

# term allocated pension regulations

## H.E.S.T. Australia Ltd

2 February 2018

The following are pension regulations governing the operation of HESTA Term Allocated Pensions (**HESTA TAPs**), for the purposes of rule 13.2 of the trust deed establishing the Health Employees Superannuation Trust Australia (**HESTA**) dated 30 July 1987, as amended (**Trust Deed**).

Capitalised terms used and not otherwise defined in these regulations have the meaning given to them in the Trust Deed. These regulations are subject to the Trust Deed and Applicable Requirements.

## Commencement

The commencement date of these regulations is **2 February 2018**.

## General operation

HESTA TAPs will be operated in accordance with:

- (a) requirements for market linked pensions under the Applicable Requirements, including regulation 1.06(8) of the *Superannuation Industry (Supervision) Regulations 1994* (Cth);
- (b) any business rules for HESTA TAPs established by the Trustee from time to time; and
- (c) any business rules for HESTA account based pensions, to the extent not inconsistent with these regulations and the business rules for HESTA TAPs established by the Trustee from time to time.

## Eligibility

HESTA TAPs are closed to new Members, except to the extent determined by the Trustee from time to time and permitted by Applicable Requirements.

## Successor Fund Transfer

Where a HESTA TAP was established by way of successor fund transfer (**SFT**), unless the Trustee determines otherwise:

- (d) all terms, conditions and elections of the Member under the previous fund as at the time immediately prior to the SFT continue; and
- (e) the HESTA TAP will be administered in a way that, as far as practicable, provides the Member equivalent rights to the rights the Member had under the previous fund as at the time immediately prior to the SFT,

in each case, to the extent applicable and not inconsistent with the Trust Deed, Applicable Requirements or these regulations.

## **Death Benefits**

Subject to Applicable Requirements, after the death of a Member who was at the time of death in receipt of a HESTA TAP, the Trustee may in its discretion determine to pay to the Reversionary Beneficiary a pension or a lump sum benefit which shall not exceed an amount calculated in accordance with Applicable Requirements.

## **Fees**

The weekly administration fee is waived for each Member whose HESTA TAP account was established as a result of the SFT of a benefit of \$25,000 or less from the IRIS Superannuation Fund, and any Reversionary Beneficiary of such Member, until such time as the Trustee otherwise determines.