



NORTHERN TERRITORY OF AUSTRALIA

ADMINISTRATIVE INSTRUCTIONS UNDER SUPERANNUATION
GUARANTEE (SAFETY NET) ACT

**ADMINISTRATIVE INSTRUCTIONS
UNDER
SUPERANNUATION GUARANTEE (SAFETY NET) ACT**

1. General provisions applying to all additional benefits authorised under these Administrative Instructions

- (a) Payment of an additional benefit to the following classes of employees on the conditions set out for each class of employees is hereby authorized under the provisions of Sections 5 and 6 of the Superannuation Guarantee (Safety Net) Act.
- (b) These Administrative Instructions take effect on and from 10 August 1999.
- (c) All additional benefits shall be paid through the NTSSS, shall be subject to the terms and conditions of the NTSSS and shall be added to the NTSSS benefit, if any, otherwise payable.
- (d) An additional benefit is not payable in respect of any period of Territory employment occurring after an employee attains the age of 70 years.
- (e) An additional benefit is payable only in respect of salary or wages as defined in the Commonwealth Act.
- (f) Where any formula used in these Administrative Instructions produces a negative amount, no additional benefit is payable.

2. Definitions

- (a) In these Administrative Instructions -

"accrued employer component" has the same meaning as in the Superannuation Act;

"additional benefit" means the lump sum superannuation benefit payable in accordance with these Administrative Instructions;

"average weekly earnings" means the Average Weekly Earnings for Full Time Adult Persons, Weekly Ordinary Time Earnings for the Northern Territory last published by the Australian Statistician before the date in respect of which they are required under these Administrative Instructions to be assessed;

"Commonwealth Act" means the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth;

"CSS" means the Commonwealth Superannuation Scheme established by the Superannuation Act 1976 of the Commonwealth;

"Default Superannuation Fund" means the Australian Government Employees Superannuation Trust (AGEST);

"employee" means an employee as defined in the Superannuation Guarantee (Safety Net) Act;

"employer component of NTGPASS benefit" means the sum of the accrued employer component and the prospective employer component;

"final salary" means the salary applicable in the NTSSS for the purpose of paying benefits from that scheme at the time an employee ceases Territory employment;

"NTGPASS" means the Northern Territory Government and Public Authorities Superannuation Scheme (NTGPASS) established by the Superannuation Act;

"NTSSS" means the Northern Territory Supplementary Superannuation Scheme established by instrument in writing signed by the Treasurer and dated 4 January 1989;

"ordinary time earnings" means ordinary time earnings as defined in the Commonwealth Act;

"post June 92 days" means the number of days between 1 July 1992 and the date a person ceases to be an employee of the Territory, after excluding any periods of leave without pay not counting as service for the purpose of determining long service leave entitlements and after reducing any periods of part-time employment to their full-time equivalence;

"post June 95 days" means the number of days between 1 July 1995 and the date a person ceases to be an employee of the Territory, after excluding any periods of leave without pay not counting as service for the purpose of determining long service leave entitlements and after reducing any periods of part-time employment to their full-time equivalence;

"post June 98 days" means the number of days between 1 July 1998 and the date a person ceases to be an employee of the Territory, after excluding any periods of leave without pay not counting as service for the purpose of determining long service leave entitlements and after reducing any periods of part-time employment to their full-time equivalence;

"post June 2000 days" means the number of days between 1 July 2000 and the date a person ceases to be an employee of the Territory, after excluding any periods of leave without pay not counting as service for the purpose of determining long service leave entitlements and after reducing any periods of part-time employment to their full-time equivalence;

"post June 2002 days" means the number of days between 1 July 2002 and the date a person ceases to be an employee of the Territory, after excluding any periods of leave without pay not counting as service for the purpose of determining long service leave entitlements and after reducing any periods of part-time employment to their full-time equivalence;

"prospective employer component" has the same meaning as in the Superannuation Act;

"Updated Pre July 92 Ordinary Time Earnings" means the total ordinary time earnings of the employee from Territory employment between the period from 1 October 1988 to 30 June 1992 after the employee's earnings in each financial year (other than the financial year in which employment ceases) have been indexed by the percentage movement in Average Weekly Earnings from 1 January in the relevant financial year to the date of ceasing Territory employment;

"Updated Post June 92 Ordinary Time Earnings" means the total ordinary time earnings of the employee from Territory employment between the period from 1 July 1992 to the date of ceasing Territory employment after the employee's earnings in each financial year (other than the financial year in which employment ceases) have been indexed by the percentage movement in Average Weekly Earnings from 1 January in the relevant financial year to the date of ceasing Territory employment;

"Updated Post June 95 Ordinary Time Earnings" means the total ordinary time earnings of the employee from Territory employment between the period from 1 July 1995 to the date of ceasing Territory employment after the employee's earnings in each financial year (other than the financial year in which employment ceases) have been indexed by the percentage movement in Average Weekly Earnings from 1 January in the relevant financial year to the date of ceasing Territory employment; and

"Updated Post June 98 Ordinary Time Earnings" means the total ordinary time earnings of the employee from Territory employment between the period from 1 July 1998 to the date of ceasing Territory employment after the employee's earnings in each financial year (other than the financial year in which employment ceases) have been indexed by the percentage movement in Average Weekly Earnings from 1 January in the relevant financial year to the date of ceasing Territory employment.

"Updated Post June 2000 Ordinary Time Earnings" means the total ordinary time earnings of the employee from Territory employment between the period from 1 July 2000 to the date of ceasing Territory employment after the employee's earnings in each financial year (other than the financial year in which employment ceases) have been indexed by the percentage movement in Average Weekly Earnings from 1 January in the relevant financial year to the date of ceasing Territory employment.

"Updated Post June 2002 Ordinary Time Earnings" means the total ordinary time earnings of the employee from Territory employment between the period from 1 July 2002 to the date of ceasing Territory employment after the employee's earnings in each financial year (other than the financial year in which employment ceases) have been indexed by the percentage movement in Average Weekly Earnings from 1 January in the relevant financial year to the date of ceasing Territory employment.

3% × Updated Pre July 92 Ordinary Time Earnings +
 A% × Updated Post July 92 Ordinary Time Earnings +
 B% × Updated Post July 95 Ordinary Time Earnings +
 C% × Updated Post July 98 Ordinary Time Earnings +
 D% × Updated Post July 2000 Ordinary Time Earnings +
 E% × Updated Post July 2002 Ordinary Time Earnings +

For employees aged less than 55 years : A = 5
 B = 1
 C = 1
 D = 1
 E = 1

For employees aged 55 years or older : A = 6
 B = 0
 C = 1
 D = 1
 E = 1

8. Supreme Court Judges

(a) Where a person ceases to be a judge of the Supreme Court the additional benefit payable is the amount obtained by the formula :

$$\left(\begin{array}{l} A\% \times \frac{\text{Post June 92 days}}{365} + \\ B\% \times \frac{\text{Post June 95 days}}{365} + \\ C\% \times \frac{\text{Post June 98 days}}{365} + \\ D\% \times \frac{\text{Post June 2000 days}}{365} + \\ E\% \times \frac{\text{Post June 2002 days}}{365} \end{array} \right) \times \text{Judges Superannuation Salary} - \text{actuarial value of the scheme benefit}$$

For a person aged less than 55 years : A = 5
 B = 1
 C = 1
 D = 1
 E = 1

For a person aged 55 years or older : A = 6
 B = 0
 C = 1
 D = 1
 E = 1

Where "Judges Superannuation Salary" means the appropriate current judicial salary as defined in the Supreme Court (Judges Pensions) Act.

- (b) Where the ordinary time earnings of an employee amount to less than \$450 in a financial year, no additional benefit is payable in respect of that financial year.

Administrative Instructions

Schedule of Amendments

Version	UTM Signed	Date of effect	Instruction Signed	Date Signed	Details of Amendment
1	13 August 1993	1 July 1992	Yes	13 August 1993	Purpose of the Administrative Instruction is to provide for the payment of additional benefits to satisfy the Cth superannuation guarantee.
2	17 August 1994	Amended 15 August 1994, amendment effective from 1 July 1992	Yes	15 August 1994	Removed section 9 and replaced it with a new section 9. Section 9 deals with Members of the Legislative Assembly.
3	26 July 1995	1 July 1995	Yes	18 July 1995	Amendment reflects increase of superannuation guarantee from 5% to 6%.
4	25 November 1997	1 July 1997	No	N/A	Amendment in response to Cth requirement to provide superannuation guarantee to members aged between 65 and 70 years.
5	18 June 1998	1 July 1998	Yes	12 June 1998	Amendment reflects increase of superannuation guarantee from 6% to 7% and removes section 9 due to benefit changes to LAMS resulting in benefits to members exceeding superannuation guarantee.
6	5 August 1999	10 August 1999	No	N/A	Amendment reflects increase of superannuation guarantee from to 8% from 1 July 2000 and to 9% from 1 July 2002 and inserts a new section (10) for employees who commence service on or after 10 August 1999.