

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** about whether there is an entitlement, or who is entitled, to a benefit, e.g. the calculation of the amount of a benefit, the slow processing of a claim or the provision of incorrect information, you may lodge a complaint with the schemes' 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.

However, please note that a complaint that doesn't involve a **decision** made by a delegate of STC **cannot be disputed** via the dispute process. STC has a statutory function to ensure that benefits payable to the persons entitled to receive benefits under the STC schemes are paid in accordance with the Acts under which the schemes are established or constituted. When Mercer, as the administrator of the STC schemes, pays a benefit to a member of an STC scheme in accordance with the operation of the relevant Act, the payment of that benefit is generally **not** a decision that can be disputed.

Disputes

If you are aggrieved with a **decision** about whether there is an entitlement, or who is entitled, to a benefit 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 of 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 Industrial Relations Commission in Court Session within 6 months of being notified of STC's determination or within such further period as the Commission 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 one of its delegates, the CEO of STC or the Police Superannuation Advisory Committee (PSAC), about a matter that arises by reason of your being hurt on duty, you have a right to apply to the District Court of NSW for a determination in relation to the decision.

If you are a member or former member of PSS, you also have a right to apply to the District Court if you are aggrieved by a decision made by the Commissioner of Police as to whether you were hurt on duty in relation to a particular certified infirmity. There is also a right to apply to the District Court if a person is aggrieved by a decision of the Commissioner about whether the death of a member or former member of PSS was caused by the deceased being hurt on duty.

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

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.

Complaints to NSW Ombudsman

If a person has a complaint about STC that does not involve a right to raise a dispute to be determined by STC's Member Services Committee or to appeal to a court, then the person can contact the NSW Ombudsman's office directly by emailing www.ombo.nsw.gov.au. To see when and how you may be able to make a complaint to the NSW Ombudsman visit: www.ombo.nsw.gov.au/Making-a-complaint/how-to-make-a-complaint

All the STC schemes are exempt from the Commonwealth superannuation regulatory regime. Therefore, as a member of an STC scheme, you are not able to lodge a complaint about a decision of STC or its delegate with the Australian Financial Complaints Authority (AFCA), because 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

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

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

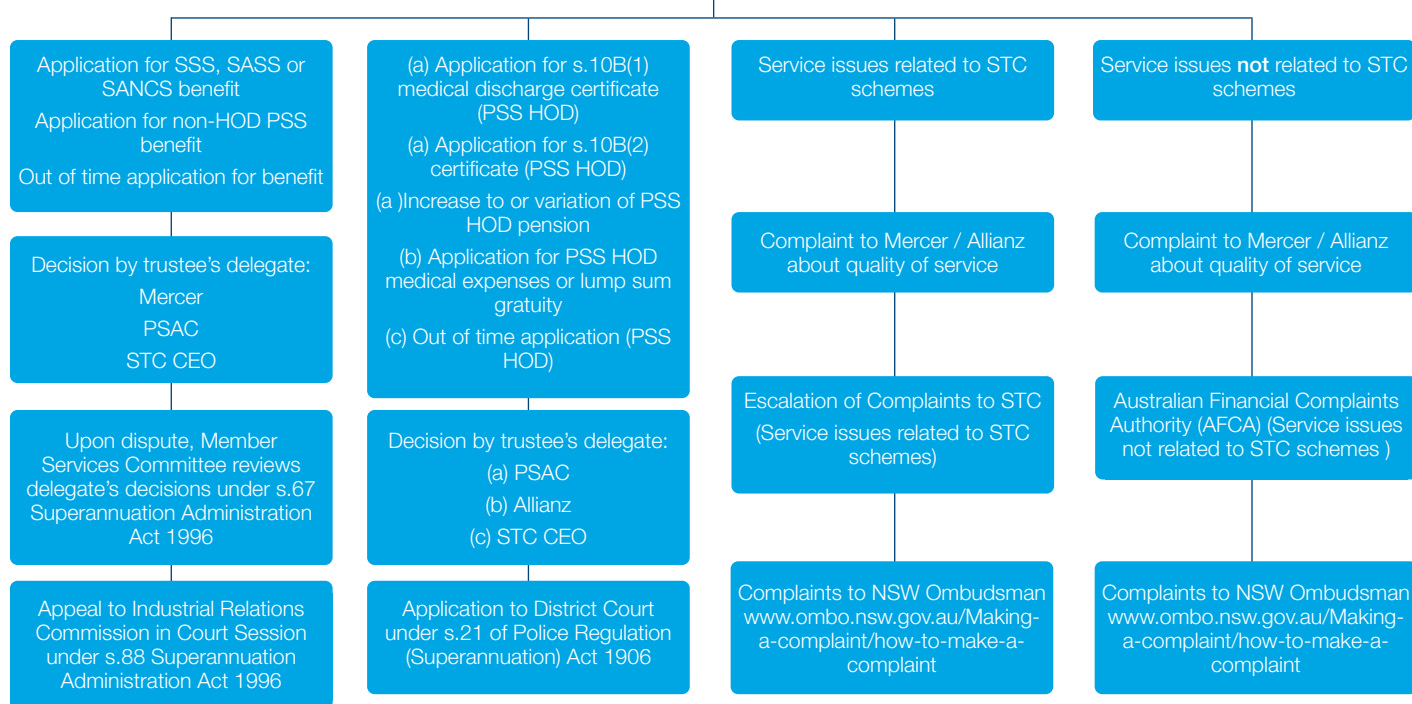
To enquire about how to lodge an appeal against a determination of a dispute by STC, please contact the Industrial Relations Commission by telephoning 02 8688 3516, or emailing IRC.Registry@courts.nsw.gov.au or by writing to:

Industrial Relations Commission
PO Box 927
Parramatta NSW 2124

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

Diagram of Complaint & Dispute Resolution Process



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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, GPO Box 2181, Melbourne VIC 3001

Internet: www.statesuper.nsw.gov.au

Email: enquiries@stc.nsw.gov.au