



**REVISED**

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# Employer training manual

Information to help your agency meet its  
superannuation responsibilities for PSSap members.

Updated 1 July 2008

[www.pssap.gov.au](http://www.pssap.gov.au)

Employer Service Desk 1300 338 240

Please note that throughout this document, the PSS defined benefit scheme is referred to as the PSS and the PSS accumulation plan as the PSSap.

The PSSap is administered by Commonwealth Superannuation Administration (ComSuper)

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## 1. Introduction

### 1.1 A quick guide to the PSSap

The PSSap is a 'profit for members' fund which means that, after fees, management costs and taxes, investment earnings are returned to members.

The PSSap offers members a low-cost, long-term way to save for their retirement. It is an accumulation fund which means that the money members and employers contribute, along with any money members transfer from other funds will 'accumulate' with investment earnings to form their retirement benefit.

It is established under the *Superannuation Act 2005 and Trust Deed and Rules* to provide superannuation services and products to employees of the Australian Government and participating employers.

The PSSap is managed by the Australian Reward Investment Alliance (ARIA) which was established under the *Superannuation Legislation Amendment (Trustee Board and Other Measures) Act 2006*.

ARIA is licensed under the Corporations Act 2001 and regulated by the Superannuation Industry (Supervision) Act 1993 (SIS Act).

The seven Trustees of ARIA are appointed by the Minister for Finance and Administration. Three are nominated by the Australian Council of Trade Unions (ACTU) and the Chairman is independent.

ARIA, the Trustee of the PSSap, is responsible for all aspects of the PSSap including investment strategy, administration and member communications. ARIA also manages the (PSS) Public Sector Superannuation Scheme and (CSS) Commonwealth Superannuation Scheme.

ARIA and its employees are supported by an administrator (ComSuper), a custodian and other specialist service providers, including leading Australian and international investment managers.

See Appendix D for a quick overview of the PSSap's key features.

### 1.2 About your vital role as an employer

Superannuation is an important component of the remuneration package for employees of the Australian Government and participating employers. For most of us, super will be our key source of income when we retire and may have to last for over twenty years.

Employers play a vital role in the superannuation saving cycle. They make contributions on behalf of their employees, provide important information to the super fund to ensure money is correctly allocated and, in the Australian Government, meet a large proportion of the administration charges so that employees can save faster.

This makes super a valuable feature of working for the Australian Government or a participating employer, and can assist employers to attract and retain employees.

## Employer responsibilities

Your agency has agreed to undertake certain responsibilities. These include:

- > paying the correct amount of contributions to ARIA promptly (each pay day)
- > distribution of information about the PSSap to members in a timely fashion, for example, the PSSap Product Disclosure Statement (PDS)
- > meeting superannuation administration charges for members at your agency
- > ensuring the accuracy of information provided to ARIA.

Section 41 of the *Superannuation Act 2005* provides that ARIA can presume that any information provided to ARIA by an employer in relation to a member is correct. Therefore, it is vital that you have appropriate processes in place to ensure that information provided is correct and that contributions are remitted accurately and promptly through ComSuper to ARIA for investment.

Section 42 of the *Superannuation Act 2005* provides that ARIA may request employers to distribute information to members, and that the employer must comply with such a request unless doing so would breach Chapter 7 of the *Corporations Act 2001*.

### **Submitting accurate contributions and data on time, keeps members' earnings and insurance cover up to date**

Since PSSap offers investment choice, it is vital that agencies send correct money and data (including contact details) to us on time. Any delays in providing information and/or paying contributions may affect members' investment earnings and final benefits, and may affect the calculation of insurance premiums and cover.

We need to receive BOTH money AND data before the monies can be applied to the members' records. Otherwise we don't know whose records to apply the money to and cannot purchase units on the members' behalf in their chosen investment strategy, which may mean that members could miss out on earnings.

If agencies do not pay contributions when required, they may have to pay an interest charge on outstanding amounts.

By receiving correct money and data on time, we will be able to credit each member's account promptly and accurately, and provide correct benefit estimates to members when required. It will also ensure their insurance cover is up to date, valid and based on the correct employment category and salary. Eligibility to either type of insurance cover is dependant upon the member's employment. It is important that we receive the correct employment information so that members are covered under the insurance cover for which they are eligible and entitled to.

### **Providing us contact details for members can save you time**

So that we can get new members off to a good start with their super, and save you time and effort in the future, it's important you provide all the correct details for new members when you register them in Employer Services Online (ESO).

One of the components of our welcome process is a personal phone call to all new members to make sure they have everything they need to make the most of their membership of the PSSap. We would like to be able to make this phone call during the first two weeks of membership. By having the member's telephone number, we can contact them directly to answer questions they may have. This reduces the time you spend answering employees' queries.

By having home addresses we can send information (such as their secure access numbers and annual statements) to members directly rather than asking you to distribute it.

By having email addresses we can regularly update members on important news about their super and again reduce the time you spend answering their queries.

Your assistance in capturing this information will reduce your workload and help us provide the best possible service to your employees.

### **1.3 What your employees can expect from us**

From joining to claiming their benefit, PSSap members will have access to a low cost way to save for their retirement with maximum personalised support, and a range of useful information and education services tailored to their needs.

We have worked closely with Australian Government employers and employees to design a fund which is focused on helping members take control of their super and be aware of all the information at their fingertips, therefore reducing administration and distribution work by employers.

For example, our new member welcome process does not require members to complete any paperwork. The process is fully explained in Section 2.4.

### **1.4 Assistance and support, when and where you need it**

We are committed to:

- > building effective partnerships with you for the benefit of all members
- > streamlining administration by providing more online services for you
- > providing you with support and clear, concise and useful information.

BY PHONE: 1300 338 240

BY EMAIL: [employer.service@comsuper.gov.au](mailto:employer.service@comsuper.gov.au)

ONLINE: click on EMPLOYER CENTRE at [www.aria.gov.au](http://www.aria.gov.au)

AT WORK FOR YOU: we can make onsite visits to provide training or resolve issues, we can also provide super information seminars for your employees as part of your induction process, or at any other time. Please refer to the [EMPLOYER CENTRE](http://www.aria.gov.au) at [www.aria.gov.au](http://www.aria.gov.au) where you will find the online booking system for At Work for You.

AT YOUR DESK: Employer News is emailed to you generally every month, to keep you up to date with news about super arrangements for employees of the Australian Government and participating employers. Employer News can also be accessed via the employer centre via: [www.aria.gov.au](http://www.aria.gov.au)

#### GIVING ADVICE TO MEMBERS, HOW WE CAN HELP YOU

As you know, employers are not licensed to provide any advice or make any recommendations regarding an employee's super. This sometimes makes it difficult to assist employees if they come to you with questions about their super.

We can help you. Providing a members' contact details to us, in the welcome process, is the first important step, because it allows us to directly contact them so they know where to go for information when they need it.

If a member comes to you for information or advice, you can refer them to any one of these information sources:

**Our PDS** a useful guide to the features, benefits, risk and cost of the PSSap,

You can order copies online at [sales@infoservices.com.au](mailto:sales@infoservices.com.au) or it can be found at [www.pssap.gov.au](http://www.pssap.gov.au)

**WEB** [www.pssap.gov.au](http://www.pssap.gov.au) – the Lifestage decisions in the LEARNING CENTRE are particularly useful

**EMAIL** [members@pssap.gov.au](mailto:members@pssap.gov.au)

**PHONE** 1300 725 171

**FAX** 1300 662 406

**POST** PSSap, PO Box 22, BELCONNEN ACT 2616

We are licensed to provide general advice about the PSSap and superannuation through our authorised representatives. We cannot provide members with personal financial advice which is generally based on their individual objectives, financial situation and needs.

Before making any decisions about their super, we recommend members seek advice from a licensed professional such as financial adviser. Choosing an adviser is an important decision and they should make their selection carefully. We provide assistance in the LEARNING CENTRE at [www.pssap.gov.au](http://www.pssap.gov.au)

## 2. Membership

### 2.1 Who can become a member?

The Eligibility Determiner is your best tool to quickly assess what Fund a new employee should enter these can be found at the Employer Centre in Starting new employees.

(Note: Please do not use the electronic Eligibility Determiner for an employee you know has recently claimed a benefit. Please contact us in relation to these employees as the Determiner may not give you the correct response for these people).

#### Employees who may join the PSSap include:

- > new employees starting on or after 1 July, 2005 who do not have an existing interest in the defined benefit plans (ie. CSS or PSS)
- > any temporary/non-ongoing employee who commences a new contract on or after 1 July 2005 up to 30 June 2006 refer 2.3 for Choice arrangements for APS agencies
- > CSS preserved members coming back into employment with a casual membership may elect to be members of the PSSap
- > A member of the PSS who has elected to opt out of the PSS from 1 July 2008 onwards
- > From 1 July 2008 onwards the PSS legislation allows a member of the PSS to opt out of the scheme. Where a member works for an employer who participates in the PSSap, they must first join this fund. The salary for superannuation for this PSSap membership will be the salary on commencement in the PSSap.
- > anyone that is a PSS or CSS pensioner (excluding invalidity pensioners).

### 2.2 Who cannot become a member of PSSap

Employees who are not eligible to join the PSSap include:

- > anyone who is already a member of the CSS in respect of other employment
- > members that have a preserved membership in the PSS or CSS **with the exception of CSS members who have a preserved benefit and have taken on casual employment.** These members may elect the PSSap or default to the PSSap from 1 July 2006 under Choice arrangements for APS agencies. Non-APS agencies should refer to eligibility determiner at Appendix A1. Refer Dept of Finance Superannuation Circular 2006/10
- > anyone who is an employee of an agency that has an exclusion in place to join the PSSap
- > anyone who is already a member of the PSS in respect of other employment up to 30 June 2008
- > anyone who is a re-appointed PSS or CSS invalidity pensioners

- > temporary/non-ongoing employees on 30 June 2005 who elected to join the PSS after 1 July 2005 while still working with those employers/approved authorities and during the same term of employment
- > CSS contributors starting second concurrent employment.

You can find more information about this in your CSS training notes available through the Employer Centre, just click on EMPLOYER CENTRE at [www.aria.gov.au](http://www.aria.gov.au). See also [www.finance.gov.au/super/responsibilities](http://www.finance.gov.au/super/responsibilities) and [www.finance.gov.au/super/returningcss](http://www.finance.gov.au/super/returningcss)

## 2.3 Choice of Fund arrangements and PSSap

The PSSap is the default fund for all APS agencies from 1 July 2006, and may be selected as the default fund by eligible non-APS agencies.

From 1 July 2006, new Government employees (except for those mentioned at 2.2) starting on that date or after, and all PSSap members at your agency, will have choice of fund.

From that date, employers must provide a Choice form to every new employee (except for those mentioned at 2.2) within 28 days of them starting. Employers must enrol new employees in their default fund by the first payday after commencement of employment unless the employee has nominated a different fund of their choice (see Finance Superannuation Circular 5/2006).

Until a new employee (except for those mentioned at 2.2) chooses a fund, the employer must join them in the default fund which, in most cases, will be the PSSap.

### PRIOR TO 1 JULY 2006

Prior to 1 July 2006, new permanent/ongoing employees joined the PSSap (except for those mentioned at 2.2) but could have chosen another fund if choice was already offered by the employer. Note: prior to 1 July 2006, a permanent/ongoing employee must have had PSSap membership BEFORE they were offered choice of fund.

**Temporary/non-ongoing employees prior to 1 July 2006 were required to complete an 'Election to become a member (of PSSap)' form from the PSSap website.**

During the period 1 July 2005 to 30 June 2006 (the transitional period), temporary/non-ongoing employees (that is, employees engaged other than in a permanent capacity) could have chosen to become PSSap members could opt to be covered by the provisions of the *Superannuation (Productivity Benefit) Act 1988* (the PB Act).

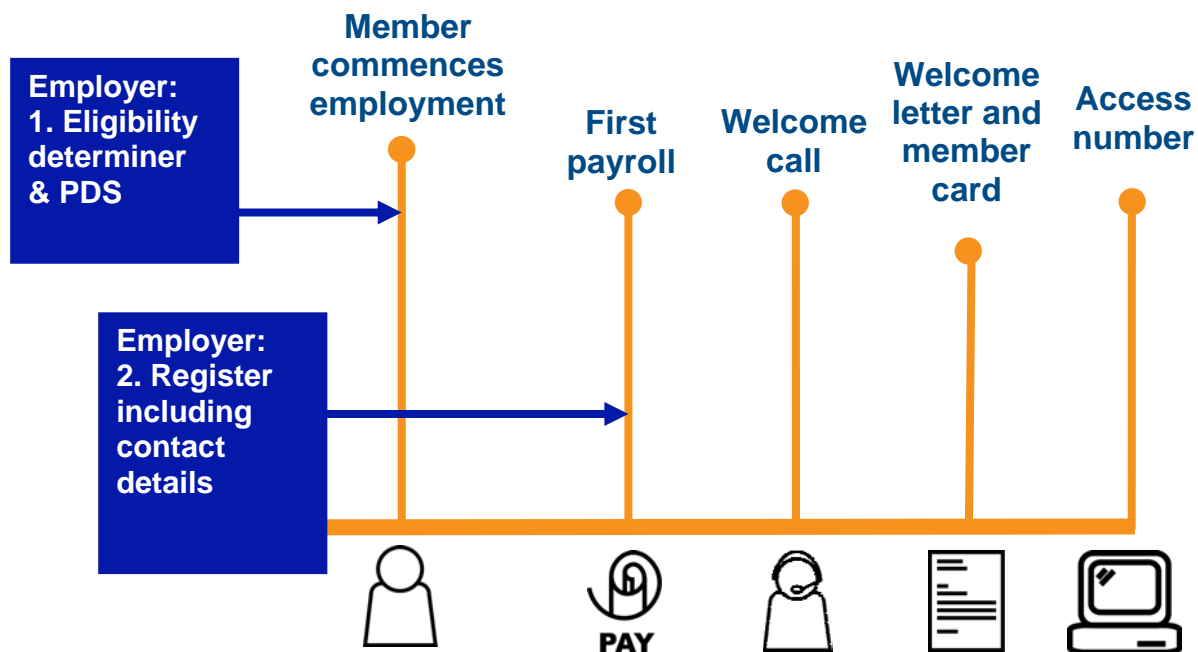
The Minister for Finance and Administration nominated AGEST as the default fund for the purposes of the PB Act until 30 June 2006. Until 30 June 2006, employers were expected to make contributions to AGEST unless a temporary/non-ongoing employee had opted to be covered by the PB Act:

- > had elected to join one of the other funds approved by the Minister for the purposes of the PB Act
- or
- > had nominated a pre-existing fund to which contributions can be made (the fund must have agreed to accept contributions, it must have been a complying fund and the person must have been a member of the fund prior to receiving a written offer of the employment for which PB Act contributions are being paid).

**Note:** Superannuation Circular No. 2005/4 issued by the Department of Finance and Administration provides more information about superannuation arrangements and choice of fund for Australian Government employees.

## 2.4 What to do when a new employee starts

**GETTING OFF TO A GOOD START: how to save time in the future**



### STEP 1: On commencing employment

Explain to the employee that you, as the employer, are required to contribute to superannuation for the employee and as a consequence, they need to join a superannuation fund so that contributions can be made.

With the Eligibility Determiner on Employer Services Online find out if the person has an existing interest in the PSS or CSS so that you are able to more easily determine which scheme they should belong to. If the person has had a previous membership with the PSS or CSS, ask them if they have also been known by a previous name. This will also help you identify them when you do a search for them.

**Note:** Do not use the electronic Eligibility Determiner for an employee you know has recently claimed a benefit. You will need to contact us in relation to these employees as the Determiner may not give you the correct response for these people.

Explain to the employee that ARIA has taken out an insurance policy with AIA Australia Limited, trading as AIA Australia, to provide PSSap members with:

- > basic death and total and permanent disablement (TPD) insurance cover from which they cannot opt out. Under the terms of the arrangements with the insurer they are eligible for basic death and TPD cover up to the automatic acceptance level (AAL) of \$750,000 (depending on the insurance option they select) without having to undergo a medical and personal assessment provided:
  - > they join PSSap within 60 days of commencing employment (the 'eligibility period') if they are engaged as either full-time or part-time employees

or

- > they join PSSap within 30 days of commencing employment (the 'eligibility period') if they are engaged as casual employees.
- > basic income protection insurance; members are automatically covered when they join the PSSap, but they can opt out of this cover (income protection is not available to casual employees)
- > Employees who opt out of the PSS and are eligible to join the PSSap will have a slightly different insurance arrangements to regular new members of the PSSap:
  - > Same level of default of insurance applies
  - > New events cover – in the first year of membership in the PSSap these members will only be covered for any illnesses or accidents that occur after they joined the scheme, existing health issues will not be covered
  - > At work – Once the member has been in the scheme for a year and has been receiving regular contributions if they are 'at work' performing their usual duties on the anniversary of joining the scheme they will have full cover.

PSSap members cannot get income protection insurance if they are:

- > casual employees
- > employees working less than 15 hours a week or with a contract of less than three months
- > members' over 65 years of age.

Insurance arrangements are contained in the *PSSap Product Disclosure Statement (PDS)* which you must give to **all** new employees who are eligible to join PSSap.

If new starters join outside the eligibility periods mentioned above, or if they request to increase their cover, they will be required to undergo a medical and personal assessment before AIA Australia would consider providing insurance (or increased insurance) cover. We will assist members regarding this; there is no involvement by employers.

All insurance premiums are deducted from a member's personal accumulation account (PAA). PAAs are discussed in section 2.5 and insurance is discussed in the *PSSap Product Disclosure Statement*.

## **STEP 2: At first pay**

To ensure we can correctly allocate contributions to a member's account, we ask that you register them through the Eligibility Determiner (see Training Notes for Employer Services Online for step by step instructions: [www.aria.gov.au](http://www.aria.gov.au) and then link to the Employer Centre and link to Employer Services Online) when you process their first payroll. This includes providing us with their address, contact details and the members Tax File Number and details we need to provide them with insurance.

1. Encourage employees to provide a mailing address when they join. The more addresses we have, the less mail *you* will have to deal with when we send out member statements and other important news regarding their superannuation.

Ask if the employee wishes to make personal contributions to PSSap, how much they wish to contribute and arrange for contributions to be deducted from their pay.

Remind the employee that they have investment choice and that unless they make a specific choice, their money will be invested in the default option, Trustee Choice.

**From then on, we will look after your employees' super needs, reducing your super administration and distribution work.**

## **STEP 3: Welcome call**

We call all new PSSap members to ensure they have everything they need, answer any questions they may have and show them where they can find information online when they need it.

## **STEP 4: Welcome letter and membership card**

Within a few weeks of receiving their first contribution, we will send them a welcome letter and membership card which lists all our contact details for quick access to information when they need it, rather than having to remember what number to use or asking you.

## **STEP 5: Automatic online access number**

Under separate cover for security reasons, we will send them an online access number which allows them to manage their super online.

## Managing super, made easy online

The PSSap website has been designed to make the administration of super easier for employers, and for members to access their superannuation account. Please encourage members to use it. It provides a range of useful information for members, regarding:

- > Joining
- > Contributions
- > Investments
- > Insurance
- > withdrawing your benefit.

It also offers:

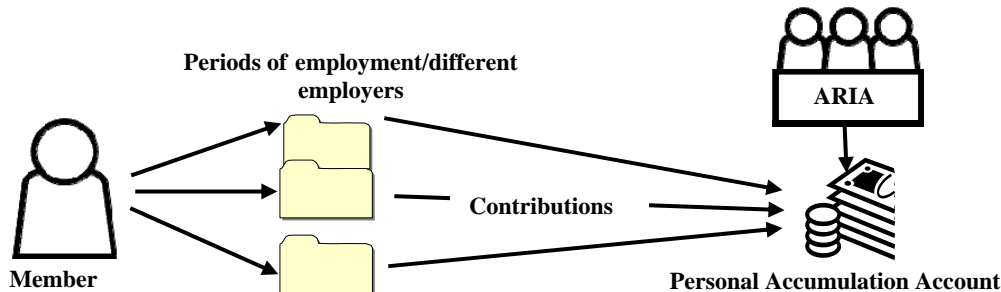
- > A LEARNING CENTRE which includes useful information according to members' life stages, a glossary of terms and some useful links
- > FORMS AND PUBLICATIONS
- > YOUR ACCOUNT which provides secure access to their super account so members can:
  - > check their balance and transaction history
  - > select their investment options
  - > make super contributions via BPAY
  - > view their nominated beneficiaries
  - > view their insurance cover
  - > update their contact details
  - > use calculators to check their super is on track.

## 2.5 PSSap member numbers and personal accumulation accounts (PAAs)

Every PSSap member gets their own personal accumulation account (PAA) and one member number relating to that account. This account holds all employer and member contributions for the person.

Each PSSap member will have only one account and one membership number. Members with overlapping periods of employment will continue to use the one number. Members with concurrent jobs will use the one account for all contributions.

Member numbers are automatically generated by Employer Services Online when you use the Eligibility Determiner: [www.aria.gov.au](http://www.aria.gov.au) and then link to the employer centre, and then link to Employer Services Online. We do not require an AGS number for PSSap members:



Members will receive a half yearly statement providing a snapshot of their super account, and will receive a full annual statement and report at the end of each financial year.

## 2.6 Fees deducted from the member's PAA

Employers cover administration charges, but members must pay:

- > administration charges for switching investment strategies more than twice in a financial year – deducted from the PAA for the third and later switches when they occur
- > administration fee for transferring money out of the PSSap more than once in a 12 month period
- > insurance premiums for basic or supplementary death and (TPD) Total Permanent Disablement and income protection insurance – generally deducted monthly.

## 3. Contributions

### 3.1 Employer contributions

#### 3.1.1 How much do employers contribute?

Employers are required to make superannuation contributions for all members of the PSSap that they employ. Basic employer contributions for a PSSap member must be 15.4% of the member's superannuation salary, which can be either fortnightly contributions salary (FCS) or ordinary time earnings (OTE), depending on which arrangement is in place for a particular member or group of members (see section 3.1.7).

Employers do not need to pay any Employer Productivity Superannuation Component (EPSC) for PSSap members.

### 3.1.2 Employer contributions for members more than 65 and less than 75 years of age

We can only accept employer contributions for members older than 65 and less than 75 if:

- > we are satisfied that the member has worked at least 40 hours in 30 consecutive days of the financial year in which the contributions are being made (this is a superannuation regulatory requirement, referred to as the 'work test', and can apply to any gainful employment)

or

- > the contributions are mandated employer contributions (Mandated employer contributions are contributions made to a regulated super fund by employers to satisfy the Superannuation Guarantee requirements, and contributions made by employers to a regulated super fund pursuant to an obligation specified in a Certified Agreement or award made after 1 July 1986).

From the information reported by you through Employer Services Online In most cases, we can ascertain whether members within this age group satisfy the 'work test'. If we cannot determine that a member in this age group has satisfied the 'work test', then we will write to the member requesting further information. You should continue to make contributions for these members until notified by us that we cannot accept further contributions.

Salary sacrifice payments can be made into the fund until age 75.

### 3.1.3 Members 75 years and older

We can only accept employer contributions for members aged 75 and older if the contributions are mandated employer contributions (see above).

### 3.1.4 When do employers make contributions?

The first employer contribution for a PSSap member must be paid on the first day (after the employee becomes a member of PSSap) that a regular salary payment is made.

### 3.1.5 Contributions and data *must* be sent to us accurately and on time

Please make sure you calculate contributions for PSSap members accurately. Using Employer Services Online will help you enter valid values and you will receive errors and warnings if a more obvious mistake occurs in the data you have entered.

The PSSap offers members investment choice and the value of members' investments is expressed in a unit price which is calculated and published daily. Contributions can only be invested and credited to a member's PAA and used to purchase units when the amount, and the supporting data, are actually received and has validated by us.

**It is very important that you send the correct money and data on time. We can only invest the contributions when we have 'matched up' the contributions with the member data. Under member investment choice and with daily valuations, we must do this within a certain time limit to avoid the member losing earnings and potentially have a claim against your agency to recoup the loss.**

**If employers do not pay contributions when required to do so, they may be required to pay an interest charge on the outstanding amounts.**

### 3.1.6 Can employers make additional contributions?

Yes, subject to the age restrictions as set out in 3.1.2 and 3.1.3, employers may also make additional contributions for PSSap members, which may include:

- > additional contributions as specified in an Australian Workplace Agreement (AWA) or Certified Agreement (CA)
- > to provide for circumstances where they may agree with the member to make additional contributions (for example, as an incentive).

### 3.1.7 How is the superannuation salary calculated?

There are two ways in which superannuation salaries ('salary for super') may be calculated for PSSap members – fortnightly contribution salary (FCS) and ordinary time earnings (OTE).

You will need to be aware of which arrangement is in place in your agency or in an individual's AWA or remuneration determination. If a PSSap member does not have one of these agreements, they may have another written agreement with your agency stating which salary is to be used.

#### 3.1.7.1 How do you calculate fortnightly contribution salary (FCS)?

The FCS is determined in the same way as the superannuation salary is calculated for a PSS member. This is 1/26 of the greater of:

- > the member's annual salary on commencement
- > the member's basic salary and any recognised allowances being received on the member's birthday
- > the highest salary and any recognised allowances received during the period from the previous birthday until the eve of the next birthday, subject to the salary maintenance rules (see the Training Notes available online through the EMPLOYER CENTRE at [www.aria.gov.au](http://www.aria.gov.au)).

FCS is the 'default' salary when superannuation salary is not specified in an agreement with employees.

The formula for calculating contributions under the fortnightly contribution salary is:

**15.4% x (annual rate of superannuation salary including recognised allowances ÷ 26).**

The above calculation is standard and does not vary if there are more than 26 pays in the year.

#### ***Calculating FCS for casuals***

For contribution purposes, a casual's salary is what they actually earned in the particular fortnight (excluding payments for overtime, compensation or reimbursement of expenses such as meal allowance or mileage allowance). If a member is on compensation leave, contributions are based on what the member would have earned had they been at work.

Any leave without pay, reduced pay, salary increase or increments will have an immediate effect on a casual's contributions and ultimately, benefits. To establish a Notional Salary for a casual for the purposes of transferring to another employer or for the purposes of changing employment status refer to the PSS Training module: casual and part time employment.

Salary maintenance rules do not apply to casuals.

### ***Calculating FCS during unpaid leave***

In certain circumstances if a PSSap member's superannuation salary is based on FCS and the member does not receive a salary payment, you are still required to calculate and pay the contributions (using the salary for super) as if the member would otherwise have received a salary payment. These circumstances are:

- > unpaid leave of 12 weeks or less
- > **unpaid** or **paid** maternity or parental leave
- > sick leave without pay
- > a period of compensation leave without pay
- > leave without pay from one agency to engage in other approved employment where the employer has agreed to pay contributions
- > a period of unpaid leave where the employer has agreed to pay employer contributions (for example, during study leave).

### ***Salary maintenance rules under FCS***

Calculating salary reductions for PSSap members under FCS is done in the same way as for PSS members.

For members that opted out of the PSS and have joined the PSSap, calculate the salary as if it is a commencement salary.

An AWOTE (or salary maintenance) calculator is available on the EMPLOYER CENTRE at [www.aria.gov.au](http://www.aria.gov.au)

The salary maintenance rules do not apply to OTE.

#### **3.1.7.2 Employer contribution shortfall when using FCS**

The PSSap Rules provide that employers may have to pay an employer contribution shortfall if their contribution for a PSSap member for a quarter does not equal at least 9% of the member's OTE. The rationale is that 15.4% of OTE will always be greater than 9% of OTE, but there is a potential that 15.4% of FCS may not be greater than 9% of OTE measured on a quarterly basis. For example, a person who had been working part time (with their FCS based on those part time hours) but then began working full time could receive contributions that were less than 9% of OTE depending on how their contributions were calculated. With OTE, their full time hours would be reflected immediately, but for FCS, the full time salary would not be reflected until their next birthday.

Employers using FCS as a member's superannuation salary must check at least quarterly to ensure that they have contributed at least 9% of the member's OTE. This shortfall is calculated, reported and paid by employers through Employer Services Online. You are required to report any shortfall to ARIA (automatically via ESO) and the member.

Any shortfall must be paid within 28 days of the end of the quarter to which it relates if you are to avoid a superannuation guarantee charge, and is paid through the usual data submission channel of Employer Services Online.

### 3.1.7.3 How do you calculate ordinary time earnings?

A member's superannuation salary can be based on OTE only if that is the agreed basis for determining salary for superannuation in either:

- > the agency's Certified Agreement that applies to the member
- > the member's Australian Workplace Agreement
- > a remuneration determination that applies to the member

or

- > an agreement in writing between the member and the employer where the member is not covered by a CA, an AWA or a remuneration determination.

OTE is based on what the member is paid for their regular hours of work. It does not include overtime payments and it can change each pay day. OTE means the total of earnings in relation to ordinary hours of work, not including:

- > earnings consisting of a lump sum payment made in lieu of unused sick leave, unused annual leave, or unused long service leave
- > earnings consisting of over award payments, shift loading or commission up to the maximum contribution base for the quarter.

During periods of paid leave, employers must contribute 15.4% of OTE on the day on which a regular salary payment is to be made to the member. This DOES NOT APPLY during periods of paid maternity or paternity leave. Payments during paid maternity and paternity leave are not included in OTE. However this arrangement could be different if an agency has specified payment through an agreement.

A full list of what is included and excluded from OTE has been drawn from Superannuation Guarantee Ruling 94/4 and the addendum to that ruling issued by the Tax Commissioner.

**The full list is at Appendix B.** You should also check [www.ato.gov.au](http://www.ato.gov.au) for updates.

If you have any queries about what should be included or excluded from OTE, please contact the ATO.

### ***OTE during unpaid leave***

If the member is on a period of unpaid leave and no OTE is payable on a given payday, then no employer contribution is due or payable on that payday. However, an employer may choose (perhaps as part of an employment incentive) to make contributions for a member who is on a period of unpaid leave.

### **Maximum superannuation contribution base under OTE**

If contributions are based on OTE, the maximum superannuation contribution base (the maximum salary on which an employer's contributions are required to be calculated) is determined by the Tax Commissioner and is subject to annual indexation.

The Tax Commissioner calculates the contribution base in early June each year for the following financial year.

There is further information at [www.ato.gov.au](http://www.ato.gov.au) (follow the path from Rulings & Law/Public Determinations/Superannuation Guarantee and click on the relevant year and look for the relevant determination that refers to the maximum superannuation contribution base).

Employers may calculate their contributions on a higher figure than that set by the Tax Commissioner but they are not required to do so.

If superannuation salaries are based on FCS, the maximum contribution base does not apply.

#### **3.1.8 Members who transfer from an OTE to an FCS agency**

The FCS should be based upon the salary from the OTE agency, therefore the OTE agency will need to supply the employee's salary history to the FCS agency. The FCS agency is responsible for calculating the employee's FCS for the entire period as if the member had always been on FCS. This is required to ensure that the member's salary is correct, since there may have been a salary reduction. The higher of the calculated salaries should be used in determining the salary for superannuation at the next birthday.

Alternatively, the employee may negotiate to continue having his/her salary based upon OTE by entering into an individual agreement or AWA.

#### **3.1.9 Salary sacrifice**

PSSap members can salary sacrifice amounts into PSSap with the agency's agreement.. These amounts are treated as employer contributions and should be entered into the 'Salary Sacrifice' field and submitted through Employer Services Online. Members who intend to salary sacrifice amounts into PSSap should be advised to seek separate financial advice.

Any salary sacrifice does not alter the employer's obligation to make basic employer contributions of 15.4% of the member's superannuation salary.

PSS and CSS members cannot salary sacrifice into PSSap.

#### **3.1.10 Salary for super when salary sacrificing**

##### **3.1.10.1 Under OTE**

If a member on OTE has a salary sacrifice arrangement in place, the salary for superannuation must not include the salary sacrifice amount.

### 3.1.10.2 Under FCS

If a member on FCS has a basic salary established, and then salary sacrifices, the basic salary remains salary for super.

### 3.1.11 Salary for super under total remuneration packaging (TRP)

#### 3.1.11.1 Under OTE

If a member on OTE has a total remuneration arrangement in place, the salary for superannuation which the 15.4% employer contribution will be based upon is the taxable amount being received by the member.

#### 3.1.11.2 Under FCS with a basic salary established

If a member on FCS has a basic salary established, and then elects to take non-cash benefits (such as the provision of a car when moving from an EL2 position to an SES position), the basic salary remains salary for super until the cash component of the package becomes greater than the previous basic salary.

The effect of electing to forego cash salary for non-cash benefits is that there has been a salary reduction and the normal salary reduction rules will apply.

#### 3.1.11.3 Under FCS without a basic salary established and TRP

As there may be no basic salary established in total remuneration packaging, there are situations where members on FCS could find that their superannuation salary varies from what it would have been had the total remuneration packaging arrangements not been entered into. Non-cash benefits do not count for superannuation salary when there is no basic salary established.

## 3.2 Member contributions

### 3.2.1 Do members make contributions?

PSSap members are NOT required to make personal contributions. However, they can contribute if they wish, provided that:

- > the membership is current
- > the member is working for a designated employer.

If PSSap members choose to make contributions, they may pay whatever amount they wish. However, from 1 July 2007 there is a contributions cap which could impact the amount of tax a member pays on their contributions. There is a detailed Contribution Fact Sheet on the PSSap members website. You can also source information about the superannuation cap(s) at [www.ato.gov.au/super](http://www.ato.gov.au/super).

Although an employee may request that their contribution be a percentage of their salary, you must convert this amount to dollars and cents when you report and pay those member contributions to us.

Members may also make personal contributions either by cheque or BPay at any time while working for a designated employer.

There is no link between a member's personal contributions and employer contributions.

### **3.2.1.1 Members aged more than 65 and less than 75**

A member aged more than 65 and less than 75 can contribute during any financial year where they have worked at least 40 hours in a period of not more than 30 consecutive days in that financial year (the 'work test').

In most cases, we can ascertain from the information reported by you through Employer Services Online whether members within this age group satisfy the 'work test'.

If we cannot determine that a member in this age group has satisfied the 'work test', then we will write to the member requesting further information. The member can continue to make contributions until notified by us that we cannot accept further contributions.

### **3.2.1.2 Members aged 75 and over**

Under the current rules, a member over 75 years of age cannot make personal contributions, even if they are gainfully employed. This includes salary sacrifice amounts.

## **3.3 Can spouses of members make contributions?**

Spouse contributions can be made on behalf of a member but this is not done through the payroll system. These payments must be made directly to us by cheque or BPAY.

## **3.4 Eligibility for co-contributions**

A PSSap member who makes after tax personal contributions may be eligible for a co-contribution from the Australian Government. A member's entitlement to a Government superannuation co-contribution will be determined by the ATO; you have no involvement.

## **3.5 Can members pay in transfer values?**

Current PSSap members working for designated employers can pay in transfer amounts by making arrangements with their former superannuation fund. Members who have opted out of the PSS are only able to do this at the time of they complete an **Election to cease PSS membership** form and only if they have a transfer value.

## **3.6 Overpaid and underpaid employer or member contributions**

Unlike the defined benefit schemes, you cannot report through a negative employer or member contribution for a PSSap member.

***We seek your support to ensure your agency is submitting PSSap members' contributions and data to us accurately each fortnight. Late and inaccurate data can significantly affect members' earnings and insurance. When this happens we will contact you to try to resolve any discrepancies.***

**Overpaid contributions**

In the event that we receive an over payment of contributions we will contact your agency to try and resolve the discrepancies. If we are not able to match the data and the contributions remitted to ARIA within 28 days, we are required to return any excess monies after allocation of monies and data to member records to the relevant agency.

If you need to recover an overpaid contribution you must complete the Request for refund of overpaid contributions from the PSS accumulation plan form which can be found at [http://employer.pss-css.gov.au/forms\\_publications/other\\_forms.shtml](http://employer.pss-css.gov.au/forms_publications/other_forms.shtml) and email to: [pssapcontributions@comsuper.gov.au](mailto:pssapcontributions@comsuper.gov.au)

**Underpaid contributions**

If we receive insufficient funds we will attempt to match contributions and members and may have to contact your agency for assistance. However, if we do not receive a satisfactory response within 28 days, where the monetary data exceeds the actual monies remitted, we will return the entire amount and your agency may be liable for the superannuation guarantee charge.

## 4. Employer Services Online

Employer Services Online is the vehicle by which employer data is entered and submitted to ComSuper.

There are two methods that can be used to load the data to Employer Services Online. The Payroll Interface File (PIF) allows data to be extracted directly from your payroll system and is then loaded into the contributions grid. If your agency has not implemented the PIF, you will need to enter data manually to the contributions grid.

You should familiarise yourself with the PIF, as this document shows you the data and the valid values that are allowed to be entered when submitting information to us. The PIF can be located at the EMPLOYER CENTRE at [www.aria.gov.au](http://www.aria.gov.au) and also forms part of your training notes for Employer Services Online.

### **[Appendix A – Eligibility determiner for APS Agencies](#)**



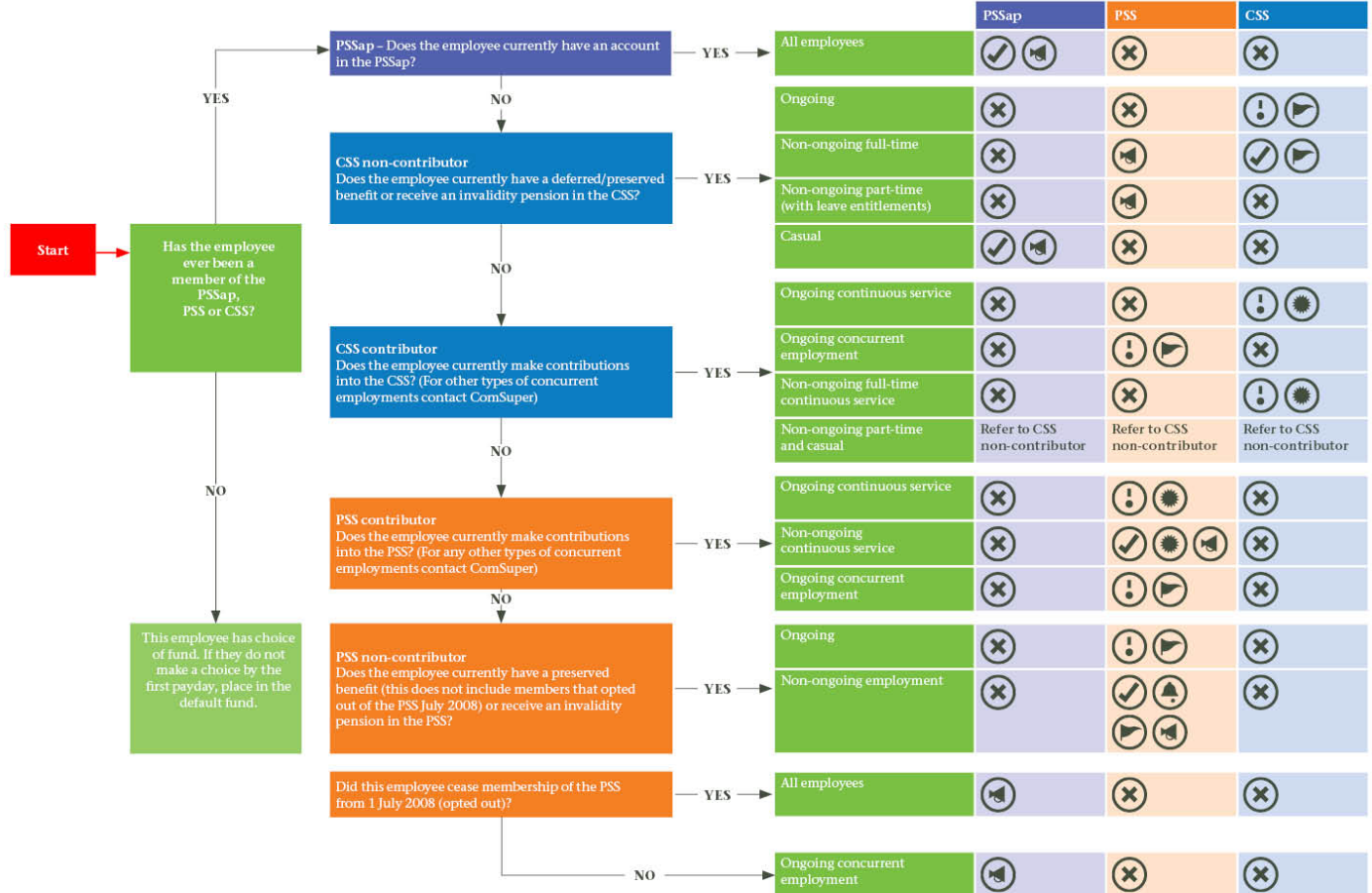
# Eligibility determiner

for **APS** employees **only** from 1 July 2008

- PSSap
- PSS
- CSS

**Legend**

- Must join - no choice available.
- Must be offered 'Choice' but eligible to elect to join this scheme.
- Not eligible to join this scheme.
- New AGS number required.
- Same AGS number used if ongoing, or if they elect to join the PSS.
- Employer default fund when no election, or choice, of fund is made.
- Employee eligible if they have not defaulted and they meet the following PSS eligibility criteria:
  - > employed on a contract for three months or more
  - > had three months Australian Govt employment in the last two years
  - or
  - > has the intention to pay a transfer value into the PSS.





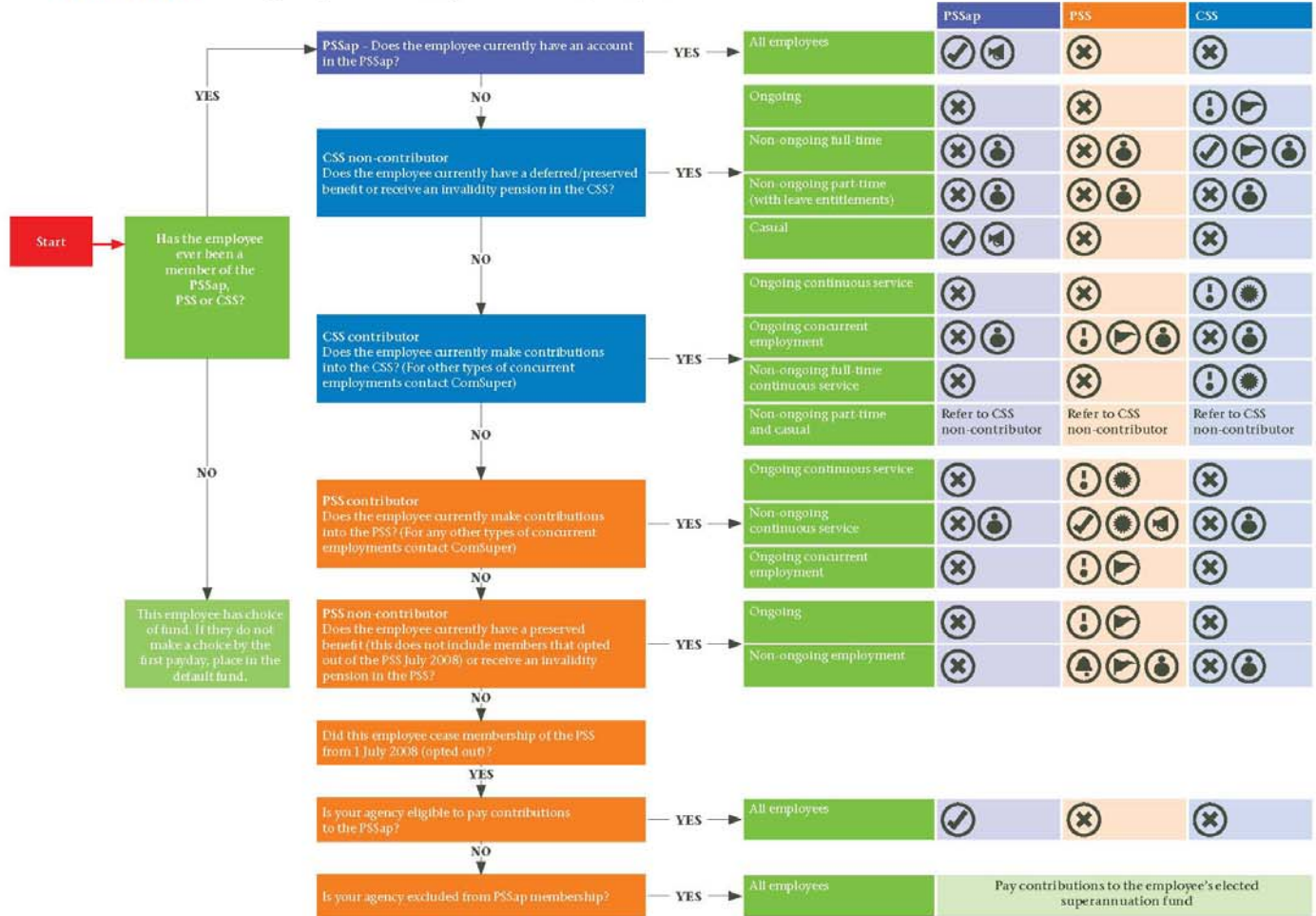
# Eligibility determiner

for **non APS** employees only from 1 July 2008

- PSSap
- PSS
- CSS

**Legend**

- Must join - no choice available.
- Must be offered 'Choice' but eligible to elect to join this scheme.
- Not eligible to join this scheme.
- New AGS number required.
- Same AGS number used if ongoing, or if they elect to join the PSS.
- Employer default fund when no election, or choice, or fund is made.
- Scheme not eligible as default fund. If employee does not join available schemes, the employer must select an employer (default fund) other than the CSS, PSS or PSSap.
- Employee eligible if they have not defaulted and they meet the following PSS eligibility criteria:
  - > employed on a contract for three months or more
  - > had three months Australian Govt employment in the last two years
  - or
  - > has the intention to pay a transfer value into the PSS.



## Appendix B – Examples of what is included in OTE

(an extract from Superannuation Guarantee Ruling SGR 94/4 issued by the ATO)

Payment type	OTE?
Allowance paid (other than a reimbursement of expenses)	Yes
Reimbursement of expenses (eg travel costs)	No
Bonuses that do not relate to specific performance criteria (eg Christmas bonuses)	No
Other bonuses	Yes
Commission	Yes
Over award payments	Yes
Shift loading	Yes
Overtime	No
Casual loading	Yes
Benefits subject fringe benefits tax	No
Workers compensation payments, including top up payments, where no work is performed	No
Workers compensation payments, including top up payments, paid by the employer, where work is performed	Yes
Top up payments (eg when serving on jury duty or with reserve forces)	No
Payments when on maternity or paternity leave	No
Pay for annual holiday leave taken	Yes
Government (wage) subsidies eg Job Start Allowance	Yes

<b>Payment type</b>	<b>OTE?</b>
Annual leave loading	No
Pay for sick leave taken	Yes
Pay for long service leave taken	Yes
Accrued annual leave, long service leave and sick leave paid as a lump sum on termination	No
Payments in lieu of notice	No
Redundancy payments	No
Other payments made by an employer on termination of employment	No
Director's fees	Yes
Payments for performance in, or provision of services relating to, entertainment, sport, promotions, films, discs, tapes, TV or radio	Yes
Payments to a contractor who is an employee under the SGAA (labour portion only)	Yes
Dividends	No
Partnership and trust distributions	No
Payments for entering into a restraint of trade agreement	No
Payments for domestic or private work under 30 hours per week	No

## Appendix C – Glossary

**APRA:** Australian Prudential Regulation Authority

**ARIA:** Australian Reward Investment Alliance, the trustee of the CSS, PSS and PSSap schemes, formerly the CSS Board and PSS Board

**ATO:** Australian Taxation Office

**basic employer contributions:** generally 15.4% of the superannuation salary of a PSSap member

**designated employer:** explained in section 19 of the *Superannuation Act 2005*

**employer contribution shortfall:** the difference between the amount contributed in the quarter for a PSSap member whose superannuation salary is based on the member's fortnightly contribution salary and 9% of the ordinary time earnings of that same member

**fortnightly contribution salary:** (you may know this as 'birthday salary') this is 1/26 of whichever is greater:

- > basic salary plus recognised allowances received on the member's birthday
- > the highest salary (including allowances treated as salary) received between the previous birthday and the eve of the current birthday (subject to salary reduction rules).

**gainfully employed:** employed or self-employed for gain or reward

**invalidity retirement:** means the termination of the employment of a PSSap member on the ground that they are unable to perform their duties because of any mental or physical condition

**maximum contribution base:** sets the maximum limit on the amount of superannuation support that an employer is expected to provide for the benefit of an employee. The maximum contribution base is subject to annual indexation that is calculated and notified by the Tax Commissioner.

**ordinary time earnings (OTE):** is based on what a member gets paid for his or her regular hours of work. It does not include overtime payments and it can change each pay day – subsection 6(1) of the *Superannuation Guarantee (Administration) Act 1992* defines ordinary time earnings to mean:

- a) the total of:
  - (i) earnings in respect of ordinary hours of work other than earnings consisting of a lump sum payment of any of the following kinds made to the employee on the termination of his or her employment:
    - > a payment in lieu of unused sick leave
    - > a payment in lieu of unused annual leave within the meaning of subsection 26AC(1) of the *Income Tax Assessment Act 1936*
    - > a payment in lieu of unused long service leave within the meaning of subsection 26AD(1) of the *Income Tax Assessment Act 1936*

- (ii) earnings consisting of over award payments, shift loading or commission or
- b) if the total ascertained in accordance with paragraph (a) would be greater than the maximum contribution base for the quarter – the maximum contribution base.

**pay day:**

- a) the day on which a regular salary payment is made to the accumulation member
  - b) however, if the accumulation member's superannuation salary is based on fortnightly contribution salary (in the same way as the superannuation salary is determined for a defined benefits member) and the member does not receive a salary payment because the member is on:
    - > unpaid leave of 12 weeks or less
    - > maternity or parental leave
    - > sick leave without pay
    - > a period of compensation leave
    - > a period of leave of absence for the purposes of engaging in other approved employment as defined in the PSSap Rules
- or
- > a period of unpaid leave where the employer has agreed to pay employer contributions

then pay day also means the day that member would otherwise have received a salary payment.

**permanent incapacity:** this occurs if a member stops being gainfully employed because of mental or physical ill-health and the trustee is reasonably satisfied the member is unlikely, because of that ill-health, to ever again engage in gainful employment for which the member is reasonably qualified by education, training or experience

**product disclosure statement (PDS):** a document required under the *Corporations Act 2001* to be given to a member to describe the key features of the superannuation arrangements applying to the member.

**PSS BOARD (or ARIA):** the trustee of the PSSap as established under section 20 of the *Superannuation Act 1990* (the Superannuation Act 2005 and Trust Deed establish and vest in the PSS Board a Fund for the purposes of PSSap and also sets out the functions and powers of the Board in relation to PSSap and the PSSap Fund)

**PSS:** means the Public Sector Superannuation Scheme within the meaning of the *Superannuation Act 1990*

**PSS Fund:** the Fund established by the PSS Trust Deed, managed and invested by ARIA in accordance with the provisions of the *Superannuation Act 1990* and the Deed

**PSS member:** a person who is a member of the PSS Scheme due to the operation of Part 3 of the *Superannuation Act 1990*

**quarter:** any three-month period beginning on 1 January, 1 April, 1 July or 1 October

**SIS:** the *Superannuation Industry (Supervision) Act 1993* and the regulations in force under that Act

**superannuation salary (or salary for super):** the member's ordinary time earnings, if that is the salary set out in an agreement between the employer and the member; in all other cases, the amount that would have been the member's fortnightly contribution salary if they had been a defined benefits member

**superannuation system** includes:

- > regulated superannuation funds
- > approved deposit funds
- > retirement savings accounts
- > exempt public sector superannuation schemes
- > deferred annuities
- > Australian Securities and Investment Commission (ASIC) as a recipient of unclaimed money paid to ASIC under subsection 225(5) of SIS
- > the ATO or state or territory Superannuation Unclaimed Money authorities as the collectors of unclaimed superannuation money
- > annuities.

**temporary incapacity:** this occurs if a member stops being gainfully employed (including temporarily, and including if they still have their job but are taking unpaid leave) because of physical or mental ill-health but is not permanently incapacitated

## Appendix D – Quick Guide



# Your quick guide to the PSSap

It's all about you



The PSSap is set up solely to meet the superannuation needs of Australian Government employees.

Our organisation represents over 30 years experience and we're always at work for you, helping you make the most of your financial future. We aim for consistent returns and provide useful services to you, all at a competitive cost.

We also help you develop the knowledge and skills you need to manage your super confidently with a super education program which you can access at your place of work. Use this checklist to see how we work for you.

Some things you should consider when choosing a super fund	Here's how we stack up																								
<p><b>1. Investment performance</b></p>	<p>We aim for consistent returns over the long term, at a competitive cost to you. The PSSap opened on 1 July 2005 and has had a strong first 18 months. Following is the 18 month returns for our investment options. This represents the rate of return since inception converted to an annual figure.</p> <table border="1"> <thead> <tr> <th>Investment option</th> <th>Performance since inception (1 July 2005) to 31 December 2006 (annualised)</th> </tr> </thead> <tbody> <tr><td>Conservative</td><td>8.5%</td></tr> <tr><td>Balanced</td><td>11.2%</td></tr> <tr><td>Trustee Choice</td><td>15.2%</td></tr> <tr><td>Aggressive</td><td>17.7%</td></tr> <tr><td>Cash</td><td>3.0%</td></tr> <tr><td>Bonds/Fixed interest</td><td>4.7%</td></tr> <tr><td>Australian shares</td><td>23.0%</td></tr> <tr><td>International shares (unhedged)</td><td>17.1%</td></tr> <tr><td>International shares (hedged)</td><td>18.5%</td></tr> <tr><td>Property</td><td>14.4%</td></tr> <tr><td>Sustainable</td><td>20.1%</td></tr> </tbody> </table> <p>Remember, past performance is no indication of future performance and performance will vary depending on your investment choice. To see the investment returns for any of the funds managed by ARIA go to <a href="http://www.aria.gov.au">www.aria.gov.au</a></p>	Investment option	Performance since inception (1 July 2005) to 31 December 2006 (annualised)	Conservative	8.5%	Balanced	11.2%	Trustee Choice	15.2%	Aggressive	17.7%	Cash	3.0%	Bonds/Fixed interest	4.7%	Australian shares	23.0%	International shares (unhedged)	17.1%	International shares (hedged)	18.5%	Property	14.4%	Sustainable	20.1%
Investment option	Performance since inception (1 July 2005) to 31 December 2006 (annualised)																								
Conservative	8.5%																								
Balanced	11.2%																								
Trustee Choice	15.2%																								
Aggressive	17.7%																								
Cash	3.0%																								
Bonds/Fixed interest	4.7%																								
Australian shares	23.0%																								
International shares (unhedged)	17.1%																								
International shares (hedged)	18.5%																								
Property	14.4%																								
Sustainable	20.1%																								

2.	<b><u>Fees, charges and commissions</u></b>	We are a 'profit for members' fund which means that, after fees, taxes and management costs, investment earnings are returned to members. Employers also reduce your cost by contributing towards the cost of administering the PSSap, in addition to the contributions they make to your super. The PSSap pays no commissions to financial planners, however, there are some fees and charges, such as insurance premiums, that will be deducted from your super account.
3.	<b>Level of contribution by your employer</b>	We attract a level of employer contribution well above the Superannuation Guarantee of 9%. Your employer will contribute at least 15.4% of your superannuation salary to your PSSap super account, subject to superannuation law.
4.	<b><u>Investment choice</u></b>	We offer a range of options to suit your goals and risk tolerance. You can choose from four pre-mixed options – Conservative, Balanced (50/50), Trustee Choice (the default option), and Aggressive. We also offer seven asset class options which you can mix and match to suit your needs. These include Cash, Bonds/Fixed interest, International shares (hedged and unhedged), Australian shares, Property and Sustainable.
5.	<b><u>Insurance</u></b>	Our insurance cover offers protection for you in the event of accident or death. As a PSSap member, you have access to Death and TPD cover plus income protection through AIA Australia Limited, trading as AIA Australia. Death and TPD cover is compulsory if you are eligible.
6.	<b>Efficiency and honesty of administration</b>	We use the administration services of ComSuper.
7.	<b><u>Benefit options</u></b>	You can take your PSSap retirement benefit as a lump sum, or transfer it to another complying fund.
8.	<b>Information and general advice when and where you need it</b>	Our award-winning member communications program brings information to you at your place of work with educational workshops, one-on-one super sessions, email updates and online services at your fingertips. You can reach us when you need to by email, phone, fax and letter, whichever is most convenient for you.
9.	<b><u>Compliance with regulatory framework</u></b>	The PSSap is established by the <i>Superannuation Act 2005</i> and ARIA is licensed under both the <i>Corporations Act 2001</i> and the <i>Superannuation Industry (Supervision) Act 1993</i> (SIS Act).
10.	<b>Understands your employment conditions</b>	We work closely with employers for the benefit of members. Our organisation has been providing superannuation services and products to employees of the Australian Government and participating employers since 1976.
11.	<b><u>Additional services</u></b>	As a PSSap member, you have access to home loans provided by Members Equity Bank (ME) and personal financial advice provided by State Super Financial Services Australia Limited (SSFS). ARIA owns 20% of SSFS.
12.	<b>Processing times</b>	We aim to process most transactions within five (5) business days of validating your request. This is of course dependent on all conditions being met. Some transactions, such as insurance claims, may take longer.

## We get you started with minimal paperwork and maximum support

We have worked closely with your employer to make joining the PSSap easy, with minimal paperwork and maximum personalised support to get you off to a good start.



### STEP 1

Your employer will provide you with this Product Disclosure Statement which outlines the features, benefits, risks and cost of investing your super with the PSSap. You should read it before making any decisions.



### STEP 2

Your employer will register you electronically, by providing us with your contact details, your Tax File Number if you choose to provide it, and other details we need to administer your super account and provide you with the appropriate insurance. They will also advise us if you have chosen to make personal contributions.



### STEP 3

We will call you to check you have everything you need, answer any questions you may have and show you where you can find information online when you need it.



### STEP 4

We will send you your membership card and, under separate cover for security reasons, your online access number which allows you to manage your super online.

**No application form!** You don't have to do anything to join us, if the PSSap is your employer's default fund.

[Product and Disclosure Statement quick\\_guide.pdf](#)