COMPLAINTS, DISPUTES AND APPEALS

This fact sheet is applicable to members of the State Authorities Superannuation Scheme (SASS), the State Superannuation Scheme (SSS) and the Police Superannuation Scheme (PSS).

Complaints
If you are dissatisfied with an administrative matter relating to something other than a decision on a benefit entitlement, e.g. the slow processing of a claim or the provision of incorrect information, you may lodge a complaint with the scheme administrator, Mercer Administration Services (Australia) (Mercer).

If you are still not satisfied with the resolution of the matter by Mercer, you may complain directly to the schemes’ trustee, SAS Trustee Corporation (STC). A complaint about a matter to do with the schemes but that does not concern the administration of the schemes can be made directly to STC.

Disputes
If you are aggrieved with a decision relating to a benefit entitlement e.g. a decision made by Mercer (as delegate for STC) to refuse a claim for a disability benefit, except where the decision concerns a member or former member of the Police Force being hurt on duty, you may dispute that decision directly with STC. A notice of dispute must be served on STC within 2 years after you have been notified in writing of the decision and the right to dispute it.

You may then be requested to clarify certain details relating to your dispute and to provide additional supporting evidence. Your dispute will then be referred to STC’s Member Services Committee for consideration and determination, and you will be notified in writing of the outcome of the determination.

Appeals

Appeal right after determination of a dispute
If you are aggrieved with the determination of a dispute by STC, you may appeal to the Supreme Court of NSW within 6 months of being notified of STC’s determination or within such further period as the Court allows.

Application to District Court from ‘hurt on duty’ decision
If you are a member or former member of PSS and are aggrieved by a decision made by STC or its delegate, the Police Superannuation Advisory Committee (PSAC) about an application concerning a matter that arises by reason of being hurt on duty, you have a right to apply to the District Court of NSW for a determination in relation to the decision.

There is also a right to apply to the District Court against a decision made by the Commissioner of Police as to whether a member or former member of the Police Force was hurt on duty in relation to a particular infirmity (or death).

Section 21 of the Police Regulation (Superannuation) Act 1906 (NSW) provides that a person aggrieved by an applicable ‘hurt on duty’ decision may, within 6 months after being notified of the decision, apply to the District Court for a determination in relation to the decision.

All STC schemes are exempt from the Commonwealth superannuation regulatory regime and as such, members are not able to lodge a complaint with the Australian Financial Complaints Authority (AFCA) as that body has no jurisdiction over decisions made by STC.

Contacts for complaints, disputes and appeals
To lodge a complaint with Mercer, please contact Customer Service on:

SASS ...................... 1300 130 095
SSS ...................... 1300 130 096
PSS ...................... 1300 130 097
Deferred Benefits ... 1300 130 094

The SAS Trustee Corporation (STC) is administered by Mercer Administration Services (Australia) Pty Ltd on behalf of the trustee, SAS Trustee Corporation (STC). STC is governed by the Superannuation Act 1916, the State Authorities Superannuation Act 1987, the State Authorities Non-contributory Superannuation Act 1987, the Superannuation Administration Act 1996 and the Police Regulation (Superannuation) Act 1906. The schemes are also subject to Commonwealth superannuation and tax legislation.

STC has published this fact sheet. STC is not licensed to provide financial product advice in relation to STC.

Reasonable care has been taken in producing the information in this fact sheet and nothing in it is intended to be or should be regarded as personal advice. If there is any inconsistency between the information in this fact sheet and the relevant scheme legislation, the scheme legislation will prevail. In preparing this fact sheet, STC has not taken into account your objectives, financial situation or needs. You should consider your personal circumstances, and possibly seek professional advice, before making any decision that affects your future.

To the extent permitted by law, STC, its directors and employees do not warrant the accuracy, reliability or completeness of the information contained in or omitted from this fact sheet.
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To enquire about how to lodge an appeal against a determination of a dispute by STC, please contact the Registry of the Supreme Court of NSW by telephoning 1300 679 272, by emailing sc.enquiries@justice.nsw.gov.au or by writing to:

Registry of the Supreme Court of NSW
GPO Box 3
Sydney NSW 2001

To lodge a notice of dispute with STC, please write to:

Disputes Officer
SAS Trustee Corporation
PO Box N259
Grosvenor Place NSW 1220

Application for SSS, SASS or SANCs benefit
Application for non-HOD PSS benefit
Out of time application for benefit

Decision by trustee’s delegate:
Mercer
PSAC
STC CEO

Upon dispute, Member Services Committee reviews delegate’s decisions under s.67 Superannuation Administration Act 1996

Decision by trustee’s delegate:
(a) PSAC
(b) Allianz
(c) STC CEO

Application to District Court under s.21 of Police Regulation (Superannuation) Act 1906

Service issues related to STC schemes
Service issues not related to STC schemes

Complaint to Mercer / Allianz about quality of service

Escalation of Complaints to STC
(Service issues related to STC schemes)

Application for s.10B(1) medical discharge certificate (PSS HOD)
(a) Application for s.10B(2) certificate (PSS HOD)
(b) Application for PSS HOD medical expenses or lump sum gratuity
(c) Out of time application (PSS HOD)

Australian Financial Complaints Authority (AFCA) (Service issues not related to STC schemes)

Appeal to Supreme Court under s.88 Superannuation Administration Act 1996

To enquire about how to lodge an application with the District Court of NSW for a determination of a ‘hurt on duty’ decision, please contact the District Court Civil Registry (Residual Jurisdiction) by telephoning (02) 9377 5461 or by writing to:

District Court Civil Registry (Residual Jurisdiction)
PO Box K1026
Haymarket NSW 1240

More information
If you need more information, please contact us:

Telephone:  
SASS 1300 130 095     SSS 1300 130 096     PSS 1300 130 097     Deferred Benefits 1300 130 094
8:30 am to 5:30 pm, Monday to Friday.

Personal interviews: Please phone to make an appointment.

Postal address: State Super, PO Box 1229, Wollongong NSW 2500

Internet: www.statesuper.nsw.gov.au

Email: enquiries@stc.nsw.gov.au