# PART 5 - BENEFITS

Note: Benefits in respect of amounts transferred into the PSS scheme are not included in a Benefit Accrual Multiple. These benefits are covered in Part 11. A maximum benefit can be affected by a benefit in respect of an amount transferred into the PSS before 31 December 1995 if a pension becomes payable + see Rule 11.3.10.

# **Division 1**

#### **Benefit Accruals**

#### Member's benefit accruals

- 5.1.1 A benefit accrual in relation to a member on a day is:
  - (a) if he/she is not a maximum benefits member, his/her Benefit Accrual Multiple (see Divisions 2 and 3 of this Part) multiplied by his/her average salary; or
  - (b) if he/she is a maximum benefits member, his/her maximum benefit (see Division 6 of this Part).
- 5.1.2 Benefits do not accrue to members if the accrual is prohibited by the SIS Act.

#### Former member's benefit accruals

- 5.1.3 A final benefit accrual in relation to a former member is:
  - (a) if he/she was not, at the time of ceasing membership, a maximum benefits member, his/her Benefit Accrual Multiple (see Divisions 2 and 3 of this Part) multiplied by his/her final average salary; or
  - (b) if he/she was, at the time of ceasing membership, a maximum benefits member, his/her maximum benefit (see Division 6 of this Part).
- 5.1.4 An invalidity benefit accrual in relation to a former member is:
  - (a) if he/she was not, at the time of ceasing membership, a maximum benefits member, his/her final average salary multiplied by the sum of his/her Benefit Accrual Multiple (see Divisions 2 and 3 of this Part) and Invalidity Multiple (see Divisions 4 and 5 of this Part); or
  - (b) if he/she was, at the time of ceasing membership, a maximum benefits member, his/her maximum benefit (see Division 6 of this Part).

- 5.1.5 A death benefit accrual in relation to a deceased member is:
  - (a) if he/she:
    - (i) died on or after age 60; or
    - (ii) was a limited benefits member at the date of death;

his/her final benefit accrual (see Rule 5.1.3); and

- (b) if he/she:
  - (i) died before age 60; and
  - (ii) was not a limited benefits member at the date of death;

his/her invalidity benefit accrual (see Rule 5.1.4).

# Adjustment of benefit accruals where substituted contribution days apply

5.1.6 If the Board and the designated employer agreed under Rule 4.1.7 to substitute other days for contribution days for the payment of contributions by or on behalf of the member, the Board will, as necessary, adjust the calculation of the components of the benefit accruals in respect of the member under this Part in accordance with the frequency with which the substituted days occurred.

Benefits are made	Benefits are made up of the following components;	
	Components of a Benefit	
	ember contributions oductivity contributions, and employer share.	
	fit accrual is payable under Part 11 in respect of a member who has ount into the PSS scheme - see Part 11	
Accumulated mem	ber contributions are contributions paid by the member, plus interest.	
Accumulated prod employer, plus into before 1 July 1990	activity contributions are contributions paid (less PSS Fund tax) by the crest. It may include unfunded productivity superannuation that accrued	
The unfunded emp between the total b	loyer share, which is the unfunded benefit accrual, is the difference enefit and the sum of accumulated member and productivity contributions.	

# **Benefit Accrual Multiples - Regular Members**

### Calculating benefit accrual multiples

5.2.1 The Benefit Accrual Multiple applicable to a **regular member** is the sum of any of the multiples applicable to him/her under this Division.

Quick Guide to the Components of a Benefit Accrual Multiple		
Possible Components	Results from	See Rule
On-going Multiple	Paying fortnightly contributions	5.2.2
Additional Cover Multiple	An amount received from a life office in respect of a policy for extra death and invalidity cover	5.2.10
Preserved Multiple	A preserved benefit from a previous period of PSS membership	5.2.12
Restoration Multiple	A former invalidity pensioner again becoming a member	5.2.14
Excess Contribution Multiple	Paying fortnightly contributions above the maximum average rate that attract employer benefits	5,2,17
Unfunded Transfer Multiple	An amount transferred on entry to the <b>PSS scheme</b> that is exclusively productivity benefit	5.2.19
Membership Transfer Multiple	Combining benefits from previously concurrent periods of membership	5.2.21
CSS Transfer Multiple	Transferring entitlements from the CSS scheme	5.2.22
Non-Cash Transfer Multiple	An amount that would otherwise have been payable to an approved superannuation scheme in respect of a person who had transferred to that scheme from the PSS scheme or the CSS scheme	5.2.23

# On-going Multiple

- 5.2.2 The Ongoing Multiple applicable to a regular member on a day is the lesser of:
  - (a) the sum of his/her Fortnightly Contribution Accruals (see Rule 5.2.3); or
  - (b) his/her Average Accrual (see Rule 5.2.4).

#### Fortnightly contribution accrual

5.2.3 A Fortnightly Contribution Accrual is applicable to a regular member on each contribution due day he/she pays, or is required to pay, fortnightly contributions.

A Fortnightly Contribution Accrual is calculated using the following formula:

$$\left(\frac{0.11}{26} \text{ X Factor}\right) + \left(2 \text{ X } \frac{\text{Contributions Paid}}{\text{Annual Contribution Salary}}\right)$$

where:

Factor

for a member who was a permanent full-time employee or a temporary full-time employee on his/her last birthday is 1; and

for a member who was a permanent part-time employee or a temporary part-time employee on his/her last birthday is the ratio that the number of part-time hours worked by the member on his/her last birthday bears to the number of hours a permanent full-time employee performing duties of a similar nature would have worked on that day.

Part-time hours worked in this definition:

- include any hours not being worked that attract a partial invalidity pension or compensation payment; and
- if the **member** did not work on his/her **last birthday**, are the part-time hours he/she would have worked if he/she had been on duty; and
- if the member was on leave of absence without pay that is an excluded period of leave of absence on his/her last birthday, are the part time hours he/she worked, or would have worked if he/she had been on duty, on the last birthday with his/her permanent employer.

Note: A full time employee on an excluded period of leave of absence remains a permanent or a temporary full-time employee for the purposes of the Rules. A factor of 1 therefore applies in respect of the period of leave of absence if all requirements about contributions have been met, regardless of the hours worked with the temporary employer.

Contribution Paid

is the amount of contribution paid, or payable, by the member on

the contribution due day; and

Annual Contribution Salary

is the member's fortnightly contribution salary on his/her last birthday multiplied by 26.

			centage of avera or a whole year		would be accrued regular member
% Paid	% of AS	% Paid	% of AS	% Paid	% of AS
2	15%	5	21%	8	27%
3	17%	6	23%	9	29%
4	19%	7	25%	10	31%

#### Average accrual

- 5.2.4 The Average Accrual applicable to a **regular member** are the sum of the Fortnightly Contribution Accruals that would have accrued:
  - (a) if the member has less than 260 contribution due days during his/her period of membership, as if he/she had paid contributions at the rate of 5% of his/her fortnightly contribution salary on each of those contribution due days; or
  - (b) if the **member** has 260 or more contribution due days during his/her period of membership, as if he/she had paid contributions at the rate of:
    - (i) 5% of his/her fortnightly contribution salary on each of the first 260 contribution due days; and
    - (ii) 10% of his/her fortnightly contribution salary on each of the remaining contribution due days (if any);

#### unless:

- (A) the member has:
  - (i) a Preserved Multiple, a Restoration Multiple or a CSS Transfer Multiple or a Non-Cash Transfer Multiple (see Rule 5.2.5); or
  - (ii) a Membership Transfer Multiple (see Rule 5.2.6); or
- (B) the member has advised the Board he/she;
  - (i) has more than one membership (see Rule 5.2.7); or
  - (ii) is, or was on ceasing membership, also an eligible employee under the Superannuation Act 1976 (see Rule 5.2.8); or
- (C) the member:
  - (i) immediately before joining the **PSS scheme**, was a member of a superannuation scheme of a State or Territory by reason of continuous employment in an

- organisation, business, service, asset or function, of that State or Territory which was sold to the Commonwealth or transferred to the Commonwealth; and
- (ii) ceased membership of that superannuation scheme as a result of the sale or transfer; and
- (iii) continued in employment with the Commonwealth (see Rule 5.2.9).
- 5.2.5 The Average Accrual applicable to a **regular member** who has a Preserved Multiple, a Restoration Multiple, CSS Transfer Multiple or a Non-Cash Transfer Multiple, or any combination of those multiples is:
  - (a) where the contribution due days applicable to that multiple or multiples are less than 260, the multiple that would have accrued under Rule 5.2.4 if the 260 contribution due days referred to in that rule were reduced by the number of contribution due days applicable to that multiple or multiples; or
  - (b) where the contribution due days applicable to that multiple or multiples are 260 or more, the sum of his/her Fortnightly Contribution Accruals under Rule 5.2.3.
- 5.2.6 The Average Accrual applicable to a regular member who has a Membership Transfer Multiple arising from a previous membership is the multiple that would have accrued under Rule 5.2.4 if the 260 contribution due days referred to in that rule were reduced by the number of contribution due days in the previous membership occurring before his/her first day of membership. No particular contribution due day can be counted more than once.

#### What do the Average Accrual provisions do?

The Average Accrual provisions in Rules 5.2.4 to 5.2.8 operate to restrict the rate at which the employer financed component of benefits accrues over a total of 10 years (260 contribution due days) to provide an On-going Multiple (see Rule 5.2.2).

The 10 years do not have to be in a continuous period, nor do they have to be the first 10 years of membership.

Over the total of 10 years the employer component accrues at the rate appropriate to the rate of member contributions, if the member contributes at 5% or less. If the member contributes at greater than 5%, the employer component accrual is limited to a maximum as though the member contributed at 5% of salary.

All contribution due days applicable to members who have Preserved Multiples, Restoration Multiples, CSS Transfer Multiples, Non-cash Transfer Multiples, Membership Transfer Multiples, or, when advised to the Board, concurrent PSS memberships or concurrent CSS and PSS memberships, count toward the 10 years (260 contribution due days). Each contribution due day counts only once.

- 5.2.7 The Average Accrual applicable to a regular member who advised the Board he/she also has an earlier commencing concurrent membership is the multiple that would have accrued under Rule 5.2.4 if the 260 contribution due days referred to in that rule were reduced by the number of contribution due days in the earlier commencing membership occurring before his/her first day of membership. No particular contribution due day can be counted more than once.
- 5.2.8 The Average Accrual applicable to a **regular member** who advised the **Board** he/she is also an eligible employee under the *Superannuation Act 1976* is the multiple that would have accrued under Rule 5.2.4 if the 260 contribution due days referred to in that rule were reduced by the number of contribution due days occurring from the date the **member** became an eligible employee under the *Superannuation Act 1976* to his/her **first day of membership**.
- 5.2.9 The 260 contribution due days referred to in Rule 5.2.4 are reduced by one for each fortnight during which a **regular member** who is the subject of paragraph (C) of Rule 5.2.4 contributed to the superannuation scheme referred to in that Rule, or during which his/her employer contributed to that superannuation scheme.

#### Additional Cover Multiple

- 5.2.10 An Additional Cover Multiple applies to a regular member if:
  - (a) he/she was, immediately before ceasing membership, paying premiums for additional death and invalidity cover under Division 3 of Part 10 of the Rules; and
  - (b) he/she ceased membership on invalidity retirement or death before age 60; and
  - (c) an amount has been, or will be, paid to the **Board** by a **life assurance company** in response to a claim against a policy held by the **Board** on behalf of the **member**.
- 5.2.11 An Additional Cover Multiple is calculated by dividing the amount payable on behalf of a member by his/her final average salary.

#### Preserved Multiple

- 5.2.12 A Preserved Multiple applies to a regular member if the Board is aware a preserved benefit applied to him/her immediately before last becoming a regular member.
- 5.2.13 A Preserved Multiple is calculated by dividing the amount of a member's preserved benefit by his/her average salary on the date he/she last became a regular member. The Board may:
  - (a) use a later date, and if so must:
    - (i) use the member's average salary at that later date; and
    - (ii) adjust the amount of the **preserved benefit** to take account of any increases that would have accrued to that later date; or

(b) increase the amount of the **preserved benefit** to take account of any phasing in of the employer benefit if the **preserved benefit** became applicable before 1 July 1992.

## Restoration Multiple

- 5.2.14 A Restoration Multiple applies to a regular member if he/she:
  - (a) was an **invalidity pensioner** immediately before last becoming a **regular member**; but
  - (b) was not a maximum benefits member before last becoming an invalidity pensioner
- 5.2.15 A Restoration Multiple is the sum of:
  - (a) the member's Benefit Accrual Multiple at the time he/she last became an **invalidity pensioner**; plus
  - (b) the Invalidity Multiple that would have accrued under Rule 5.4.2 between the date the member last became an invalidity pensioner and the date he/she last became a regular member.

The **Board** will reduce the Restoration Multiple if the **member** was paid a lump sum of his/her **accumulated member contributions** at the time he/she last became an **invalidity pensioner** by the proportion calculated using the formula:

## PBAM X AMC IBA

where:

**PBAM** 

is the previous Benefit Accrual Multiple of the member at the time

he/she last became an invalidity pensioner; and

**AMC** 

is the amount of accumulated member contributions paid to member at the time he/she last became an invalidity pensioner;

and

**IBA** 

is the lump sum value of the **invalidity benefit accrual** of the **member** at the time he/she last became an **invalidity pensioner**.

#### **Excess Contribution Multiple**

- 5.2.16 An Excess Contribution Multiple applies to a regular member if:
  - (a) he/she ceases membership; and
  - (b) the sum of his/her Fortnightly Contribution Accruals is greater than his/her Average Accrual

- 5.2.17 An Excess Contribution Multiple is calculated by:
  - (a) subtracting the member's Average Accrual from the sum of his/her Fortnightly Contribution Accruals (see Rule 5.2.3); and
  - (b) dividing the result by 2.

#### **Unfunded Transfer Multiple**

- **5.2.18** An Unfunded Transfer Multiple applies to a **regular member** if, immediately before his/her **first day of membership**, he/she is a remainder employee under the *Superannuation* (*Productivity Benefit*) Act 1988 but is not a fund employee under that Act.
- 5.2.19 An Unfunded Transfer Multiple is calculated by dividing the amount that would have been payable under the *Superannuation (Productivity Benefit) Act 1988* on behalf of the member on the day before his/her first day of membership if he/she had become entitled to a benefit under that Act by his/her average salary. The Board may use a later date, and if so must:
  - (a) use the member's average salary at that later date; and
  - (b) adjust the amount of the payment that would have been made to take account of any interest that would have been accrued to that later date.

## Membership Transfer Multiple

- 5.2.20 A Membership Transfer Multiple applies to a regular member if:
  - (a) the **Board** accepts a request from the **member** to combine a previously concurrent membership with a current membership; or
  - (b) the **Board** is aware a **member** has a previously concurrent membership of less than three months.
- 5.2.21 A Membership Transfer Multiple is calculated by dividing the member's **final benefit** accrual from his/her previous membership by his/her average salary from his/her current membership at the date his/her earlier membership ceased.

#### CSS Transfer Multiple

5.2.22 The applicability of, and method of calculating, a CSS Transfer Multiple is set out in Division 2 of Part 14.

#### Non-Cash Transfer Multiple

- 5.2.23 A Non-Cash Transfer Multiple applies to a regular member:
  - (a) who transferred to the **PSS Scheme** from an **approved superannuation scheme**; and

- (b) who was a person who had previously transferred to that approved superannuation scheme from the PSS Scheme or the CSS Scheme; and
- (c) in respect of whom assets were transferred to the **approved superannuation scheme** under a determination by the Minister under section 33D of the *Superannuation Act* 1990 or section 240 of the *Superannuation Act* 1976; and
- (d) in respect of whom an amount was included in a schedule of payments from the Consolidated Revenue Fund to the **approved superannuation scheme** determined by the Minister under section 33E of the *Superannuation Act 1990* or section 241 of the *Superannuation Act 1976* but has not been paid; and
- (e) in respect of whom assets are transferred from the approved superannuation scheme to the PSS scheme.
- 5.2.24 A Non-Cash Transfer Multiple is calculated by dividing:
  - (a) the amount that would otherwise have been payable in respect of the **regular** member under a determination made under section 33D of the *Superannuation Act* 1990 or section 241 of the *Superannuation Act* 1976 on cessation of the person's membership of the approved superannuation scheme when he/she transferred to the **PSS scheme**; by
  - (b) his/her average salary on the date he/she joined the PSS scheme.
- **5.2.25** A contribution due day in respect of a regular member entitled to a Non-Cash Transfer Multiple includes:
  - (a) any contribution due day which occurred in the period of service by that regular member in respect of which service an amount is included in a schedule of payments from the Consolidated Revenue Fund to the approved superannuation scheme determined by the Minister under section 33E of the Superannuation Act 1990; or
  - (b) any contribution day for the purposes of the Superannuation Act 1976 on which the regular member was required to pay contributions which occurred in the period of service by that regular member in respect of which service an amount is included in a schedule of payments from the Consolidated Revenue Fund to the approved superannuation scheme determined by the Minister under section 241 of the Superannuation Act 1976.

# Benefit Accrual Multiples - Casual Members

# Calculating benefit accrual multiples

**5.3.1** The Benefit Accrual Multiple applicable to a **casual member** is the sum of any of the multiples applicable to him/her under this Division.

Quick Guide to the Components of a Benefit Accrual Multiple		
Possible Components	Results from	See Rule
On-going Multiple	Paying fortnightly contributions	5.3.2
Additional Cover Multiple	An amount received from a life office in respect of a policy for extra death and invalidity cover	5.3.10
Preserved Multiple	A preserved benefit from a previous period of PSS membership	5.3.12
Restoration Multiple	A former invalidity pensioner again becoming a member	5.3.15
Excess Contribution Multiple	Paying fortnightly contributions above the maximum average rate that attract employer benefits	5.3:17
Unfunded Transfer Multiple	An amount transferred on entry to the <b>PSS scheme</b> that is exclusively productivity benefit	5.3.19
Membership Transfer Multiple	Combining benefits from previously concurrent periods of membership	5.3.21
CSS Transfer Multiple	Transferring entitlements from the CSS scheme	5.3.23
Non-Cash Transfer Multiple	An amount that would otherwise have been payable to an approved superannuation scheme in respect of a person who had transferred to that scheme from the PSS scheme or the CSS scheme.	5.3.24

# On-going Multiple

- 5.3.2 The Ongoing Multiple applicable to a casual member on a day is the lesser of:
  - (a) the sum of his/her Fortnightly Contribution Accruals (see Rule 5.3.3); or
  - (b) his/her Average Accrual (see Rule 5.3.4).

#### Fortnightly contribution accrual

5.3.3 A Fortnightly Contribution Accrual is applicable to a casual member on each contribution due day he/she pays, or is required to pay, fortnightly contributions.

A Fortnightly Contribution Accrual is calculated using the following formula

$$\left(\frac{0.11}{26} \text{ X Factor}\right) + \left(2 \text{ X } \frac{\text{Contributions Paid}}{\text{Annual Contribution Salary}}\right)$$

where:

Factor is the ratio his/her fortnightly contribution salary on that

contribution due day bears to his/her fortnightly contribution

salary on his/her last birthday; and

Contribution Paid is the amount of contribution paid by the member in respect of that

contribution due day; and

Annual Contribution

Salary

is the member's fortnightly contribution salary on his/her

last birthday multiplied by 26.

#### Average accrual

- 5.3.4 The Average Accrual applicable to a casual member is the sum of the Fortnightly Contribution Accruals that would have accrued:
  - (a) if the member has less than 260 contribution due days during his/her period of membership, as if he/she had paid contributions at the rate of 5% of his/her fortnightly contribution salary on each of those contribution due days; or
  - (b) if the **member** has 260 or more contribution due days during his/her period of membership, as if he/she had paid contributions at the rate of:
    - (i) 5% of his/her fortnightly contribution salary on each of the first 260 contribution due days; and
    - (ii) 10% of his/her fortnightly contribution salary on each of the remaining contribution due days (if any);

unless:

(A) the member has:

- (i) a Preserved Multiple, a Restoration Multiple, CSS Transfer Multiple or a Non-Cash Transfer Multiple (see Rule 5.3.5); or
- (ii) a Membership Transfer Multiple (see Rule 5.3.6); or
- (B) the member has advised the Board he/she;
  - (i) has more than one membership (see Rule 5.3.7); or
  - (ii) is, or was on ceasing membership, also an eligible employee under the Superannuation Act 1976 (see Rule 5.3.8); or
- (C) the member:
  - (i) immediately before joining the **PSS scheme**, was a member of a superannuation scheme in respect of continuous employment by an organisation, business, service, asset or function, of a State or Territory which was sold to the Commonwealth or transferred to the control of the Commonwealth; and
  - (ii) ceased membership of the superannuation scheme as a result of the sale or transfer; and
  - (iii) continued in employment with the Commonwealth (see Rule 5.3.9).
- 5.3.5 The Average Accrual applicable to a casual member who has a Preserved Multiple, a Restoration Multiple, Css Transfer Multiple or a Non-Cash Transfer Multiple, or any combination of those multiples is;
  - (a) where the contribution due days applicable to that multiple or multiples are less than 260, the multiple that would have accrued under Rule 5.3.4 if the 260 contribution due days referred to in that rule were reduced by the number of contribution due days applicable to that multiple or multiples; or
  - (b) where the contribution due days applicable to that multiple or multiples are 260 or more, the sum of his/her Fortnightly Contribution Accruals under Rule 5.3.3.
- 5.3.6 The Average Accrual applicable to a casual member who has a Membership Transfer Multiple arising from a previous membership is the multiple that would have accrued under Rule 5.3.4 if the 260 contribution due days referred to in that rule were reduced by the number of contribution due days in the previous membership occurring before his/her first day of membership. No particular contribution due day can be counted more than once.
- 5.3.7 The Average Accrual applicable to a **casual member** who advised the **Board** he/she also has an earlier commencing membership is the multiple that would have accrued under Rule 5.3.4 if the 260 contribution due days referred to in that rule were reduced by the number of contribution due days in the earlier commencing membership occurring before his/her **first day of membership**. No particular **contribution due day** can be counted more than once.
- 5.3.8 The Average Accrual applicable to a **casual member** who advised the **Board** he/she is also an eligible employee under the *Superannuation Act 1976* is the multiple that would have accrued under Rule 5.3.4 if the 260 contribution due days referred to in that rule were reduced by

the number of contribution due days occurring from the date the **member** became an eligible employee under the *Superannuation Act 1976* to his/her **first day of membership**.

- 5.3.9 The 260 contribution due days referred to in Rule 5.3.4 are reduced by one for each fortnight during which a **casual member** who:
  - (a) immediately before joining the **PSS scheme**, was a member of a superannuation scheme in respect of continuous employment by an organisation, business, service, asset or function, of a State or Territory which was sold to the Commonwealth or transferred to the control of the Commonwealth; and
  - (b) ceased membership of the superannuation scheme as a result of the sale or transfer; and
  - (c) continued in employment with the Commonwealth;

contributed to the superannuation scheme, or during which his/her employer contributed to the superannuation scheme.

#### Additional Cover Multiple

- 5.3.10 An Additional Cover Multiple applies to a casual member if:
  - (a) he/she was, immediately before ceasing membership, paying premiums for additional death and invalidity cover under Division 3 of Part 10 of these Rules; and
  - (b) he/she ceased membership on invalidity retirement or death before age 60; and
  - (c) an amount has been, or will be, paid to the **Board** by a **life assurance company** in response to a claim against a policy held by the **Board** on behalf of the **member**.
- **5.3.11** An Additional Cover Multiple is calculated by dividing the amount payable on behalf of a member by his/her final average salary.

#### Preserved Multiple

- 5.3.12 A Preserved Multiple applies to a casual member if the Board is aware a preserved benefit applied to him/her immediately before last becoming a casual member.
- **5.3.13** A Preserved Multiple is calculated by dividing the amount of a member's **preserved benefit** by his/her **average salary** on the date he/she last became a **casual member**. The **Board** may:
  - (a) use a later date, and if so must:
    - (i) use the member's average salary at that later date; and
    - (ii) adjust the amount of the **preserved benefit** to take account of any increases that would have accrued to that later date; or

(b) increase the amount of the **preserved benefit** to take account of any phasing in of the employer benefit if the **preserved benefit** became applicable before 1 July 1992.

## Restoration Multiple

- 5.3.14 A Restoration Multiple applies to a casual member if he/she:
  - (a) was an invalidity pensioner immediately before last becoming a casual member; but
  - (b) was not a maximum benefits member before last becoming an invalidity pensioner.
- 5.3.15 A Restoration Multiple is the sum of:
  - (a) the member's Benefit Accrual Multiple at the time he/she last became an invalidity pensioner; plus
  - (b) the Invalidity Multiple that would have accrued under Rule 5.5.2 between the date the member last became an invalidity pensioner and the date he/she last became a casual member.

The **Board** will reduce the Restoration Multiple if the **member** was paid a lump sum of his/her **accumulated member contributions** at the time he/she last became an **invalidity pensioner** by the proportion calculated using the formula:

## PBAM X AMC IBA

where:

**PBAM** 

is the previous Benefit Accrual Multiple of the member at the time

he/she last became an invalidity pensioner; and

AMC

is the amount of accumulated member contributions paid to member at the time he/she last became an invalidity pensioner;

and

 $\mathbb{B}A$ 

is the lump sum value of the invalidity benefit accrual of the member at the time he/she last became an invalidity pensioner.

# Excess Contribution Multiple

- 5.3.16 An Excess Contribution Multiple applies to a casual member if:
  - (a) he/she ceases membership; and
  - (b) the sum of his/her Fortnightly Contribution Accruals is greater than his/her Average Accrual.

- 5.3.17 An Excess Contribution Multiple is calculated by:
  - (a) subtracting the member's Average Accrual from the sum of his/her Fortnightly Contribution Accruals (See Rule 5.3.3); and
  - (b) dividing the result by 2.

#### Unfunded Transfer Multiple

- **5.3.18** An Unfunded Transfer Multiple applies to a **casual member** if, immediately before becoming a **casual member**, he/she was a remainder employee under the *Superannuation* (*Productivity Benefit*) *Act 1988* but was not a fund employee under that Act.
- 5.3.19 An Unfunded Transfer Multiple is calculated by dividing the amount that would have been payable under the *Superannuation (Productivity Benefit) Act 1988* on behalf of the member on the day before his/her first day of membership if he/she had become entitled to a benefit under that Act by his/her average salary. The Board may decide a later date should be used, and if so must:
  - (a) use the member's average salary at that later date; and
  - (b) adjust the amount of the payment that would have been made to take account of any interest that would have been accrued to that later date.

#### Membership Transfer Multiple

- 5.3.20 A Membership Transfer Multiple applies to a casual member if:
  - (a) the **Board** accepts a request from the **member** to combine a previously concurrent membership with a current membership; or
  - (b) the **Board** is aware a **member** has a previously concurrent membership of less than three months.
- 5.3.21 A Membership Transfer Multiple is calculated by dividing the member's **final benefit** accrual from his/her previous membership by his/her average salary from his/her current membership at the date his/her earlier membership ceased.

#### **CSS Transfer Multiple**

5.3.22 The applicability of, and method of calculating, a CSS Transfer Multiple is set out in Division 2 of Part 14.

#### Non-Cash Transfer Multiple

- 5.3.23 A Non-Cash Transfer Multiple applies to a casual member:
  - (a) who transferred to the **PSS Scheme** from an approved superannuation scheme; and
  - (b) who was a person who had previously transferred to that approved superannuation scheme from the PSS Scheme or the CSS Scheme; and
  - (c) in respect of whom assets were transferred to the approved superannuation scheme under a determination by the Minister under section 33D of the Superannuation Act 1990 or section 240 of the Superannuation Act 1976; and
  - (d) in respect of whom an amount was included in a schedule of payments from the Consolidated Revenue Fund to the **approved superannuation scheme** determined by the Minister under section 33E of the *Superannuation Act 1990* or section 241 of the *Superannuation Act 1976* but has not been paid; and
  - (e) in respect of whom assets are transferred from the approved superannuation scheme to the PSS scheme.
- **5.3.24** A Non-Cash Transfer Multiple is calculated by dividing:
  - (a) the amount that would otherwise have been payable in respect of the **casual member** under a determination made under section 33D of the *Superannuation Act 1990* or section 241 of the *Superannuation Act 1976* on cessation of the person's membership of the **approved superannuation scheme** when he/she transferred to the **PSS scheme**; by
  - (b) his/her average salary on the date he/she joined the PSS scheme.
- 5.3.25 A contribution due day in respect of a casual member entitled to a Non-Cash Transfer Multiple includes:
  - (a) any **contribution due day** which occurred in the period of service by that **casual** member in respect of which service an amount is included in a schedule of payments from the Consolidated Revenue Fund to the **approved superannuation scheme** determined by the Minister under section 33E of the *Superannuation Act 1990*; or
  - (b) any **contribution day** for the purposes of the *Superannuation Act 1976* on which the **casual member** was required to pay contributions which occurred in the period of service by that **casual member** in respect of which service an amount is included in a schedule of payments from the Consolidated Revenue Fund to the **approved superannuation scheme** determined by the Minister under section 241 of the *Superannuation Act 1976*.

## **Invalidity Multiples - Regular Members**

#### Invalidity Multiple

- 5.4.1 An Invalidity Multiple applies to, or in relation to, a regular member if he/she:
  - (a) ceases membership because of **invalidity retirement** before age 60 or death before age 60; or
  - (b) is deemed by the **Board** under Rule 8.5.3 to have ceased membership because of invalidity retirement before age 60;

unless:

- (A) he/she is, at the time membership ceases:
  - (i) a limited benefits member; or
  - (ii) a maximum benefits member; or
- (B) he/she chose to take a lump sum benefit of his/her final benefit accrual when the **Board** accepted that he/she is suffering from a terminal medical condition, (see Rule 6.4.1).
- 5.4.2 An Invalidity Multiple applicable to a **regular member** is the sum of the multiples that would have accrued if he/she had paid contributions on each **contribution day** occurring from the date of ceasing membership (see Rule 5.4.4) to the earlier of:
  - (a) age 60; or
  - (b) the date he/she would have become a maximum benefits member (see also Rule 11.3.17) if:
    - (i) contributions had continued to be paid at the Contribution Payable rate determined in the formula below; and
    - (ii) the maximum benefit had been based on the member's final average salary;

using the following formula:

$$\left(\frac{0.11}{26} \text{ X Average Factor}\right) + \left(2 \text{ X } \frac{\text{Contribution Payable}}{\text{Annual Contribution Salary}}\right)$$

where:

#### Average Factor

for a former regular member who was a permanent full-time employee or a temporary full-time employee immediately before ceasing membership (see Rule 5.4.4), is 1; and

for a former member who was a **permanent part-time employee** or a **temporary part-time employee** immediately before ceasing membership (see Rule 5.4.4), is the total part-time hours worked, including any hours not worked that attracted a partial invalidity pension or compensation payment, over the lesser of his/her:

- last 78 contribution due days; or
- total number of contribution due days;

divided by the total number of hours a permanent full-time employee performing duties of a similar nature would have worked over the same period; and

#### Contribution Payable

is the amount of contribution that would have been paid by the former member had he/she continued to pay contributions at the greater of:

- 5%; or
- the average percentage rate paid over the lesser of his/her last 78 contribution due days or total number of contribution due days;

of the fortnightly contribution salary applicable to him/her on his/her last birthday; provided the percentage rate:

- cannot exceed 10%; and
- is limited to 5% for the lesser number of contribution days occurring between the date he/she ceased membership and the date he/she would have:
  - accrued 260 contribution due days; or
  - reached age 60; or
  - reached his/her maximum benefit;

if the number of contribution due days used to determine the member's Average Accrual under Division 2 of this Part is less than 260; and

# Annual Contribution Salary

is the former member's **fortnightly contribution salary** on his/her **last birthday** multiplied by 26.

- 5.4.3 The Board may adjust the Invalidity Multiple applicable to a former regular member if he/she had been a casual member at some time during his/her:
  - last 78 contribution days; or, if less,
  - total number of contribution days.

In making such adjustment the **Board** will take into account the number of **contribution due days** in the member's last 78 contribution days or, if less, total number of contribution days, and will have regard to:

- (a) the methods of assessing the Average Factor and the Contribution Payable set out in Rule 5.4.2; and
- (b) the member's contribution and salary experience; and
- (c) the need to maintain equity between members.
- 5.4.4 The Board may substitute an earlier date for the date a regular member:
  - (a) ceases membership because of invalidity retirement; or
  - (b) dies;

if the member had one or more protracted periods of paid or unpaid sick leave or **compensation** leave related to the medical condition or conditions that substantially contributed to his/her invalidity retirement or death in the three years prior to that cessation of membership or death.

## **Invalidity Multiples - Casual Members**

#### **Invalidity Multiple**

- 5.5.1 An Invalidity Multiple applies to, or in relation to, a casual member if he/she:
  - (a) ceases membership because of invalidity retirement before age 60 or death before age 60; or
  - (b) is deemed by the Board under Rule 8.4.3 to have ceased membership because of invalidity retirement before age 60:

unless:

- (A) he/she is, at the time membership ceased:
  - (i) a limited benefits member; or
  - (ii) a maximum benefits member, or
- (B) he/she chose to take a lump sum benefit of his/her final benefit accrual when the **Board** accepted that he/she is suffering from a terminal medical condition (see Rule 6.5.1).
- 5.5.2 An Invalidity Multiple applicable to a **casual member** is the sum of the multiples that would have accrued if he/she had paid contributions on the number of contribution days determined under Rule 5.5.3, using the following formula:

$$\left(\begin{array}{cc} \frac{0.11}{26} & \text{X Average Factor} \end{array}\right) + \left(\begin{array}{cc} 2 & \text{X} & \frac{\text{Contribution Payable}}{\text{Annual Contribution Salary}} \end{array}\right)$$

where:

Average Factor

is the average of the Factor values used in the formula in Rule 5.3.3 over the lesser of his/her last 78 contribution due days or number of contribution due days; and

Contribution Payable

is the amount of contribution that would have been paid by the former member had he/she continued to pay contributions at the greater of:

- 5%; or
- the average percentage rate paid over the lesser of the 78 contribution due days immediately before he/she ceased membership or his/her number of contribution due days;

of the fortnightly contribution salary applicable to him/her on the later of his/her last birthday or date of last becoming a casual member; provided the percentage rate:

- cannot exceed 10%; and
- is limited to 5% for the lesser of the number of contribution days occurring between the date he/she ceased membership and the date he/she would have:
  - accrued 260 contribution due days; or
  - reached age 60; or
  - reached his/her maximum benefit;

if the number of contribution due days used to determine the member's Average Accrual under Division 2 of this Part is less than 260.

# Annual Contribution Salary

is the average of the Annual Contribution Salary values used in the formula in Rule 5.3.3 over the lesser of his/her last 78 contribution due days or number of contribution due days.

5.5.3 The number of contribution days referred to in Rule 5.5.2 is the number calculated using the following formula:

# Prospective Period Paydays X Previous Paydays Contributions Paid Previous Period Paydays

where:

Prospective Period Paydays

is the number of contribution days occurring from the date the member ceased membership to the earlier of:

- age 60; or
- the date he/she would have become a maximum benefits member if
  - contributions had continued to be paid at the Contribution Payable rate determined under Rule 5.5.2; and
  - he/she had continued to pay contributions in the same ratio that the number of contribution due days on which he/she paid contributions during the 78 contribution days immediately before he/she ceased membership or, if less,

his/her period of membership bears to the number of contribution days in that period; and

 his/her maximum benefit was based on his/her final average salary; and

Previous Paydays Contributions Paid is the number of contribution days the former member paid contributions during the lesser of the 78 contribution days immediately before he/she ceased membership or, if less, his/her period of membership; and

Previous Period Paydays

is the number of contribution days during the lesser of the 78 contribution days immediately before he/she ceased membership or, if less, his/her period of membership;

- if the member was a regular member before becoming a casual member, the number of previous period paydays is to be reduced by the number of contribution days if any, he/she as a regular member, was not allowed to pay contributions, eg. while on leave without pay.

## 5.5.4 The Board may substitute an earlier date for the date a casual member:

- (a) ceases membership because of invalidity retirement; or
- (b) dies;

if the **member** had one or more protracted periods of paid or unpaid sick leave or **compensation** leave related to the medical condition or conditions that substantially contributed to his/her invalidity retirement or death in the three years prior to that cessation of membership or death.

#### **Maximum Benefits**

#### Becoming a maximum benefits member

#### 5.6.1 A member is a maximum benefits member from the earlier of:

- (a) the date of last becoming a member if he/she was a maximum benefits member in relation to a previous period of membership; or
- (b) the date of election to cease to be an eligible employee under the *Superannuation Act* 1976 if he/she transferred from the CSS scheme and Rule 14.3.1 applies; or
- (c) the contribution due day he/she reaches his/her maximum benefit, that is, when the amount calculated by multiplying his/her Benefit Accrual Multiple by his/her average salary equals or exceeds:
  - (i) the amount shown opposite the average salary in the following Table

    Maximum Benefits (as amended by determination of the Board under Rule
    5.6.5 from time to time); or
  - (ii) the amount calculated under Division 7 of this Part if the member has received, or is entitled to receive, an adjustment payment under the Australian Federal Police Act 1979 (see Division 7 of this Part)

#### unless the member:

- (A) ceases membership on **invalidity retirement** or death and his/her **final average** salary is less than the minimum average salary shown in the following Table *Maximum Benefits* (see also Rule 5.6.2); or
- (B) before last becoming a member:
  - (i) had a preserved benefit applicable that would have exceeded the amount calculated under the Table *Maximum Benefits* when he/she last became a **member** (see Rule 5.6.3); or
  - (ii) was an invalidity pensioner and on the date he/she last became an invalidity pensioner was a maximum benefits member (see Rule 5.6.4); or
- (C) has a CSS Transfer Multiple applicable and on the day he/she ceased to be an eligible employee under the *Superannuation Act 1976* his/her benefit amount calculated under Rule 14.3.1 would have exceeded the **maximum benefit** otherwise calculated under this Rule; or
- (D) transferred a transfer amount into the PSS scheme before 1 January 1996 and chooses the pension conversion option under Rule 11.3.6 (see Rule 11.3.10).)

Table - Maximum Benefits		
Average Salary	Maximum Benefit	
Less Than \$30,489	\$243,909	
\$30,489 or more but less than \$48,750	8 times average salary	
\$48,750 or more but less than \$90,520	\$97,500 plus 6 times average salary	
\$90,520 or more	\$369,060 plus 3 times average salary	

## Calculating maximum benefits in certain other cases

- 5.6.2 A maximum benefit in relation to a member who ceases membership on invalidity retirement or death and has a final average salary less than the minimum average salary shown in the Table *Maximum Benefits* in Rule 5.6.1 (as amended by determination of the **Board** under Rule 5.6.5 from time to time), is the greater of:
  - (a) 8 times his/her final average salary; or
  - (b) his/her final benefit accrual;

but cannot exceed the lowest benefit shown in the Table Maximum Benefits in Rule 5.6.1.

- 5.6.3 The **Board** will determine the **maximum benefit** of a **member** who had a **preserved** benefit applicable that would have exceeded the amount calculated under the Table *Maximum* Benefits in Rule 5.6.2 (as amended by determination of the **Board** under Rule 5.6.5 from time to time) shown opposite the member's average salary when he/she last became a **member**.
- 5.6.4 A maximum benefit in relation to a member who was an invalidity pensioner before last becoming a member and on the date he/she last became an invalidity pensioner was a maximum benefits member, is an amount calculated using the following formula:

where:

New MB is the amount calculated under the Table Maximum Benefits in

Rule 5.6.1 according to the member's average salary; and

Old MB is the maximum benefit of the member at the time he/she last

became an invalidity pensioner; and

AMC is the amount of accumulated member contributions paid to

member at the time he/she last became an invalidity pensioner, if

any.

### Changes in the maximum benefits table

5.6.5 The **Board** will, by determination, amend the dollar amounts shown in the Table *Maximum Benefits* in Rule 5.6.1 with effect from 1 July each year to reflect the immediately preceding March-to-March movement in Average Weekly Ordinary Time Earnings in Australia.

#### Australian Federal Police Maximum Benefits

#### Maximum benefits where adjustment payment received

- 5.7.1 A maximum benefit in relation to a member who has received, or is entitled to receive, an adjustment payment under the *Australian Federal Police Act 1979* is an amount calculated from the following Table according to the member's average salary less the sum of:
  - (a) the value of any adjustment payments received, as updated by the Board; and
  - (b) the amount of any adjustment payments to be received;

#### unless the member:

- (A) ceases membership on or after minimum retiring age, but not on invalidity retirement, and chooses to be paid all or at least one half of his/her final benefit accrual as a pension (see Rule 5.7.2); or
- (B) ceases membership on invalidity retirement and, because the **Board** is not satisfied that he/she is suffering from a **terminal medical condition**, is not able to choose to be paid his/her **invalidity benefit accrual** wholly as a lump sum, or is able to choose but does not do so, and accordingly is paid benefits predominantly in the form of a pension (see Rule 5.7.3); or
- (C) ceases membership on death and his/her average salary equals or is more than the minimum shown in the following Table AFP Preliminary Maximum Benefits Lump Sums (see also Rule 5.7.4); or
- (D) ceases membership on **invalidity retirement** or death and his/her **average salary** is less than the minimum shown in the following Table AFP Preliminary Maximum Benefits Lump Sums (see also Rule 5.7.5); or
- (E) is entitled to his/her **preserved benefit** and chooses to take all or some of that benefit as a pension (see Rule 5.7.6); or
- (F) transferred a transfer amount into the PSS scheme before 1 January 1996 and chooses the pension conversion option under Rule 11.3.6 (see Rule 11.3.10).

Γable - AFP Preliminary Maximum Benefits - Lump Sums	
Average Salary	Preliminary Maximum Benefit
Less Than \$30,489	\$243,909
\$30,489 or more but less than \$48,750	8 times average salary
\$48,750 or more but less than \$90,520	\$97,500 plus 6 times average salary
\$90,520 or more	\$369,060 plus 3 times average salary

# Maximum benefits where adjustment payment received - pension taken

#### 5.7.2 A maximum benefit in relation to a member who:

- (a) ceases membership on or after minimum retiring age, but not on invalidity retirement, and chooses to take half or more of his/her final benefit accrual as a pension; and
- (b) has received, or is entitled to receive, an adjustment payment under the Australian Federal Police Act 1979;

#### is the lesser of:

- (A) the amount shown opposite the member's average salary in the Table AFP Preliminary Maximum Benefits Lump Sums in Rule 5.7.1(as amended by determination of the Board under Rule 5.7.7 from time to time); or
- (B) the sum of:
  - (i) the amount calculated from the following Table AFP Preliminary Maximum Benefits Pensions according to the member's final average salary; and
  - (ii) the member's undeducted contributions as defined in the *Income Tax* Assessment Act 1936; and
  - (iii) 20% of the amount of the member's unfunded benefit accrual to be taken as a pension, calculated on the basis that he/she is not a maximum benefits member; and
  - (iv) 15% of the balance of the member's unfunded benefit accrual (if any), calculated on the basis that he/she is not a maximum benefits member;

less the sum of:

- (v) the value of any adjustment payments received, as updated by the Board; and
- (vi) the amount of any adjustment payments to be received.

Table - AFP Preliminary Maximum Benefits - Pensions		
Final Average Salary	Preliminary Maximum Benefit	
Less Than \$30,489	\$343,001	
\$30,389 or more but less than \$48,750	11.25 times average salary	
\$48,750 or more but less than \$90,520	\$146,250 plus 8.25 times average salary	
\$90,520 or more	\$417,810 plus 5.25 times average salary	

## Maximum benefits where adjustment payment received - invalidity pensioner

#### 5.7.3 A maximum benefit in relation to a member who:

- (a) is not a limited benefits member; and
- (b) ceases membership on invalidity retirement and chooses to be paid all his/her invalidity benefit accrual as a pension, or to be paid a lump sum of all or some of his/her accumulated member contributions and to convert the balance of his/her invalidity benefit accrual to a pension; and
- (c) has received, or is entitled to receive, an adjustment payment under the Australian Federal Police Act 1979;

#### is the lesser of:

- (A) the amount shown opposite the member's average salary in the Table AFP Preliminary Maximum Benefits Lump Sums in Rule 5.7.1 (as amended by determination of the Board under Rule 5.7.7 from time to time); or
- (B) the sum of:
  - (i) the amount calculated from the Table AFP Preliminary Maximum

    Benefits Pensions in Rule 5.7.2 (as amended by determination of the Board under Rule 5.7.7 from time to time) according to the member's final average salary; and
  - (ii) the member's undeducted contributions as defined in the *Income Tax* Assessment Act 1936; and
  - (iii) the member's Invalidity Multiple that would have accrued from the date of ceasing membership to age 60 multiplied by his/her final average salary; and

(iv) 20% of the member's unfunded benefit accrual, calculated on the basis that the member is not a maximum benefits member;

less the sum of:

- (v) the value of any adjustment payments received, as updated by the **Board**; and
- (vi) the amount of any adjustment payments to be received.

#### Maximum benefits where adjustment payment received - death

## 5.7.4 A maximum benefit in relation to a member or a preserved benefits member who:

- (a) dies; and
- (b) has received, or is entitled to receive, an adjustment payment under the Australian Federal Police Act 1979;

is an amount calculated from the Table - AFP Preliminary Maximum Benefits - Lump Sums in Rule 5.7.1 (as amended by determination of the Board under Rule 5.7.7 from time to time) according to the former member's average salary on his/her last day of membership unless the member's final average salary is less than the minimum average salary shown in the Table - AFP Preliminary Maximum Benefits - Lump Sums in Rule 5.7.1 (see Rule 5.7.5).

## Maximum benefits where adjustment payment received - low salary, invalidity or death

#### 5.7.5 A maximum benefit in relation to a member who:

- (a) dies; or
- (b) ceases membership on **invalidity retirement** and, because the **Board** is satisfied that he/she is suffering from a **terminal medical condition**, is able to choose and chooses to be paid his/her **final benefit accrual** wholly as a lump sum; and
- (c) has a **final average salary** less than the minimum **average salary** shown in the Table AFP Preliminary Maximum Benefits Lump Sums in Rule 5.7.1 (as amended by determination of the **Board** under Rule 5.7.7 from time to time); and
- (d) has received, or is entitled to receive, an adjustment payment under the Australian Federal Police Act 1979;

is the greater of:

- (A) 8 times his/her final average salary; or
- (B) his/her final benefit accrual;

but cannot exceed the lowest Preliminary Maximum Benefit shown in the Table AFP Preliminary Maximum Benefits - Lump Sums in Rule 5.7.1 reduced by the sum of:

- (C) the value of any adjustment payments received, as updated by the Board; and
- (D) the amount of any adjustment payments to be received

## Maximum benefits where adjustment payment received - preserved benefit

#### 5.7.6 A maximum benefit in relation to a member who:

- (a) is entitled to his/her **preserved benefit** and chooses to take all or some of that benefit as a pension; and
- (b) has received, or is entitled to receive, an adjustment payment under the Australian Federal Police Act 1979;

is the lesser of:

- (A) the amount shown opposite the member's average salary in the Table AFP Preliminary Maximum Benefits Lump Sums in Rule 5.7.1 (as amended by determination of the Board under Rule 5.7.7 from time to time); or
- (B) the sum of:
  - (i) the amount calculated from the Table AFP Preliminary Maximum

    Benefits Pensions in Rule 5.7.2 (as amended by determination of the Board under Rule 5.7.7 from time to time) according to the member's final average salary; and
  - (ii) the member's undeducted contributions as defined in the *Income Tax* Assessment Act 1936; and
  - (iii) the amount calculated using the following formula:

 $\frac{20}{100}$  X (Unfunded Benefit Accrual X Fraction Converted)

where:

Unfunded Benefit Accrual

is the member's unfunded benefit accrual

on ceasing membership; and

Fraction Converted

is the fraction of the member's unfunded preserved benefit converted to pension;

and

(iv) 15% of the balance of the member's **unfunded benefit accrual** (if any) on ceasing membership;

less the sum of:

- (v) the updated value of any adjustment payments received; and
- (vi) the amount of any adjustment payments to be received.

# Changes in the maximum benefits table

5.7.7 The **Board** will, by determination, amend the dollar amounts shown in the Table *Maximum Benefits* in Rules 5.7.1 and 5.7.2 with effect from 1 July each year to reflect the immediately preceding March-to-March movement in Average Weekly Ordinary Time Earnings in Australia.