



# Training notes

## Contributions to the PSS

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<http://www.pss.gov.au/>

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## Contributions to the PSS

These notes are not a substitute for the *Superannuation Act 1990*, the Trust Deeds or the Rules for the administration of the scheme.

As provisions change you will be advised by way of Department of Finance superannuation circulars and Employer News. If you wish to continue to use these notes please ensure that you update them for any changes.

## Commencement of Contributions

Contributions should be commenced with effect from the date the employee becomes a member of the scheme. The first contribution is due on the first payday after commencing membership.

Contributors who become members on a contribution day (i.e. public service payday) must make a contribution in respect of that contribution day.

## Minimum Contribution Rate

For contributors to the PSS, the minimum contribution rate is 2%, however, in the absence of a nominated % rate, the PSS rules stipulate that 5% is to be used as the default rate.

## Maximum Contribution Rate

Members may elect to vary their contributions as often as they like between 2% (minimum) and 10% (maximum) of salary for superannuation, provided that the amount is a whole percentage .

Any election to vary contributions takes effect from the following payday that the member has varied their contributions. Therefore, if the election is made on a payday, contributions must be varied with effect from the following payday. The date of effect that gets reported to ComSuper is the actual date that the member has elected to vary their contribution rate.

## Contributions Payable

Contributions are payable on each public service payday in respect of which a contributor is a member of the scheme (i.e. He/she was not on leave without pay not to count for superannuation purposes on the payday).

A **full** contribution is payable irrespective of the fact that salary may have been payable for only a portion of that pay period. Equally however, should a member be employed for most of a pay period but cease to be a member or commence on non-contributory leave prior to the payday, no contribution is payable on that payday.

## Calculating the Contribution for Full-time Employees

Calculating the Contribution Amount		
Step	Action	Example
1	Annual Rate of Superannuation Salary & Superannuation Allowances	$\$30\,000 + \$5\,500 = \$35\,500$
2	Fortnightly Rate of Super. Salary & Allowances (divide by 26)	$\$35\,500 \div 26 = \$1\,365.38$
3	Determine 5% Basic Rate of Contribution	$\$1\,365.39 \times 5\% = \$68.27$
4	If the amount calculated in Step 3 is not a multiple of 10 cents, then it must not be rounded up to the next highest multiple of 10 cents.	\$68.27
5	If the contributor is paying at a rate other than 5% of contributions (e.g. 8%) calculate the actual contribution amount by multiplying the result arrived at in Step 2 by 8%. Do not round up. <b>This method holds for all contributor types when determining a \$ amount for a % rate</b>	$\$1\,365.39 \times 8\% = \$109.23$

## Contributions for Regular Part-Time Members, Casuals and Per Diem Employees

These are covered in the PSS Part-time/ Casual training notes.

## Members in Receipt of a Partial Invalidity Pension (PIP)

From the birthday following the partial invalidity pension becoming payable, contributions are reduced to reflect the lower salary or lesser hours being worked.

Benefits continue to be based on the former updated salary and allowances if PIP is payable due to a salary reduction, and/or hours previously worked if PIP is payable for reduction in hours. You must also pay the productivity on salary applying and hours worked, prior to the PIP becoming payable.

The former salary is updated in accordance with the applicable PSS salary reduction rules. Refer to the PSS salary reduction module for advice on updating the former salary.

It is therefore necessary for your Agency to provide ComSuper with the following information on each anniversary for the member receiving a PIP:

- > A contribution salary;
- > A notional salary for benefit calculation;
- > Full time hours;
- > Part-time hours.

**Note:**

*Where the member is working reduced hours and receiving PIP, but is not an approved part-time employee, contributions remain payable at the full-time rate.*

### **Contributions for Periods of Leave Without Pay**

Members may apply for leave without pay (LWOP) for a variety of reasons.

**Contributions are payable for periods of LWOP granted for 12 weeks or less, except where a member is on maternity or parental leave.**

- > Members on unpaid maternity or parental leave of any duration are not required to contribute on any public service payday falling during that period. However, they may elect to pay contributions at any time during that period.
- > Members on a mandatory period of maternity leave without pay (i.e. those not eligible for paid maternity leave) are not required to contribute, but may elect to do so.
- > Members, who have payment of their twelve weeks maternity leave spread over 24 weeks for administration purposes, are regarded as being on 12 weeks paid maternity leave. They must contribute for the first 12 weeks and may elect to contribute for the following 12 weeks, which is technically maternity leave without pay.

**It should be noted that an election must be made on or before the contribution day or days on which the member wishes to pay.** An election does not apply to preceding paydays and cannot be backdated. There is no set form on which to elect.

**Essentially, the superannuation legislation states that contributors granted LWOP for periods exceeding 12 weeks are not permitted to make superannuation contributions during that period.**

**From 1 July 2003 contributions may be paid if the person's usual employer agrees to continue payment of the employer superannuation contributions**

**Other exception cases (excluded periods) where members may pay for periods in excess of 12 weeks are as follows:**

- > **Members on Defence Force Leave** who must contribute to the MSBS are under normal LWOP provisions i.e. if the period of leave is greater than 12 weeks no contributions are due or payable. However, if the member is a recipient of a DFRBD benefit, LWOP in the Interest of the Service may apply. (Refer cases to ComSuper for LWOP provisions)
- > **Members on Leave in the Interest of the Service.** LWOP may be granted to members to engage in other employment, which is considered to be in the interests of the service.

For this LWOP to be recognised as contributory service, the new employer must pay the employer and productivity component. In cases where the new employer is willing to pay both the full employer liability under the PSS and other superannuation contributions it is possible for the member to accumulate benefits in respect of both schemes.

***You are required to determine whether the new employer is prepared to meet the PSS costs before the contributor commences the LWOP.*** If the other employer does not agree to meet the employer component, or the member has to contribute to the new employer's superannuation scheme, then contributions cannot be paid.

The percentage of the employer component is as follows:

- > The employer liability is generally the parent agency's specific contribution rate as set by the previous actuarial review. This rate is a percentage of salary for superannuation purposes **plus** the productivity component.
- > Where the member is on LWOP from an organisation which meets its employer component on an emerging costs basis, i.e. where they pay a one off payment annually, the rate applicable is the long term cost rate because these agencies do not have individual rates allocated to them. The employer component must be paid directly to the parent agency, e.g. agencies of the ACT Government.

### **LWOP Remittance Advice–S637**

The new employer should be provided with the LWOP Remittance Advice, S637, which can be printed from ComSuper's website under Forms. This form must accompany all payments forwarded to the CPM at ComSuper to enable easy identification of the member, the members AGS number, paydays or period for payments and components of the amount received.

It is the parent agency's responsibility to ensure that the new employer is aware of the member's salary for super on commencement and the new salary for super at each anniversary. It is also the parent agency's responsibility to ensure that all correct payments are made to ComSuper or your agency if you are on an emerging cost basis.

## Other Leave

In all other instances, contributions must be paid, for example:

- > For any periods of leave on reduced pay;
- > For any periods of sick leave without pay, unauthorised absence and suspension without pay;
- > For leave without pay for 12 weeks or less.

Where members are on leave on reduced pay or without pay, they may apply to ComSuper for approval to defer payment of their contribution until they return to full pay. Approval will not always be given and should not be taken for granted.

### **Note:**

- > ***When contributions are not payable, the employer productivity benefit does not accrue.***
- > ***When contributions are payable, the employer productivity benefit does accrue and must be paid to ComSuper fortnightly.***
- > ***All sick leave, regardless of the length and rate of pay, counts as service. Contributions are therefore payable for the entire period of leave.***

## Payment of Contributions During Periods of Leave Without Pay

Members may pay contribution 'due' for periods on leave without pay by cheque to ComSuper. The cheque must be accompanied by a letter advising the member's details such as name, AGS number, and reason for payment.

Members can make payments for their contributions through BPAY. The member will need to be provided with an access number by phoning ComSuper on 1300 000 377. They will be able to then log onto member services online to obtain their biller details. They will then need to contact their own financial institution to make the transaction.

If members intend to pay their member contributions while on a period of LWOP they should be reminded to contact their employer to confirm the amount due during the period of LWOP. They should then advise their employer of the amount paid to ComSuper.

## Pre-Assessment Payments

It should be noted that while ComSuper grants income support pending invalidity retirement by way of pre-assessment payments, it does not grant leave. Therefore, agencies must cover the period of absence by the grant of sick leave. Therefore, full contributions are payable.

## Compensation Leave

A member on compensation leave cannot reduce contributions below the highest percentage paid on the four contribution due days prior to the leave. The only exception to this is if the member was paying more than 5% on one of the relevant due days then, he/she can elect to reduce to 5%. The member can elect to pay on a higher percentage rate.

<b>Payment of Contributions While on Leave</b>	
<b>Type of Leave</b>	<b>Contributions</b>
Recreation	Full contributions at full pay rate
Sick - full pay	Full contributions at full pay rate
Sick - half pay	Full contributions at full pay rate
Sick - without pay	Full contributions at full pay rate
Compensation	Full contributions at full pay rate
Long Service	Full contributions at full pay rate
Long Service - half pay	Full contributions at full pay rate
Maternity	Full contributions if on paid leave. No contributions when on unpaid leave but may elect to pay
Parental	Same as for unpaid maternity leave
Unauthorised absence	Full contributions at full pay rate
Suspension - with or without pay	Full contributions at full pay rate
Study leave	Full contributions at full pay rate
Study LWOP	Leave approved prior to 1 July 2003, contributions were not required but the member could elect, prior to commencement of leave to pay (Maximum of 2 yrs). Leave approved after 30 June 2003 only payable if employer agrees to pay super'n costs.
Leave without pay - 12 wks or less	Full contributions at full pay rate
Leave without pay - more than 12 wks	For leave approved after 30 June 2003, Contributions not permitted unless employer agrees to meet superannuation costs or otherwise advised in this table
LWOP granted to take up employment with new employer	Full contributions at parent employer rate. Temporary employer salary must satisfy qualifying criteria if higher. Salary reduction rules apply if the temporary employers salary is lower.
Leave without pay - during LWOP takes up temporary employment with a CSS/PSS employer	Remains on LWOP with parent employer. May elect to take up new PSS membership with new employer.

<b>Payment of Contributions While on Leave</b>	
Leave without pay - employment with Defence (Armed Forces) employment	Contributions not payable. But if member is a recipient of a DFRDB benefit, LWOP in the Interest of the Service may apply. (Refer cases to ComSuper)
Leave without pay - employment in the interests of the service	Contributions not permitted unless new employer pays employer contributions

## Varying the Rate of Contributions

### Birthday Review

Generally, contributions will be adjusted once a year, on the payday following the member's birthday.

Contributions may be adjusted at other times during the year following an election by the member to increase or decrease contributions, or when a member changes from casual to regular or vice versa.

Contributions are based on the higher of the **superannuation salary** being received on the anniversary or the highest **superannuation salary** received in the twelve months prior to the birthday.

### Options and Elections to Vary Contribution Rate

There are two ways in which a member may vary the rate of contributions, they are:

- > Increase contributions % rate
- > Decrease contributions % rate

Where members would like to vary their rate of contributions:

- > They should sign a Form SE2 ("Election to Vary Superannuation Contribution Rate") or email their personnel area. The email must be immediately received in Personnel. There are no provisions in the legislation to backdate elections to change % rates. For administrative purposes your agency may still wish to obtain a signed election form.
- > The signed election form or email is to be attached to the member's personnel file for future reference.
- > The new rate of contributions is effective from the contributions day occurring immediately after the member's request to vary his/her contribution rate. If an election is made on a payday, contributions should not be adjusted to the nominated rate until the following payday.

In cases where contributions were not commenced when due, as a **result of employer error**, the member may lodge an election to vary the rate from the date eligible to minimise the amount of short paid contributions. Such elections may also be for a higher rate than the standard 5%.

**Note:**

***Members may elect to vary their rate of contributions at any time, there is no restriction to the number of times members can elect to vary contributions or on the interval between elections.***

## Contributions in Arrears

Occasionally, contributions paid by the member may be less than that which should have been paid.

Members are required to pay their nominated contributions while employed. If contributions are short paid, the Commissioner has the power to take recovery action through the courts under Section 39 of the 1990 Act.

You should ensure that any cases of short paid contributions are quickly rectified. ComSuper will advise you when it believes problems exist, but this will only be accurate if you have correctly advised birthday adjustments and other changes to salaries and hours worked.

Although your office will not be contacted in all arrears situations, your agency will be contacted where

- > There is an ongoing short payment eg. each fortnights deduction is less than the amount due.

ComSuper will generally advise the member, as well as personnel, of the arrears situation through a letter. It is important that members are aware that arrears exist and that the arrears may have repercussions on any future benefit.

You should always check carefully notification of arrears from ComSuper, to ensure that contributions are in fact correct, as it may be that you have simply forgotten to provide information such as the member's change in employment status, e.g. from full-time to part-time, or an increase in percentage rate.

The arrears should be deducted (in addition to normal contributions) from the member's pay over no more than 13 paydays.

If this arrangement will cause hardship to the member, an application for payment over an extended period should be forwarded to this Office for consideration. The application should give reasons for the request and should nominate a reasonable fortnightly recovery rate. A covering memorandum and recommendations should accompany the application from the personnel officer.

Recovery of the arrears at the rate nominated by the member should commence immediately pending resolution of the application by ComSuper.

In cases where contributions are not commenced when first payable, **due to an employer fault**, which results in short paid contributions, the member has the right to lodge an election to vary the contributions rate from commencement to reduce the arrears payable. It must,

however, be explained to them, preferably in writing, that such an election would adversely affect future benefits.

## Ceasing Contributions

### Cessation of Employment

Contributions cease from the payday following the date that the person ceases scheme membership. Where a person ceases on a payday, contributions should cease on the following payday.

If a member ceases the day before a payday and therefore you are not ceasing the salary until the following fortnight, you may recover the overpaid superannuation deduction the following payday but this action **MUST** be advised on the Departmental Report of the benefit application. If a member is entitled to take a refund of their contributions plus interest, ComSuper can pay the overpaid contribution with the benefit.

As contributions are not always ceased on the correct payday, it is imperative that you provide the correct information in regard to the payment of contributions on the Departmental Report of the benefit application. No minus adjustments can be made after you forward the benefit application to ComSuper without contacting ComSuper prior to taking such action.

### Transferring Between Employers of the PSS

If a member transfers between employers participating in the PSS, only one contribution is due for the payday coincident with ceasing with the previous employer and commencing with the new employer.

It is generally the responsibility of the new employer to deduct the contribution, however, due to the restrictions of pay cut-offs, the previous agency may pay the contribution. Agencies may need to liaise with each other to ensure that only one contribution is paid.

If two contributions are paid the new agency should process a minus current adjustment the following pay to reimburse the member.

If no contributions are paid the new employer must process a plus current adjustment to pay the contribution arrears.

## Members Aged Between 70 and 75

### From 30 April 2003

- > PSS members who had ceased to contribute on reaching age 70 and who meet the work test criterion **could now elect** to contribute to the PSS. The election takes effect from the payday following the date of the election.
- > PSS members who turn age 70 and are working at least 40 hours over 30 consecutive days in a financial year of gainful employment, which includes any other employment, **cease to contribute unless they make an election to contribute.**
- > The election may be made at any time after 30 April 2003 or after the member reaches age 70.
- > PSS members working 40 hours over 30 consecutive days in a financial year of gainful employment, and who do not make an election to contribute continue to be members of the scheme and birthday reviews continue to be reported.

- > PSS members aged between 70 and 75 years not working 40 hours over 30 consecutive days in a financial year cannot contribute and will remain members of the scheme until they cease from that employment.
- > Employers **must not** pay productivity contributions on their behalf.
- > Employers **must** pay Employer Superannuation Contributions (PAYG) as Employer Superannuation Contributions are paid in respect of members for the entire period of their membership.

## Members Aged 75 and over

Members aged 75 and over cannot contribute to the scheme. They remain members until such time as they cease from that employment.

For Age restrictions prior to 30 April 2003 please refer to archived training notes.

## Maximum Benefit Limit (MBL) Reached

PSS scheme benefits are subject to a maximum benefit limit. Once a member achieves the maximum benefit multiple, contributions must cease even if subsequent salary increases change the maximum benefit multiple applicable.

The accrued multiple for each member is checked against the member's maximum benefit multiple, and prior to a member reaching the MBL, an advice will be sent to the employer, providing details of the payday contributions are due to cease. No further employer productivity contributions can be made to any scheme on their behalf. However, the Employer Superannuation Contribution (ESC) must continue to be paid.

You **MUST** however continue to advise ComSuper of the member's updated salary for super at each anniversary, as their Final Average Salary will change for benefit purposes. You treat the member as if he/she was on leave without pay not to count as service.

ComSuper will advise the employer and member when the member has reached their MBL.

From 1 January 2008 MBL rates will increase. Members who have previously reached their MBL will be able to elect to recommence contributions, however, they will be unable to pay retrospectively from the date they reached the previous MBL to the new MBL rate on 1 January 2008. Employers must recommence employer productivity contributions on the first payday after 1 January 2008. For further instruction please refer to the Employer Quick Guide Maximum Benefit Limit 2008.

## Leave Without Pay

Where a member is proceeding on LWOP for which contributions are not payable, no contribution is to be deducted for any payday on which the member is on LWOP.

Therefore, if the first day of LWOP is a payday, no contribution is to be deducted for that day, even though the member will have received full salary. If the day of return is a payday, a contribution is due for that day even though the member has received no salary in that fortnight.

## Advice of Contribution Details to ComSuper

Agencies have varying payroll providers and facilities to allow the forwarding of member and contribution information to ComSuper. It is critical that agencies ensure that any system is able to satisfactorily interface with ComSuper's system.

### Tax File Numbers from 1 July 2007

***With the introduction of the government's plan to simplify and streamline superannuation, from 1 July 2007, if a member of the PSSap, PSS or CSS does not provide their Tax File Number (TFN) to their superannuation fund, then that fund cannot accept any member contributions until such time as the TFN is provided. Also, any employer contributions paid will be subject to taxation at the member's top marginal tax rate.***

***Please note that the legislation does not make it mandatory for a member to provide their TFN but there are significant implications if a valid TFN is not provided.***

***Further information on the changes and the Tax Laws Amendment (Simplified Superannuation) Act 2007 can be obtained from the Department of Treasury website [www.treasury.gov.au](http://www.treasury.gov.au)***

### Date of Effect

- > It is also **critical that the correct date of effect is used** or the member's record will not be updated or updated correctly.
- > ComSuper receives numerous re-reports of anniversary salaries with the current payday as the date of effect. If you report a member's anniversary salary with a date of effect other than the actual birthday date it will not update the members record.
- > If a member elects to change their percentage rate you must advise the actual election date as the date of effect. If you report the payday you are adjusting contributions the member will not be 'due' to pay the new percentage rate until the following payday. Consequently their multiple will be incorrect.

The correct use of Dates of Effect are as follows.

## Effective Date for Adjustment of Contributions

Event	Date
<p><b>Becomes a member of the scheme</b></p> <p><i>Effective Date is the date membership commences</i></p>	<p>Contributions commence from the payday on or after becoming a member. Therefore, if membership commences on a payday, contributions are due for that payday. If contributions are not commenced until the following payday one arrears <b>MUST</b> be deducted.</p>
<p><b>Anniversary adjustment</b></p> <p><i>Effective Date is the actual birthday date</i></p>	<p>Increased contributions are payable from the payday <b>following</b> the birthday anniversary date.</p> <p>To be included as part of salary for superannuation purposes, a salary increase only needs be effective from, or before, the birthday. The date of approval is not relevant.</p> <p>If the birthday anniversary falls on a payday increased contributions are payable from the next following payday.</p>
<p><b>Election to vary contribution rate</b></p> <p><i>Effective Date is the actual election date</i></p>	<p>Contributions should be adjusted to the nominated rate with effect from the payday <b>following</b> the date of election.</p> <p>If the election is made on a payday, contributions should be adjusted from the <b>following</b> payday.</p>
<p><b>Leave without pay – contributions not required</b></p> <p><i>Effective Date is the first day of LWOP</i></p> <p><i>Effective Date is the first day of work after returning from LWOP</i></p>	<p>Contributions are not payable on any payday that occurs during a period of LWOP during which contributions are not permitted or required.</p> <p>If LWOP commences on a payday contributions should be ceased from and including that payday, otherwise from the next following payday.</p> <p>Contributions should be recommenced from the date of return from LWOP if that date is a payday, otherwise from the next following payday.</p>

Event	Date
<p><b>Election to pay contributions during a period of study leave without pay.</b></p> <p><b>Leave without pay – contributions are required</b></p> <p><i>Effective Date is the first day of LWOP then on ceasing LWOP</i></p> <p><i>Effective Date is the first day of work after returning from LWOP</i></p>	<p>Any election should be made prior to commencing leave and would be for the whole of the leave period however, contributions may only be paid for two years.</p>
<p><b>Election to pay contributions during maternity or parental leave</b></p> <p><i>Effective Date is the first day of LWOP if the election is made prior to commencing leave or the first nominated payday to contribute</i></p>	<p>The election must specify the payday or paydays to which the election applies, not being any payday earlier than the date of election.</p> <p>Contributions are required in respect of each payday nominated.</p>
<p><b>Cessation of Contributions on Reaching Maximum Benefit Limit</b></p> <p><i>Effective Date is the payday no contributions are payable</i></p>	<p>Contributions should be ceased in accordance with ComSuper's formal written advice that will be sent when a member is about to attain the maximum benefit limit.</p> <p><b>Note:</b></p> <p><b>Birthday anniversary salary details should continue to be reported to update salary for superannuation purposes.</b></p>
<p><b>Change of Employment Status–</b></p> <p><b>Regular permanent full time employee to Regular permanent part time employee</b></p>	<p>A regular member's salary for contribution purposes can only vary on the birthday.</p> <p>Contributions must therefore continue to be based on the full-time salary until the next birthday, and then adjusted based on the employment status, hours and salary applying on the birthday.</p>

Event	Date
<p><b>Change of Employment Status– Regular permanent part time employee to Regular permanent full time employee</b></p>	<p>A regular member's salary for contribution purposes can only vary on the birthday.</p> <p>Contributions must therefore continue to be based on the part-time salary until the next birthday, and then adjusted based on the employment status, hours and salary applying on the birthday.</p>
<p><b>Change of Employment Status– Casual member to Regular member</b></p> <p><i>Effective Date is the date the member changes status</i></p>	<p>Contributions are adjusted on the payday on/or after commencing as a regular member. Contributions are based on the new regular salary, however if the casual notional salary was higher than the new regular salary, the amount of the previous notional salary is used for contributory purposes.</p>
<p><b>Change of Employment Status – Regular member to Casual member.</b></p> <p><i>Effective Date is the date the member changes status</i></p>	<p>Contributions should be adjusted based on the nominated percentage rate applied to gross actual salary (excluding overtime &amp; reimbursement payments ) paid on the first payday coincident with or next following change to casual status</p>
<p><b>Salary Reduction</b></p>	<p>The PSS scheme does not provide a right of election that reduced salary apply. Contributions must therefore be based on the PSS Maintained Salary until the annual rate of salary exceeds the Maintained Salary on a birthday.</p>
<p><b>Last Day of Membership</b></p> <p><i>Effective Date is the last day of membership</i></p>	<p>Contributions should be ceased with effect from the payday following the date the person ceases membership of the scheme i.e. the date of retirement, resignation, death, or dismissal.</p> <p>If the last day of membership is a payday, a contribution is required on that payday.</p>

A Regular Member is a full-time or part-time permanent employee, a full-time temporary employee who is employed to work full-time for at least three months, or a part-time temporary who is employed for at least three months and has access to sick and recreation leave.

A Casual Member is a person who is not a regular member e.g. a temporary full-time employee who is employed to work for less than three months, a temporary part-time employee who is employed for less than three months or does not have access to sick and recreation leave, a member who is paid fees on a daily basis, or a part-time Statutory Office Holder.

**If in doubt speak to ComSuper**