

Partial Commutation of Hurt On Duty Pension Under Section 10C

Under Section 10C of the *Police Regulation (Superannuation) Act 1906*, a Hurt on Duty (HOD) invalidity pensioner is able to apply to commute (redeem) part of their pension to a lump sum.

What portion of my HOD pension can I apply to commute?

- If you are under age 55 years, the amount SAS Trustee Corporation (STC) may permit you to commute is limited to the 'prescribed part' of your HOD pension.
- If you are over age 55 years, the amount STC may permit you to commute is limited to 40% of the 'prescribed part' of the HOD pension.

The 'prescribed part' is related to the weekly workers' compensation rate which applied at the date you were discharged from the NSW Police Force. STC can advise you of this amount.

Who is eligible to apply?

You can apply if your HOD injury occurred on or after 21 November 1979 and you are under age 66.

How do I apply?

To request commutation, you should apply in writing and provide as much information as you can on the purpose for which the lump sum is required.

When deciding whether to approve your application, STC must consider the relevance of your HOD injury, your age, and your ability to compete in the open labour market. You should accordingly address these matters in your application and provide relevant supporting documentation, including information about your income and expenditure.

In addition, if your HOD injury occurred on or after 30 June 1987 and you are under age 55, you will need to satisfy STC that special circumstances exist to warrant the approval of your application.

"Special circumstances" include commutation of the pension for the following purposes:

- to establish an income-producing business;
- to pay for a move to another location where there are substantial economic grounds for doing so;
- for a purpose that would be likely to assist substantially in your rehabilitation and increase the likelihood of you being able to work in the future;
- for a compassionate purpose relating to your particular circumstances; and
- in a situation that STC otherwise regards as acceptable in all the circumstances.

If you are under age 55 and need to satisfy the "special circumstances" test (that is, you are under age 55 and your HOD injury occurred after June 1987), you should explain, with supporting documentation, how your circumstances are "special". (For example, if the money is required to establish an income-producing business, you could provide material such as a business plan etc).

The STC schemes are administered by Mercer Administration Services (Australia) Pty Ltd on behalf of the schemes' 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 licenced to provide financial product advice in relation to the STC schemes or to their members.

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 or omitted from this fact sheet.

Where do I send my application?

You should send your application to:

State Super (PSS)
GPO Box 2181
Melbourne VIC 3001

For queries:

Please contact Customer Service on
1300 130 097 or
Email: enquiries@stc.nsw.gov.au

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, GPO Box 2181, Melbourne VIC 3001

Internet: www.statesuper.nsw.gov.au

Email: enquiries@stc.nsw.gov.au