7.3.1 Subject to the provisions of this Division, CSC may, in creating a **non-member spouse interest**, determine terms and conditions for the **non-member spouse interest**.

Right of non-member spouse to benefits

7.3.2 Subject to the **SIS Act**, the rights of a **non-member spouse** or their **legal personal representative** applying for benefits or the **roll-over** of benefits in relation to their **non-member spouse interest** are the same as those of a **PSSAP member** who has ceased to be an **ordinary employer-sponsored member** — or their **legal personal representative** — applying for benefits or the **roll-over** of benefits in relation to an interest in the **PSSAP Fund** of the **PSSAP member**.

Right of person claiming death benefits

7.3.3 Subject to the **SIS Act**, the rights of persons claiming death benefits upon the death of a **non-member spouse** in relation to their **non-member spouse interest** are the same as the rights of persons claiming death benefits upon the death of a **PSSAP member** in relation to the interest in the **PSSAP Fund** of the deceased **PSSAP member**.

CSC may offer non-member spouse choice of investment strategy

7.3.4 CSC may offer a **non-member spouse** the opportunity to elect to have amounts held in his or her **non-member spouse interest account** invested in accordance with a particular investment strategy.

7.3.5 CSC may determine when and how a **non-member spouse** may make or change an election about their choice of investment strategy.

7.3.6 CSC may determine the administration fees to be paid from a person's **non-member spouse interest account** for changing elections about choice of investment strategy.

Employee contributions not able to be credited to non-member spouse interest account

7.3.8 CSC shall not accept **employee contributions**, contributions by an employer or **transfer amounts**, including those referred to in Part 2, Division 4, for the purpose of them being credited to the **non-member spouse interest account**.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Endnotes about misdescribed amendments and other matters are included in a compilation only as necessary.

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the amendment is set out in the endnotes.

Endnote 2—Abbreviation key

A = Act	orig = original
ad = added or inserted	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
am = amended	pres = present
amdt = amendment	prev = previous
c = clause(s)	(prev...) = previously
C[x] = Compilation No. x	Pt = Part(s)
Ch = Chapter(s)	r = regulation(s)/rule(s)
def = definition(s)	Reg = Regulation/Regulations
Dict = Dictionary	reloc = relocated
disallowed = disallowed by Parliament	renum = renumbered
Div = Division(s)	rep = repealed
exp = expires/expired or ceases/ceased to have effect	rs = repealed and substituted
F = Federal Register of Legislative Instruments	s = section(s)/subsection(s)
gaz = gazette	Sch = Schedule(s)
LI = Legislative Instrument	Sdiv = Subdivision(s)
LIA = <i>Legislative Instruments Act 2003</i>	SLI = Select Legislative Instrument
(md) = misdescribed amendment	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
o = order(s)	<u>underlining</u> = whole or part not commenced or to be commenced
Ord = Ordinance	

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	FRLI registration	Commencement	Application, saving and transitional provisions
Deed to Establish the Public Sector Superannuation Accumulation Plan 2005	30 June 2005 (F2005L01901)	1 July 2005	
First Amending Deed 2006	1 Aug 2006 (F2006L02524)	2 Aug 2006 (c 1)	—
Second Amending Deed 2007	28 June 2007 (F2007L01942)	c 3.1, 4.4 and 4.8: 29 June 2007 Remainder: 1 July 2007	—
Third Amending Deed 2008	18 Apr 2008 (F2008L01089)	28 Mar 2008 (c 1)	—
Fourth Amending Deed 2009	25 June 2009 (F2009L02531)	c 3.1, 3.2–3.9: 1 July 2009 Remainder: 26 June 2009	c 5
Fifth Amending Deed 2011	30 June 2011 (F2011L01390)	1 July 2011 (c 1)	—
Sixth Amending Deed 2012	15 Feb 2012 (F2012L00319)	16 Feb 2012 (c 1)	c 3
Seventh Amending Deed 2013	7 Jan 2013 (F2013L00027)	1 July 2013 (c 1)	c 3
Eighth Amending Deed 2013	25 Mar 2013 (F2013L00551)	26 Mar 2013 (c 1)	c 3
Ninth Amending Deed 2013	7 June 2013 (F2013L00934)	c 7, 8: 1 July 2014 c 9: 1 July 2013 Remainder: 8 June 2013	c 3, 5 and 7
Tenth Amending Deed 2013	9 Dec 2013 (F2013L02063)	10 Dec 2013 (c 1)	—
Eleventh Amending Deed 2015	10 Mar 2015 (F2015L00278)	11 Mar 2015 (c 1)	—

Endnote 4—Amendment history

Provision affected	How affected
Trust Deed	
Preamble.....	am 1st Amdt, 2006; 2nd Amdt, 2007; 5th Amdt, 2011
Clause 1	
c 1.....	ad 5th Amdt, 2011
c 1.3.....	rep 5th Amdt, 2011
c 1.4.....	am 11th Amdt, 2015
c 1.6.....	rep 5th Amdt, 2011
c 1.8.....	rep 5th Amdt, 2011
Clause 2	
c 2.1.....	rs 5th Amdt, 2011
c 2.2.....	rs 5th Amdt, 2011
Clause 3	
c 3.....	am 5th Amdt, 2011
c 3.1.....	am 5th Amdt, 2011
c 3.2.....	am 5th Amdt, 2011
c 3.3.....	am 5th Amdt, 2011
c 3.4.....	am 5th Amdt, 2011
c 4.....	rep 1st Amdt, 2006
Clause 5	
c 5.1.....	am 5th Amdt, 2011
c 5.2.....	am 5th Amdt, 2011
c 5.3.....	am 5th Amdt, 2011
c 5.4.....	rep 5th Amdt, 2011
c 5.5.....	rep 5th Amdt, 2011
Clause 6	
c 6.2.....	am 5th Amdt, 2011
c 6.3.....	am 5th Amdt, 2011
c 6.4.....	am 5th Amdt, 2011
c 6.5.....	am 5th Amdt, 2011
c 6.6.....	am 5th Amdt, 2011
Clause 7	
c 7.1.....	am 5th Amdt, 2011
Clause 8	
c 8.1.....	am 5th Amdt, 2011
c 8.2.....	am 5th Amdt, 2011
c 8.3.....	am 5th Amdt, 2011
Clause 9	
c 9.....	am 11th Amdt, 2015

Endnote 4—Amendment history

Provision affected	How affected
c 9.1	am 5th Amdt, 2011
Rules	
Part 1	
Division 1	
r 1.1.1	am 5th Amdt, 2011; 11th Amdt, 2015
Division 2	
r 1.2.1	am 1st Amdt, 2006; 2nd Amdt, 2007; 3rd Amdt, 2008; 4th Amdt, 2009; 5th Amdt, 2011; 6th Amdt, 2012; 7th, 8th, 9th and 10th Amdt, 2013; 11th Amdt, 2015
Part 2	
Division 1	
r 2.1.1	am 9th Amdt, 2013
r 2.1.3	am 5th Amdt, 2011; 9th Amdt, 2013
Division 1A	
Division 1A	ad 7th Amdt, 2013
r 2.1A.1	ad 7th Amdt, 2013
r 2.1A.2	ad 7th Amdt, 2013
r 2.1A.3	ad 7th Amdt, 2013
r 2.1A.4	ad 7th Amdt, 2013
	am 11th Amdt, 2015
r 2.1A.5	ad 7th Amdt, 2013
	am 11th Amdt, 2015
r 2.1.4	ad 9th Amdt, 2013
r 2.1.5	ad 9th Amdt, 2013
r 2.1.6	ad 9th Amdt, 2013
r 2.1.7	ad 9th Amdt, 2013
r 2.1.8	ad 9th Amdt, 2013
Division 2	
r 2.2.1	am 5th Amdt, 2011
r 2.2.2	am 2nd Amdt, 2007
r 2.2.3	rs 1st Amdt, 2006; 3rd Amdt, 2008; 4th Amdt, 2009
r 2.2.4	am 4th Amdt, 2009; 5th Amdt, 2011; 11th Amdt, 2015
r 2.2.4A	ad 9th Amdt, 2013
	am 11th Amdt, 2015
r 2.2.4B	ad 9th Amdt, 2013
r 2.2.5	am 5th Amdt, 2011
r 2.2.6	am 5th Amdt, 2011
r 2.2.6A	ad 9th Amdt, 2013
r 2.2.7	am 5th Amdt, 2011
r 2.2.9	am 5th Amdt, 2011
r 2.2.10	am 5th Amdt, 2011
	rs 10th Amdt, 2013

Endnote 4—Amendment history

Provision affected	How affected
Division 3	
Division 3 heading.....	rs 11th Amdt, 2015
r 2.3.1.....	am 5th Amdt, 2011; 11th Amdt, 2015
r 2.3.3.....	rs 11th Amdt, 2015
r 2.3.4.....	am 5th Amdt, 2011
r 2.3.5.....	am 5th Amdt, 2011; 11th Amdt, 2015
r 2.3.6.....	am 5th Amdt, 2011
Division 3A	
Division 3A.....	ad 11th Amdt, 2015
r 2.3A.1.....	ad 11th Amdt, 2015
r 2.3A.2.....	ad 11th Amdt, 2015
r 2.3A.3.....	ad 11th Amdt, 2015
r 2.3A.4.....	ad 11th Amdt, 2015
r 2.3A.5.....	ad 11th Amdt, 2015
r 2.3A.6.....	ad 11th Amdt, 2015
r 2.3A.7.....	ad 11th Amdt, 2015
Division 3B	
Division 3B.....	ad 11th Amdt, 2015
r 2.3B.1.....	ad 11th Amdt, 2015
r 2.3B.2.....	ad 11th Amdt, 2015
r 2.3B.3.....	ad 11th Amdt, 2015
r 2.3B.4.....	ad 11th Amdt, 2015
r 2.3B.5.....	ad 11th Amdt, 2015
r 2.3B.6.....	ad 11th Amdt, 2015
r 2.3B.7.....	ad 11th Amdt, 2015
Division 4	
r 2.4.1.....	rs 2nd Amdt, 2007
	am 5th Amdt, 2011
r 2.4.1A.....	ad 4th Amdt, 2009
	am 5th Amdt, 2011
r 2.4.1B.....	ad 9th Amdt, 2013
	am 9th Amdt, 2013
r 2.4.1C.....	ad 9th Amdt, 2013
	am 9th Amdt, 2013
r 2.4.1D.....	ad 9th Amdt, 2013
	am 9th Amdt, 2013; 11th Amdt, 2015
r 2.4.1E.....	ad 11th Amdt, 2015
r 2.4.2.....	am 5th Amdt, 2011
r 2.4.3.....	am 5th Amdt, 2011
Division 5	
Division 5.....	ad 9th Amdt, 2013
r 2.5.1.....	ad 9th Amdt, 2013

Endnote 4—Amendment history

Provision affected	How affected
Part 3	
Division 1	
r 3.1.1.....	am 1st Amdt, 2006 rs 2nd Amdt, 2007 am 5th Amdt, 2011; 8th Amdt, 2013; 11th Amdt, 2015
r 3.1.2.....	am 5th Amdt, 2011
r 3.1.3.....	rep 2nd Amdt, 2007
r 3.1.4.....	am 5th Amdt, 2011; 8th Amdt, 2013
r 3.1.5.....	rep 2nd Amdt, 2007
r 3.1.6.....	am 5th Amdt, 2011
r 3.1.7.....	am 5th Amdt, 2011
r 3.1.8.....	am 5th Amdt, 2011; 11th Amdt, 2015
r 3.1.9.....	am 5th Amdt, 2011
r 3.1.10.....	am 5th Amdt, 2011
r 3.1.11.....	am 5th Amdt, 2011
r 3.1.11A.....	ad 2nd Amdt, 2007 am 5th Amdt, 2011; 10th Amdt, 2013
r 3.1.13.....	rs 1st Amdt, 2006 am 2nd Amdt, 2007; 5th Amdt, 2011; 7th Amdt, 2013; 8th Amdt, 2013
r 3.1.14.....	rs 2nd Amdt, 2007 am 5th Amdt, 2011
r 3.1.15.....	rs 1st Amdt, 2006; 2nd Amdt, 2007 am 5th Amdt, 2011
r 3.1.15A.....	ad 1st Amdt, 2006 rep 2nd Amdt, 2007
r 3.1.16.....	rep 1st Amdt, 2006
r 3.1.17.....	rep 1st Amdt, 2006
r 3.1.18.....	rs 1st Amdt, 2006 am 5th Amdt, 2011
r 3.1.20.....	rs 2nd Amdt, 2007 am 5th Amdt, 2011
Division 2	
r 3.2.1.....	am 5th Amdt, 2011
r 3.2.2.....	am 5th Amdt, 2011
r 3.2.3.....	am 5th Amdt, 2011
Division 3	
r 3.3.1.....	am 5th Amdt, 2011
r 3.3.3.....	am 5th Amdt, 2011
r 3.3.4.....	am 5th Amdt, 2011
r 3.3.5.....	am 5th Amdt, 2011
Division 4	
r 3.4.1.....	am 5th Amdt, 2011; 11th Amdt, 2015

Endnote 4—Amendment history

Provision affected	How affected
r 3.4.2.....	am 5th Amdt, 2011
r 3.4.3.....	am 7th Amdt, 2013; 11th Amdt, 2015
r 3.4.4.....	am 11th Amdt, 2015
r 3.4.5.....	am 5th Amdt, 2011; 7th Amdt, 2013; 11th Amdt, 2015
Division 5	
r 3.5.1.....	rs 1st Amdt, 2006 am 5th Amdt, 2011
r 3.5.2.....	am 5th Amdt, 2011 rs 7th Amdt, 2013
Division 6	
Div. 6 of Part 3	ad 8th Amdt, 2013
r 3.6.1.....	ad 8th Amdt, 2013
r 3.6.2.....	ad 8th Amdt, 2013
r 3.6.3.....	ad 8th Amdt, 2013 am 11th Amdt, 2015 (md)
r 3.6.4.....	ad 8th Amdt, 2013
r 3.6.5.....	ad 8th Amdt, 2013
r 3.6.6.....	ad 8th Amdt, 2013 am 9th Amdt, 2013
r 3.6.7.....	ad 8th Amdt, 2013
r 3.6.8.....	ad 8th Amdt, 2013 am 11th Amdt, 2015
r 3.6.9.....	ad 8th Amdt, 2013
r 3.6.10.....	ad 8th Amdt, 2013
r 3.6.11.....	ad 8th Amdt, 2013
r 3.6.12.....	ad 8th Amdt, 2013
r 3.6.13.....	ad 8th Amdt, 2013
r 3.6.14.....	ad 8th Amdt, 2013
r 3.6.15.....	ad 8th Amdt, 2013
Part 4	
Division 1	
Division 1 heading.....	rs 11th Amdt, 2015
r 4.1.1.....	rs 5th Amdt, 2011 am 7th Amdt, 2013; 11th Amdt, 2015
r 4.1.1A.....	ad 7th Amdt, 2013 am 11th Amdt, 2015
r 4.1.2.....	am 7th Amdt, 2013; 11th Amdt, 2015
r 4.1.2A.....	ad 7th Amdt, 2013 am 11th Amdt, 2015
r 4.1.2B.....	ad 7th Amdt, 2013 am 11th Amdt, 2015
r 4.1.3.....	am 5th Amdt, 2011; 7th Amdt, 2013; 11th Amdt, 2015

Endnote 4—Amendment history

Provision affected	How affected
r 4.1.3A.....	ad 7th Amdt, 2013 am 11th Amdt, 2015
r 4.1.3B.....	ad 7th Amdt, 2013 am 11th Amdt, 2015
r 4.1.4.....	am 5th Amdt, 2011; 7th Amdt, 2013; 11th Amdt, 2015
r 4.1.5.....	am 5th Amdt, 2011 rs 7th Amdt, 2013 am 11th Amdt, 2015
r 4.1.6.....	am 5th Amdt, 2011 rs 7th Amdt, 2013 am 11th Amdt, 2015
r 4.1.7.....	rs 7th Amdt, 2013 am 11th Amdt, 2015
r 4.1.8.....	am, 7th Amdt, 2013; 11th Amdt, 2015 rs 11th Amdt, 2015
r 4.1.9.....	ad 7th Amdt, 2013; 11th Amdt, 2015
Division 2	rep 11th Amdt, 2015
r 4.2.1.....	am 5th Amdt, 2011; 7th Amdt, 2013 rep 11th Amdt, 2015
r 4.2.2.....	am 5th Amdt, 2011 rep 11th Amdt, 2015
r 4.2.3.....	am 5th Amdt, 2011 rep 11th Amdt, 2015
r 4.2.4.....	am 7th Amdt, 2013 rep 11th Amdt, 2015
r 4.2.5.....	am 5th Amdt, 2011; 7th Amdt, 2013 rep 11th Amdt, 2015
r 4.2.6.....	am 7th Amdt, 2013 rep 11th Amdt, 2015
r 4.2.7.....	am 5th Amdt, 2011 rep 11th Amdt, 2015
r 4.2.8.....	am 5th Amdt, 2011 rep 11th Amdt, 2015
r 4.2.9.....	am 5th Amdt, 2011 rep 11th Amdt, 2015
r 4.2.10.....	am 5th Amdt, 2011; 7th Amdt, 2013 rep 11th Amdt, 2015
r 4.2.11.....	am 5th Amdt, 2011 rep 11th Amdt, 2015
r 4.2.12.....	rep 11th Amdt, 2015
r 4.2.13.....	rep 11th Amdt, 2015

Endnote 4—Amendment history

Provision affected	How affected
Division 3	
Division 3 heading.....	rs 11th Amdt, 2015
r 4.3.1.....	am 5th Amdt, 2011; 7th Amdt, 2013; 11th Amdt, 2015
r 4.3.1A.....	ad 11th Amdt, 2015
r 4.3.2.....	am 5th Amdt, 2011; 7th Amdt, 2013; 11th Amdt, 2015
r 4.3.2A.....	ad 11th Amdt, 2015
r 4.3.2B.....	ad 11th Amdt, 2015
r 4.3.3.....	am 5th Amdt, 2011; 11th Amdt, 2015
	rs 11th Amdt, 2015
r 4.3.4.....	am 5th Amdt, 2011; 11th Amdt, 2015
r 4.3.5.....	am 5th Amdt, 2011
	rs 11th Amdt, 2015
r 4.3.6.....	am 11th Amdt, 2015
Division 4.....	rep 11th Amdt, 2015
r 4.4.1.....	am 5th Amdt, 2011; 7th Amdt, 2013
	rep 11th Amdt, 2015
r 4.4.2.....	am 5th Amdt, 2011
	rep 11th Amdt, 2015
r 4.4.3.....	am 5th Amdt, 2011
	rep 11th Amdt, 2015
r 4.4.4.....	am 7th Amdt, 2013
	rep 11th Amdt, 2015
r 4.4.5.....	am 5th Amdt, 2011; 7th Amdt, 2013
	rep 11th Amdt, 2015
r 4.4.6.....	am 7th Amdt, 2013
	rep 11th Amdt, 2015
r 4.4.7.....	am 5th Amdt, 2011
	rep 11th Amdt, 2015
r 4.4.8.....	am 5th Amdt, 2011
	rep 11th Amdt, 2015
r 4.4.9.....	am 5th Amdt, 2011
	rep 11th Amdt, 2015
r 4.4.10.....	am 5th Amdt, 2011
	rep 11th Amdt, 2015
r 4.4.11.....	rep 11th Amdt, 2015
Part 5	
Division 1	
r 5.1.1.....	am 5th Amdt, 2011; 7th Amdt, 2013
	rs 9th Amdt, 2013
r 5.1.2.....	am 5th Amdt, 2011
r 5.1.5.....	am 2nd Amdt, 2007; 5th Amdt, 2011; 7th and 8th Amdt, 2013; 11th Amdt, 2015
r 5.1.6.....	am 5th Amdt, 2011; 9th Amdt, 2013; 11th Amdt, 2015

Endnote 4—Amendment history

Provision affected	How affected
Division 2	
r 5.2.1.....	rs 1st Amdt, 2006 am 5th Amdt, 2011
r 5.2.2.....	am 5th Amdt, 2011
Division 3	
r 5.3.1.....	am 5th Amdt, 2011
Division 4	
r 5.4.1.....	am 5th Amdt, 2011
r 5.4.2.....	am 5th Amdt, 2011 rs 9th Amdt, 2013
r 5.4.3.....	am 5th Amdt, 2011
Division 5	
r 5.5.1.....	am 5th Amdt, 2011
r 5.5.2.....	am 5th Amdt, 2011 rs 8th Amdt, 2013
r 5.5.3.....	ad 2nd Amdt, 2007 am 5th Amdt, 2011
Part 6	
Division 1	
r 6.1.1.....	rs 5th Amdt, 2011
r 6.1.2.....	am 5th Amdt, 2011
r 6.1.3.....	am 5th Amdt, 2011
r 6.1.4.....	am 5th Amdt, 2011
Division 2	
r 6.2.1.....	am 5th Amdt, 2011
r 6.2.2.....	am 5th Amdt, 2011
r 6.2.3.....	am 5th Amdt, 2011
r 6.2.4.....	am 5th Amdt, 2011
Division 3	
Division 3 heading.....	am 5th Amdt, 2011
r 6.3.1.....	am 5th Amdt, 2011
r 6.3.2.....	am 5th Amdt, 2011
r 6.3.3.....	am 5th Amdt, 2011
r 6.3.4.....	am 5th Amdt, 2011
r 6.3.5.....	am 5th Amdt, 2011
r 6.3.6.....	am 5th Amdt, 2011
Division 4	
Division 4 heading.....	am 5th Amdt, 2011
r 6.4.1.....	am 5th Amdt, 2011
Part 7	
Division 1	
Division 1 heading.....	am 5th Amdt, 2011

Endnote 4—Amendment history

Provision affected	How affected
r 7.1.1.....	am 5th Amdt, 2011
Division 2	
Division 2 heading	am 5th Amdt, 2011
r 7.2.1.....	am 5th Amdt, 2011
r 7.2.2.....	am 5th Amdt, 2011
Division 3	
r 7.3.1.....	am 5th Amdt, 2011
r 7.3.4.....	am 5th Amdt, 2011
r 7.3.5.....	am 5th Amdt, 2011
r 7.3.6.....	am 5th Amdt, 2011
r 7.3.7.....	am 5th Amdt, 2011
	rep 7th Amdt, 2013
r 7.3.8.....	am 5th Amdt, 2011
	rs 9th Amdt, 2013