

## Review of PSS Hurt On Duty Pensions

### General information

Please also refer to the below fact sheet regarding the entitlement to a PSS HOD Pension:

**PSS Fact Sheet 14 – Increase for a Hurt on Duty Pension (s.10(1A))**

### When will my HOD pension be reviewed?

If you are in receipt of a HOD pension of 85% and apply for a further increase in pension, you will be required to complete an application form (see PSS Form 14 – *Increase for a Hurt on Duty Pension (s.10(1A))*). In assessing your application, the trustee of PSS (STC) must be satisfied that you are still totally incapacitated for work outside the Police Force due to an HOD medical condition.

If you do not apply for an increase in pension above 85%, you may be subject to a review of the percentage rate of pension:

- (a) at any time if STC has reason to believe that you are no longer totally incapacitated for work outside the Police Force due to an HOD medical condition; or
- (b) if your increase to 85% was granted on or after 28 August 2008, at 5 yearly intervals until you reach the age of 60 years.

### Why does my HOD pension need to be reviewed?

You are only entitled to a PSS HOD pension of 85% if you are totally incapacitated for work outside the Police Force due to an HOD medical condition at the time the 85% pension is approved. The trustee of PSS (STC) has an obligation to ensure that you remain entitled to a pension of 85%.

This means that you must at all times continue to be totally incapacitated for work outside the Police Force due to an HOD medical condition.

### How will my HOD pension be reviewed?

If STC is not satisfied that you are permanently incapacitated for all work outside the Police Force due to an HOD medical condition, you will be subject to the review process.

When your pension is subject to or due for review, you will be sent a letter requesting you to provide STC with a copy of your Income Tax Assessment Notices for the previous 5 years.

STC will review these notices and if you have income additional to the PSS pension, you will be asked to provide further details regarding the additional income. This is so that STC can determine whether the income is derived from investments or from paid work outside the Police Force.

If you have been receiving payment for work, you will be requested to attend a medical examination at STC's expense to assist in determining your current state of health. STC will try, where possible, to provide you with a choice of three medical specialists for this examination. Depending on the outcome of the medical examination, you may also be required to attend a vocational assessment.

### What happens if STC determines I am no longer totally incapacitated?

If STC determines that you are no longer totally incapacitated for work outside the Police force due to an HOD medical condition, your rate of pension may be reduced. However, your pension will not be reduced to below the minimum rate of 72.75% of attributed salary of office at the time you left the Police Force due to an HOD medical condition.

The Police Superannuation Scheme (PSS) is administered by Mercer Administration Services (Australia) Pty Ltd on behalf of the trustee, SAS Trustee Corporation (STC). PSS is governed by the *Police Regulation (Superannuation) Act 1906*, the *State Authorities Non-contributory Superannuation Act 1987* and the *Superannuation Administration Act 1996*. The scheme is 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 PSS.

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.



## What are my appeal rights?

If you are not satisfied with the outcome of the review of your pension, you have the right to appeal that decision in the District Court within 6 months of being notified of the decision.

## More information

If you need more information, please contact us:

**Telephone:** **1300 130 097** (for the cost of a local call, unless calling from a mobile or pay phone)  
8.30 am to 5.30 pm, Monday to Friday.

**Personal interviews:** Please phone 1300 130 097 to make an appointment.

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

**Internet:** [www.statesuper.nsw.gov.au](http://www.statesuper.nsw.gov.au)

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