



New South Wales

State Authorities Non-contributory Superannuation Amendment (Shift Allowance Loading) Regulation 2005

under the

State Authorities Non-contributory Superannuation Act 1987

Her Excellency the Governor, on a certificate given under section 34 of the *State Authorities Non-contributory Superannuation Act 1987*, with the advice of the Executive Council, has made the following Regulation under the *State Authorities Non-contributory Superannuation Act 1987*.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The *State Authorities Non-contributory Superannuation Regulation 2000* provides that the number of shifts an employee actually worked during a certain period is to be taken into account in determining the loading to be treated as part of the employee's salary for the purposes of the *State Authorities Non-contributory Superannuation Act 1987*.

The object of this Regulation is to amend the *State Authorities Non-contributory Superannuation Regulation 2000* to provide that the number of shifts the employee would have actually worked during the relevant period but for the employee being on leave, being leave for which a shift allowance or an equivalent allowance or loading is paid, is also to be taken into account.

This Regulation also provides for the validation of anything done or omitted to be done, on or after 1 March 1999, that would have been validly done or omitted had the relevant provision of the *State Authorities Non-contributory Superannuation Regulation 2000*, as amended by this Regulation, been in force when the thing was done or omitted.

This Regulation is made under the *State Authorities Non-contributory Superannuation Act 1987*, including section 4 and section 34 (the general regulation-making power) and clause 7 of Schedule 5.

2005 No 345

Clause 1

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under the

State Authorities Non-contributory Superannuation Act 1987

1 Name of Regulation

This Regulation is the *State Authorities Non-contributory Superannuation Amendment (Shift Allowance Loading) Regulation 2005*.

2 Commencement

This Regulation commences on 8 July 2005.

3 Amendment of State Authorities Non-contributory Superannuation Regulation 2000

The *State Authorities Non-contributory Superannuation Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 4 Determination of loading in respect of shift allowance

Omit the definition of *S* in clause 4 (6). Insert instead:

S is the sum of:

- (a) the number of relevant shifts the employee actually worked during the relevant period, and
- (b) the number of relevant shifts the employee would have actually worked during the relevant period but for the employee being on leave, being leave for which a shift allowance or an equivalent allowance or loading (including that part of annualised salary that replaces shift allowance in respect of the employee) is paid.

[2] Clause 11

Insert after clause 10:

11 Validation of shift loading determinations

Anything done or omitted to be done, on or after 1 March 1999, that would have been validly done or omitted had clause 4 (6), as amended by Schedule 1 [1] to the *State Authorities Non-contributory Superannuation Amendment (Shift Allowance Loading) Regulation 2005*, been in force (under this Regulation or the *State Authorities Non-contributory Superannuation Regulation 1995*) at the time that the thing was done or omitted, is validated.