



Department

Statutory Rules 1991 No. 1

467

Superannuation (Former Contributors for Units of Pension) Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Superannuation Act 1976*.

Dated 12 December 1991.

BILL HAYDEN
Governor-General

By His Excellency's Command,

KIM C BEAZLEY

Minister of State for Finance

Principal Regulations

1. In these Regulations, "**Principal Regulations**" means the Superannuation (Former Contributors for Units of Pension) Regulations.

Schedule

2. The Schedule to the Principal Regulations is amended:

- (a) by inserting in the text substituted by the modification of subsection 62 (2) of the Act "the sum of the amount of the person's accumulated supplementary contributions (if any) and" after "lump sum benefit of" (wherever occurring);
- (b) by omitting from the modifications of section 66 of the Act:
 - "Omit from sub-section (1) 'sub-sections (3), (3A) and (4) of this section and' "
 and substituting:
 - "Omit from sub-section (1) 'sub-sections (3), (3A) and (4) of this section and to' "

- (c) by omitting from the text substituted by the modification of subsection 69 (2) of the Act:
“(a) an amount equal to—”
and substituting:
“(a) the sum of the amount of the person’s accumulated supplementary contributions (if any) and an amount equal to:”;
- (d) by omitting from the text substituted by the modifications of subsection 72 (2) of the Act:
“(a) an amount equal to—”
and substituting:
“(a) the sum of the amount of the person’s accumulated supplementary contributions (if any) and an amount equal to:”;
- (e) by omitting from the text substituted by the modification of subsection 73 (2) of the Act:
“(a) an amount equal to—”
and substituting:
“(a) the sum of the amount of the person’s accumulated supplementary contributions (if any) and an amount equal to:”;
- (f) by omitting from the modifications of section 98 of the Act:
“Insert in paragraph (b) of sub-section (4) ‘by virtue of sub-section 66 (1)’ after ‘invalidity pensions’ (last occurring)”
and substituting:
“Insert in paragraph (4) (b) ‘by virtue of subsection 66 (1)’ after ‘invalidity pension’ (last occurring)”;
- (g) by omitting the modification of subsection 110 (10) of the Act;
- (h) by omitting the modification of subsection 111 (2) of the Act and substituting the following modification:
“Omit subsection (2). substitute the following:
“(2) Where the total amount of the benefit or benefits (whether paid by way of instalments of pension, or as a lump sum or lump sums, or both) paid to or in respect of a person who has been an eligible employee is, at a time when no further benefit is payable under this Act to or in respect of the person, less than the relevant amount in relation to the person, an amount equal to the difference shall be paid to the person or, if the person has died, to the personal representatives of the person or to such person or persons (if any) as the Commissioner determines.”;
- (i) by omitting from the text substituted by the third modification of section 111 “(4) In sub-regulation (2)” and substituting “(4) In subsection (2)”;
- (j) by omitting the definition of “period of previous service” from subsection 212A (1) of the Act as inserted by the modifications of Part XII of the Act and substituting the following definition:
“‘**period of previous service**’, in relation to a prescribed person, means the period that is the aggregate of every period that is included in the person’s period of contributory service:

- (a) in the case of a prescribed person who is, or who has been, an approved part-time employee—by virtue of subparagraph (b) (iii) of the definition of ‘period of contributory service’ in subsection 3 (1) as modified by the Superannuation (Approved Part-time Employees) Regulations; and
- (b) in any other case—by virtue of paragraph (e) of the definition of ‘period of contributory service’ in subsection 3 (1) as modified by regulation 4 of the Superannuation (Period of Contributory Service) Regulations.”.

NOTES

- 1. Notified in the *Commonwealth of Australia Gazette* on
- 2. Statutory Rules 1978 No. 281 as amended by 1991 No. 191.

4 1991, 19 December