INSTRUMENT NO 3 OF 1993 (see note 1)

MILITARY SUPERANNUATION AND BENEFITS ACT 1991

INSTRUMENT UNDER SUBSECTION 5(1)

I, ROBERT FRANCIS RAY, the Minister for Defence, hereby make the following Instrument under subsection 5(1) of the Military Superannuation and Benefits Act 1991.

Dated 1993

Minister for Defence

MILITARY SUPERANNUATION AND BENEFITS TRUST DEED
(AMENDMENT) (see note 2)

1. Interpretation

1.1 In this Instrument, unless the contrary intention appears:

"the Rules" means the rules, being the Military Superannuation and Benefits Rules, set out in the Schedule to the Trust Deed;

"Trust Deed" means the Trust Deed made, and in force, under section 4 of the Military Superannuation and Benefits Act 1991.

2. Amendment

2.1 The Rules are amended as set out in this Instrument.

3. Schedule 1 (GLOSSARY)

3.1 Paragraph 1: Definition of "previous contributions":

Omit the definition, substitute:

"previous contributions", in relation to a person, means contributions made by him or her under the previous legislation, other than:

(a) any such contributions refunded to him or her under that legislation; and

(b) in the case of a person who, immediately before he or she transferred from the 1973 Scheme, was rendering continuous full-time service (in this paragraph called the "relevant service") and who, before he or she began to render the relevant service, was a 1973 Scheme retirement pensioner - any such contributions made in respect of service rendered by the member before the member began to render the relevant service; and
(c) any such contributions in respect of which a transfer value was paid under section 82ZA of the 1948 Act or section 77 of the 1973 Act;“.

NOTES


2. Trust Deed made on 18 September 1991, as amended by Instruments No. 1 of 1991, Nos. 1, 2 and 3 of 1992 and Nos. 1 and 2 of 1993

Printed by authority by the Commonwealth Government Printer