Fire and Emergency Services Superannuation Act 1985

Fire and Emergency Services (Superannuation Fund) Amendment Regulations (No. 2) 2012

Made by the Governor in Executive Council.

1. Citation
   These regulations are the Fire and Emergency Services (Superannuation Fund) Amendment Regulations (No. 2) 2012.

2. Commencement
   These regulations come into operation as follows —
   (a) regulations 1 and 2 — on the day on which these regulations are published in the Gazette;
   (b) the rest of the regulations — the day on which the Fire and Emergency Services Legislation Amendment Act 2012 section 97 comes into operation.

3. Regulations amended
   These regulations amend the Fire and Emergency Services (Superannuation Fund) Regulations 1986.

4. Regulation 3 amended
   In regulation 3(1) delete the definition of FESA Act.

5. Regulation 3A replaced
   Delete regulation 3A and insert:
3A. Eligible FES employees

For the purposes of the definition of eligible FES employee in section 3(1) of the Act —

(a) a person holds a prescribed office if the person holds office as the FES Commissioner; and

(b) a person is of a prescribed class if the person is employed or engaged as described in the FES Act section 20.

6. Regulation 10 deleted
Delete regulation 10.

7. Regulation 11 amended
Delete regulation 11(4) and insert:

(4) If an eligible FES employee who made an election under subregulation (1)(d)(ii) ceases to be a GES member, subregulation (1) applies as if the employee had become an eligible FES employee when he or she ceased to be a GES member.

Note: The heading to amended regulation 11 is to read:

Membership of eligible FES employee

8. Regulation 12B amended
In regulation 12B(1):

(a) in paragraph (a) delete “Board, the board of management of the Authority” and insert:

Board

(b) in paragraph (b) delete “Authority” and insert:
9. **Regulation 47 amended**

   (1) In regulation 47(1) delete “Authority” and insert:

   FES Commissioner

   (2) In regulation 47(2):

   (a) delete “Authority may,” and insert:

       FES Commissioner may,

   (b) delete “election itself,” and insert:

       election,

   (c) delete “Authority,” and insert:

       FES Commissioner.

10. **Regulation 47A amended**

    (1) In regulation 47A(2) delete “Authority” and insert:

        FES Commissioner

    (2) In regulation 47A(2a):

    (a) delete “Authority may,” and insert:

        FES Commissioner may,
(b) delete “ballot itself,” and insert:

ballot,

(c) delete “Authority.” and insert:

FES Commissioner.

11. Various references to “Authority” amended

In the provisions listed in the Table delete “Authority” (each occurrence) and insert:

FES

<table>
<thead>
<tr>
<th>Table</th>
</tr>
</thead>
<tbody>
<tr>
<td>r. 3(1) def. of <em>temporary or casual employee</em></td>
</tr>
<tr>
<td>r. 6(a) and (b)</td>
</tr>
<tr>
<td>r. 11(1), (2) and (5)</td>
</tr>
</tbody>
</table>

12. Various references to “chief executive officer” amended

In the provisions listed in the Table delete “chief executive officer” (each occurrence) and insert:

FES Commissioner

<table>
<thead>
<tr>
<th>Table</th>
</tr>
</thead>
<tbody>
<tr>
<td>r. 3(1) def. of <em>the employer</em> par. (a)</td>
</tr>
<tr>
<td>r. 7(1)(c)(vi)</td>
</tr>
<tr>
<td>r. 12A(1) and (3)(a)</td>
</tr>
<tr>
<td>----------------------</td>
</tr>
<tr>
<td>r. 16(1) def. of <em>actuarial amount</em> par. (b)</td>
</tr>
<tr>
<td>r. 16(2), (6) and (7)</td>
</tr>
<tr>
<td>r. 34A(1)</td>
</tr>
<tr>
<td>r. 36(4)</td>
</tr>
<tr>
<td>r. 48(1) and (2)(a) and (b)</td>
</tr>
</tbody>
</table>

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.