1. Under section 7 of the *Governors (Salary and Pensions) Act 2003* (the Act), former Governors, who held office for at least five years are entitled to a lifetime pension of 35% of their Governor’s salary. The Minister may also approve a pension for a Governor who leaves office with less than five years’ service because they are incapable of performing the duties. A surviving partner of a deceased former Governor is entitled to 62.5% of the Governor’s pension for their lifetime.
2. Under section 16 of the Act, a former Governor’s pension for a financial year is offset/reduced, including to nil, by the amount of any other pension or retiring allowance, wholly or partially payable by an Australian state or Commonwealth government (a relevant entitlement).
3. On 28 October 2021, amendments were made to the Act to enable an incoming Governor to elect to continue their existing superannuation arrangements or receive a life-time pension under the Act. The Act requires the election to be made within one month of their appointment by written notice to the Under Treasurer.
4. The proposed amendments give clarity to the Government’s intention that post-employment benefits payable from State funding will be offset from the Governor’s pension, should an incoming Governor choose to receive a life-time pension at the end of their term in office.
5. To achieve this, the amendments provide for the offset of the State funded component of the superannuation benefit payable to a former Governor under the Defined Benefit Category of the State public sector superannuation scheme (Defined Benefit).
6. Cabinet approved the preparation and introduction of amendments to the *Governors (Salary and Pensions) Act 2003* to be introduced during consideration in detail to the [Justice Legislation (COVID-19 Emergency Response—Permanency) Amendment Bill 2021](https://www.legislation.qld.gov.au/view/html/bill.first/bill-2021-025).
7. *Attachments*:
* [Amendments during Consideration in Detail to the Justice Legislation (COVID-19 Emergency Response – Permanency) Amendment Bill 2021](Attachments/Bill.PDF)
* [Explanatory Notes](Attachments/ExNotes.PDF)
* [Statement of Compatibility](Attachments/SoC.PDF)