



**Public Service Association of NSW**

**General Secretary** Stewart Little **President** Nicole Jess

160 Clarence Street, Sydney NSW 2000 GPO Box 3365, Sydney NSW 2001

☎ 1300 772 679 📠 (02) 9262 1623 ✉ [psa@psa.asn.au](mailto:psa@psa.asn.au) 🌐 [www.psa.asn.au](http://www.psa.asn.au) ABN 83 717 214 309

17 June 2021

Charlie Heuston  
Executive Director – Employee Relations  
Community Engagement,  
Department of Premier and Cabinet  
GPO Box 5341, Sydney NSW 2001

Dear Mr Heuston,

**Re: SANCS Legislation**

The Public Service Association of NSW, similar to other public sector unions has a significant number of members who are members of defined benefit superannuation schemes.

On the last occasion where the salary rise was discounted by 0.25% due to the increase in the SGC and the limitations caused by Section 146C of the Industrial Relations Act 1996 (NSW), the government introduced under the State Authorities Non-contributory Superannuation Amendment Act 2013, including provision 16 A amongst other amendments.

These amendments provided for additional contributions to be made in lieu of the reduced salary, due to the different nature of these defined benefit schemes as opposed to those under the Superannuation Guarantee Levy (SGC superannuation guarantee charge) legislation for which the discount to the salary increase applied.

Legislation was required as the structure of these superannuation schemes is governed by legislation and not a policy framework.

The SANCS Amendment 2013 allows the Government to introduce a Regulation to provide for increased contributions to be made in the case of future discounts of salary.

The Association is seeking confirmation that the government will issue a new regulation and if so, the content of the Regulation and when it will be gazetted.

Dylan Smith of the Public Service Association can be contacted regarding this issue [dmsith@psa.asn.au](mailto:dmsith@psa.asn.au) or 92200900.

Yours faithfully

Stewart Little  
General Secretary

CC: Ayshe Lewis- Health Services Union  
Mark Morey- Unions NSW