



Statutory Rules 1985 No. 1

74 /

Superannuation (Transfer Arrangements) Regulations² (Amendment)

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

Dated 16 May 1985.

N. M. STEPHEN

Governor-General

By His Excellency's Command,

PETER WALSH

Minister of State for Finance

Commencement

1. (1) Regulations 3 and 5 shall be deemed to have taken effect from and including 4 December 1984.

(2) Regulation 4 shall be deemed to have taken effect from and including 10 September 1984.

Principal Regulations

2. In these Regulations, "Principal Regulations" means the Superannuation (Transfer Arrangements) Regulations.

3. After regulation 7 of the Principal Regulations the following regulation is inserted:

Application of the Act to the Chairman of the Advanced Education Council

"8. The Act and the provisions of the Act specified in Schedule 5 apply subject to the modifications specified in that Schedule to and in relation to the person who

- (a) on 4 December 1984, holds the office of the Chairman of the Advanced Education Council and becomes an eligible employee by virtue of a direction given by the Commissioner under sub-section 14 (1) of the Act; and
- (b) was, before so becoming an eligible employee, a member of the superannuation scheme constituted by the Superannuation Act, 1974 of the State of South Australia.”.

Schedule 4

4. Schedule 4 to the Principal Regulations is repealed and the following Schedule substituted:

SCHEDULE 4

Regulation 7

MODIFICATIONS DIRECTOR-GENERAL OF HEALTH

Section	Modifications
127	Omit, substitute the following section: ‘127. In this Division, a reference to the prescribed person is a reference to the person who- (a) on 10 September 1984, becomes an eligible employee by virtue of his holding the office of Director-General of Health; and (b) was, for the period commencing on 13 February 1958 and ending on the expiration of 31 May 1974, a contributor to the Superannuation Fund established under the superseded Act.’.
128	Omit from sub-section (1) all the words to and including ‘employment, and’, substitute ‘Where’. Omit from paragraph (1) (a) ‘the eligible employee’ and all the words from and including ‘amount of that transfer value’, substitute ‘the prescribed person’ and ‘aggregate of the amounts that were paid to him under sub-section 32 (2) and section 51 of the superseded Act; and’ respectively. Omit sub-section (2), substitute the following sub-section: ‘(2) The amount paid by the prescribed person to the Commissioner under sub-section (1) shall be paid by the Commissioner into the Superannuation Fund and, for the purposes of this Act, that amount shall be deemed to be basic contributions paid by the person to the Commissioner under this Act.’. Omit sub-sections (3), (4), (5) and (6), substitute the following sub-section: ‘(3) There shall be added to the period that, but for this sub-section, would be the period of contributory service of the prescribed person the period specified in paragraph 127(b).’.
129	Omit the section.
130	Omit, substitute the following section: ‘130. Where the prescribed person, in accordance with sub-section 128 (1), pays to the Commissioner the amount referred to in that sub-section, section 16 does not apply in relation to the prescribed person.’.

Schedule 5

5. The Principal Regulations are amended by adding at the end the following Schedule:

SCHEDULE 5

Regulation 8

MODIFICATIONS CHAIRMAN OF THE ADVANCED EDUCATION COUNCIL.

Section	Modifications
127	Omit, substitute the following section: '127. In this Division, a reference to the prescribed person is a reference to the person who (a) on 4 December 1984, holds the office of the Chairman of the Advanced Education Council and becomes an eligible employee by virtue of a direction given by the Commissioner under sub-section 14 (1) of the Act; and (b) was, before so becoming an eligible employee, a member of the superannuation scheme constituted by the Superannuation Act, 1974 of the State of South Australia.'
128	Omit from sub-section (1) all the words to and including 'employment, and', substitute 'Where'. Omit from paragraph (1) (a) 'the eligible employee' and all the words from and including 'amount of that transfer value', substitute 'the prescribed person' and 'aggregate of the amounts that were paid to him under sections 61 and 79 of the Superannuation Act, 1974 of the State of South Australia; and' respectively. Omit sub-section (2), substitute the following sub-section: '(2) The amount paid by the prescribed person to the Commissioner under sub-section (1) shall be paid by the Commissioner into the Superannuation Fund and, for the purposes of this Act, that amount shall be deemed to be basic contributions paid by the person to the Commissioner under this Act.' Omit sub-sections (3), (4), (5) and (6), substitute the following sub-section: '(3) There shall be added to the period that, but for this sub-section, would be the period of contributory service of the prescribed person the period commencing on 1 February 1958 and ending at the expiration of 3 December 1984.'
129	Omit the section.
130	Omit, substitute the following section: Exemption from medical examination '130. Where the prescribed person, in accordance with sub-section 128 (1), pays to the Commissioner the amount referred to in that sub-section, section 16 does not apply in relation to the prescribed person.'

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1 1985.
2. Statutory Rules 1978 No. 255 as amended by 1980 No. 257; 1981 No. 4; 1984 No. 404.

24 May/