

SCHEDULE 1

FUNDING AND ESTABLISHMENT OF OPENING BALANCES FOR TRANSFERRING MEMBERS FOR THE PURPOSES OF CLAUSES 3.1.1 AND 4.2.3 OF THE DEED

S1.1 Interpretation

S1.1.1 In this Schedule:

“Allocated Pension Account” means an account established under Part 6 of the *Retirement Benefits Regulations 1994*;

“Allocated Pension Account Entitlement” means the total balance of each **Allocated Pension Account** relating to each **Transferring Member** on the day immediately before the **Transfer Day**;

“FAS (1)” means the average annual **Salary** received by a **Transferring Member** in relation to the year immediately preceding the **Transfer Day**;

“Investment Account” means an account established under Part 6 of the *Retirement Benefit Regulations 1994*;

“Investment Account Entitlement” means the total balance of each **Investment Account** relating to each **Transferring Member** on the day immediately before the **Transfer Day**;

“Non-Contributory Account” means an account established under Part 5 of the *Retirement Benefit Regulations 1994*;

“Non-Contributory Account Balance” means the total notional balance of each **Non-Contributory Account** relating to a **Transferring Member** on the day immediately before the **Transfer Day**;

“Non-Contributory Benefit Reduction Amount” means the amount by which the **Non-Contributory Account Balance** is to be reduced;

“Non-Contributory Entitlement” means the total of the **Non-Contributory Account Balance** plus the **1925 Act Equivalent Entitlement** for each qualifying **Transferring Member** on the day immediately before the **Transfer Day**;

“Non-Contributory Scheme” means the scheme established under Part 5 of the *Retirement Benefits Regulations 1994*;

“1925 Act Equivalent Entitlement” means the entitlement under Regulation 48 of the *Retirement Benefits Regulations 1994* calculated pursuant to clause S1.2.3 of this Schedule for each qualifying **Transferring Member** on the day immediately before the **Transfer Day**;

“1925 Act Benefit Reduction Amount” means the amount by which the **1925 Act Equivalent Entitlement** is to be reduced;

S1.2 Calculation and Transfer of Non-Contributory Entitlement

S1.2.1 The **Board** shall calculate the **Non-Contributory Account Balance** for each **Transferring Member** on the day immediately before the **Transfer Day** in accordance with section 10(4) of the **Act**.

S1.2.2 The **Board** shall calculate the **Non-Contributory Benefit Reduction Amount** for each **Transferring Member** on the day immediately before the **Transfer Day** by multiplying the post 30 June 1983 component of the **Non-Contributory Account Balance** by the benefit reduction factor, which is determined according to the date the **Member** commenced membership of the **Non-Contributory Scheme** as specified in the following table:

Date of commencement of membership	Benefit Reduction Factor
After 30 June 1999	15.0%
Between 1 July 1994 and 30 June 1999	8.7%
Before 1 July 1994	9.8%

S1.2.3 A **Transferring Member** who, immediately before 1 July 1993, was a public servant within the meaning of the *Public Servants' Retiring and Death Allowances Act 1925* with continuous service but not a contributor to the **Contributory Scheme**, is entitled to a **1925 Act Equivalent Entitlement** which the **Board**, on the day immediately before the **Transfer Day**, shall calculate as follows:

$$1925A = FAS (1) \times CS/52$$

Where: -

"1925 A" is the **1925 Act Equivalent Entitlement**;

"FAS (1)" is the **FAS (1)** of the **Transferring Member**;

"CS" means in the case of a **Transferring Member** who was employed:

- 1) on a full-time basis throughout the period of employment ending on 30 June 1993, the total period of years of continuous service in years before 30 June 1993;
- 2) on a part-time basis throughout the period of employment ending on 30 June 1993, the total number of full-time equivalent years of continuous service in years before 30 June 1993; or
- 3) for a period on a full-time basis and for a period on a part-time basis throughout the period of employment ending on 30 June 1993, the total number of full-time equivalent years of continuous service in years before 30 June 1993.

S1.2.4 The **Board** shall calculate the **1925 Act Benefit Reduction Amount** for each **Transferring Member** on the day immediately before the **Transfer Day** in accordance with the following formula:

$$1925\text{ BRA} = [1925\text{ A} \times (1 - \text{PVF})] + [0.15 \times 1925\text{ AP} \times \text{PVF}]$$

Where: -

"1925 A" is the **1925 Act Equivalent Entitlement**;

"1925 BRA" is the **1925 Act Benefit Reduction Amount**;

"1925 AP" is the post 30 June 1983 component of the **1925 Act Equivalent Entitlement**;

"PVF" is a present value factor determined by the **Board** on the advice of the **Actuary** as set out in the following schedule:

Member's Age as at Transfer Day	PVF
55 years and over	1.0000
54 years	0.9709
53 years	0.9426
52 years	0.9151
51 years	0.8885
50 years	0.8626
49 years	0.8375
48 years	0.8131
47 years	0.7894
46 years	0.7664
45 years	0.7441
44 years	0.7224
43 years	0.7014
42 years	0.6810
41 years	0.6611
40 years	0.6419
39 years	0.6232
38 years	0.6050
37 years	0.5874
36 years	0.5703
35 years	0.5537
34 years	0.5376
33 years	0.5219
32 years	0.5067
31 years	0.4919
30 years and under	0.4776

S1.2.5 The **Board** shall calculate the **Opening Balance** for each **Transferring Member** on the day immediately before the **Transfer Day** and transfer the **Opening Balance** to the **Scheme** as at the **Transfer Day** in accordance with the following formula:

$$\text{OB} = \text{NCE} - (\text{NCBRA} + 1925 \text{ BRA})$$

Where: -

“**OB**” is the **Opening Balance**;

“**NCE**” is the **Non-Contributory Entitlement**;

“**NCBRA**” is the **Non-Contributory Benefit Reduction Amount** determined in accordance with clause S1.2.2;

“**1925 BRA**” is the **1925 Act Benefit Reduction Amount** determined in accordance with clause S1.2.4;

S1.3 Transfer of Investment Account Entitlement

S1.3.1 The **Board** shall transfer the **Investment Account Entitlement** of each **Transferring Member** to the **Scheme** as at the **Transfer Day**.

S1.3.2 On the day immediately before the **Transfer Day** the **Board** is to:

- a) calculate the surplus or deficiency of the taxation provision account established under regulation 60 of the *Retirement Benefits Regulations 1994* in respect of all **Transferring Members**; and
- b) transfer the surplus or deficiency to the taxation provision account established for the purposes of this **Deed** as at the **Transfer Day** or such later date as determined by the **Minister** on the advice of the **Board**.

S1.3.3 On the day immediately before the **Transfer Day** the **Board** is to:

- a) calculate the surplus or deficiency of the investment income reserve account established under regulation 60 of the *Retirement Benefits Regulations 1994* in respect of all **Transferring Members**; and
- b) transfer the surplus or deficiency to the investment income reserve account established for the purposes of this **Deed** as at the **Transfer Day** or such later date as determined by the **Minister** on the advice of the **Board**.

S1.4 Transfer of Allocated Pension Account Entitlement

S1.4.1 The **Board** shall transfer the **Allocated Pension Account Entitlement** of each **Transferring Member** to the **Scheme** as at the **Transfer Day**.

S1.4.2 On the day immediately before the **Transfer Day** the **Board** is to:

- a) calculate the surplus or deficiency of the taxation provision account established under regulation 65 of the *Retirement Benefits Regulations 1994* in respect of all **Transferring Members**; and
- b) transfer the surplus or deficiency to the taxation provision account established for the purposes of this **Deed** as at the **Transfer Day** or such later date as determined by the **Minister** on the advice of the **Board**.

S1.4.3 On the day immediately before the **Transfer Day** the **Board** is to:

- a) calculate the surplus or deficiency of the investment income reserve account established under regulation 65 of the *Retirement Benefits Regulations 1994* in respect of all **Transferring Members**; and
- b) transfer the surplus or deficiency to the investment income reserve account established for the purposes of this **Deed** as at the **Transfer Day** or such later date as determined by the **Minister** on the advice of the **Board**.

S1.5 Establishment of Death and Disability Provision Account

S1.5.1 On the day immediately before the **Transfer Day** the **Board** is to:

- a) determine on the advice of the **Actuary** the surplus or deficiency of the death and disability provision account established under regulation 52 of the *Retirement Benefits Regulations 1994*;
- b) transfer the surplus or deficiency to the death and incapacity provision account established for the purposes of this **Deed** as at the **Transfer Day** or such later date as determined by the **Minister** on the advice of the **Board**.

S1.6 Financial Statements and Reports

S1.6.1 As soon as practicable after the **Transfer Day**, the **Board** is to prepare Statements of Accounts for the **Contributory Scheme**, the **Non-Contributory Scheme**, all **Investment Accounts** and the **Scheme**.

S1.6.2 The Statement of Accounts should detail the transactions that occurred under this Schedule and report upon the financial position of each sub fund as at the **Transfer Day**.

S1.6.3 For the purposes of the preparation of the Statements of Accounts the investments of the **Fund** are to be shown at market value where appropriate with unrealised capital gains and losses being brought into account.

S1.6.4 The **Board** shall provide to the **Minister** a copy of the Statements of Accounts pursuant to this clause immediately after they are finalised.

SCHEDULE 2

PROVISION FOR MEMBERS FOR ACCESS TO A PENSION UNDER CLAUSE 6.9.3 OF THE DEED

S2.1 A **Member** who, as at 14 May 1999, was:

- a) a **RBF Account-Holder**; or
- b) a member of the scheme established under Part 5 of the rescinded *Retirement Benefits Regulations 1994*;

and has subsequently attained the **Preservation Age**, or has retired on the grounds of **Permanent Incapacity**, in accordance with clause 6.6, may elect in writing to the **Board** to convert the whole or part of his or her **Benefit** to a pension in accordance with Regulation 79 of the *Retirement Benefits Regulations 2005*.

S2.2 The **Surviving Partner** of a person referred to in clause S2.1 of this Schedule may elect in writing to the **Board** to convert the whole or part of his or her **Benefit** to a pension in accordance with Regulation 79 of the *Retirement Benefits Regulations 2005*.

S2.3 If an election is made under this Schedule, the amount of the **Member's Benefit** is to be reduced by the amount of the **Benefit** to be converted to a pension.

S2.4 The amount of the **Member's Benefit** to be converted to a pension is to be transferred to the Fund established under the *Retirement Benefits Regulations 1994* and is to be converted in whole to a pension in accordance with Regulation 79 of the *Retirement Benefits Regulations 2005*.