

<b>Circular Details</b>	Circular No / Date / Doc ID
<b>Previous Circular</b>	N/A
<b>Who should read this</b>	Councillors / General Managers / Council staff
<b>Contact</b>	Council Governance - (02) 4428 4100/ <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

## Release of councillor superannuation discussion paper

### What's new or changing

- The Office of Local Government has issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments.
- Under the Commonwealth *Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.
- The release of the discussion paper has been prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.
- The discussion paper is available on the Office of Local Government's (OLG) website at [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au).

### What this will mean for your council

- The Office to Local Government is seeking the views of councils, councillors and council staff on this issue.
- Councils are also encouraged to inform their local communities about the discussion paper and to encourage members of the community to make submissions.
- Submissions may be made to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au), labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.
- Submissions should be made before COB Friday 8 May 2020.

### Key points

- The discussion paper seeks the views of councils and others on the following four options:
  - maintaining the status quo – mayors and councillors can continue to voluntarily contribute a *portion* of their fees to a complying superannuation fund of their choice
  - mandate the current voluntary situation – amend the *Local Government Act 1993* (the Act) to make it compulsory for councils to pay a *portion* of the mayors' and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors

- amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors *in addition to* the mayor's and councillors' fees – this means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to take into account the council's resources and the local community's views, or
- amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors *in addition to* the mayor's and councillors' fees.

**Where to go for further information**

- For further information please contact the Council Governance team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

**Tim Hurst**  
**Deputy Secretary**  
**Local Government, Policy and Planning**