



# Superannuation (CSS) Continuing Contributions for Benefits Amendment Regulations 2002 (No. 1)<sup>1</sup>

Statutory Rules 2002 No. <sup>2</sup>

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I, PETER JOHN HOLLINGWORTH, 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 - 2 MAY 2002 2002

PETER HOLLINGWORTH  
Governor-General

By His Excellency's Command

NICK MINCHIN  
Minister for Finance and Administration

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**1 Name of Regulations**

These Regulations are the *Superannuation (CSS) Continuing Contributions for Benefits Amendment Regulations 2002* (No. 1).

**2 Commencement**

These Regulations are taken to have commenced as follows:

- (a) on 1 July 2001 — regulations 1 to 3, and Schedule 1;
- (b) on 7 November 2001 — Schedule 2.

**3 Amendment of *Superannuation (CSS) Continuing Contributions for Benefits Regulations 1981***

Schedules 1 and 2 amend the *Superannuation (CSS) Continuing Contributions for Benefits Regulations 1981*.

## Schedule 1 Amendments taken to have commenced on 1 July 2001

(regulation 3)

### [1] Subregulation 2 (1), after definition of *ASP Ship Management*

*insert*

*ATP Ltd* means Australian Training Products Limited (ACN 062758632), incorporated under the Corporations Law on 15 August 1994.

### [2] After paragraph 3A (1) (v)

*insert*

- (zb) a class of persons each of whom:
- (i) became, or becomes, an employee of ATP Ltd (other than on a casual or temporary part-time basis) on or after 1 July 2001; and
  - (ii) immediately before becoming so employed, was an eligible employee employed by the Australian National Training Authority; and
  - (iii) is not, in relation to the person's employment with ATP Ltd, a member of a superannuation scheme, other than:
    - (A) the scheme provided for by the Act; or
    - (B) in the case of a person to whom, under subregulation (1A), this sub-subparagraph applies — a scheme of which the person is taken, under subregulation 2 (2), to be a member for top-up purposes.

**[3] Subregulation 3A (1A)***after*

(1) (v) (iii) (C),

*insert*

and (1) (zb) (iii) (B),

**[4] Subregulation 4 (1A)***after*

22 (b) (iii),

*insert*

and 28 (b) (ii),

**[5] After subregulation 4 (22)***insert*

- (28) Section 14A of the Act ceases to apply to a person in the class of persons mentioned in paragraph 3A (1) (zb) at the end of the first occurring of the following days:
- (a) the day on which the person ceases to be an employee of ATP Ltd;
  - (b) the day immediately before the day on which the person becomes a member of a superannuation scheme that applies to that person's employment by ATP Ltd, other than:
    - (i) the scheme provided for in the Act; or
    - (ii) in the case of a person to whom, under subregulation (1A), this subparagraph applies — a scheme of which the person is taken, under subregulation 2 (2), to be a member for top-up purposes;
  - (c) if Commonwealth control of ATP Ltd ceases — the last day on which ATP Ltd ceases to be under Commonwealth control.

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**[6] Schedule 1, subitem 2.1, after inserted paragraph  
159 (1A) (s)**

*insert*

(y) ATP Ltd.

## Schedule 2      Amendments taken to have commenced on 7 November 2001

(regulation 3)

**[1]      Subregulation 2 (1), after definition of ACT Government control**

*insert*

*ASPI Ltd* means Australian Strategic Policy Institute Limited (ACN 097369045), incorporated under the *Corporations Act 2001* on 22 August 2001.

**[2]      Sub-subparagraph 3A (1) (zb) (iii) (B)**

*omit*

purposes.

*insert*

purposes;

**[3]      After paragraph 3A (1) (zb)**

*insert*

(zc) a class of persons:

- (i) each of whom became, or becomes, an employee of ASPI Ltd (otherwise than on a casual or temporary part-time basis) on or after 7 November 2001; and
- (ii) each of whom:
  - (A) immediately before becoming so employed, was an eligible employee; or

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- (B) immediately before becoming so employed, was a person to whom a pension of a kind mentioned in section 64A or 65 of the superseded Act as in force immediately before the repeal of that section was payable, or would have been payable but for a suspension of payment; or
  - (C) immediately before becoming so employed, was a person to whom invalidity pension under the Act was payable, or would have been payable but for a suspension of payment; or
  - (D) immediately before becoming so employed, was a person to whom deferred benefits under the Act or the superseded Act were applicable; or
  - (E) is a person who, because of the person's employment with ASPI Ltd, is a re-employed former contributor with preserved rights; and
- (iii) each of whom is not, in relation to the person's employment by ASPI Ltd, a member of a superannuation scheme, other than:
- (A) the scheme provided for by the Act; or
  - (B) in the case of a person to whom, under subregulation (1A), this sub-subparagraph applies — a scheme of which the person is taken, under subregulation 2 (2), to be a member for top-up purposes.

**[4] Subregulation 3A (1A)**

*omit*

and (1) (zb) (iii) (B),

*insert*

(1) (zb) (iii) (B) and (1) (zc) (iii) (B),

**[5] Subregulation 4 (1A)***omit*

and (28) (b) (ii),

*insert*

(28) (b) (ii) and (29) (b) (ii),

**[6] After subregulation 4 (28)***insert*

- (29) Section 14A of the Act ceases to apply to a person in the class of persons mentioned in paragraph 3A (1) (zc) at the end of the first occurring of the following days:
- (a) the day on which the person ceases to be an employee of ASPI Ltd;
  - (b) the day immediately before the day on which the person becomes a member of a superannuation scheme that applies to that person's employment by ASPI Ltd, other than:
    - (i) the scheme provided for in the Act; or
    - (ii) in the case of a person to whom, under subregulation (1A), this subparagraph applies — a scheme of which the person is taken, under subregulation 2 (2), to be a member for top-up purposes;
  - (c) the day on which ASPI Ltd ceases to be a Commonwealth company within the meaning of the *Commonwealth Authorities and Companies Act 1997*.

**[7] Schedule 1, subitem 2.1, inserted paragraph 159 (1A) (y)***omit*

Ltd.

*insert*

Ltd;



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**[8] Schedule 1, subitem 2.1, after inserted paragraph 159 (1A) (y)**

*insert*

(z) ASPI Ltd.

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**Notes**

1. These Regulations amend Statutory Rules 1981 No. 36, as amended by 1987 No. 290; 1989 No. 168; 1990 Nos. 179 and 379; 1991 Nos. 97, 168, 446 (as amended by 1992 No. 213) and 465; 1992 Nos. 27, 213, 323, 428 and 460 (as amended by 1994 No. 271); 1993 Nos. 3, 50 and 348; 1994 Nos. 8, 115, 116, 248, 271 and 335; 1995 Nos. 97, 201, 349 and 438; 1996 Nos. 6, 97 and 297; 1997 Nos. 47 and 215; 1998 Nos. 91 and 242; 1999 Nos. 63 and 172; 2001 No. 230.
2. Notified in the *Commonwealth of Australia Gazette* on / 2002.

9 May