

**Superannuation (CSS) Approved Authority Declaration (Amendment) 1997 No. 228**

EXPLANATORY STATEMENT

STATUTORY RULES 1997 No. 228

Issued by the authority of the Minister for Finance

*Superannuation Act 1976*

Declaration under paragraph (a) of the definition of "Approved Authority" in subsection 3 (1)

The *Superannuation Act 1976* (the 1976 Act) makes provision for and in relation to an occupational superannuation scheme, known as the Commonwealth Superannuation Scheme (the CSS), for Commonwealth employees and for certain other persons.

Persons eligible to contribute under the 1976 Act include persons who are employed under the *Public Service Act 1922*, as well as persons who are employed by an "approved authority". In accordance with paragraph (a) of the definition of "approved authority" in subsection 3(1) of the 1976 Act, an approved authority includes an authority or other body declared by the Minister for Finance to be an approved authority for the purposes of the 1976 Act, being an authority or body of a kind described in the definition.

Declarations made under paragraph (a) of the definition of approved authority are contained in the Superannuation (CSS) Approved Authority Declaration (the Principal Declaration).

Section 4A of the 1976 Act provides that such a declaration is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901* and a Statutory Rule for the purposes of the *Statutory Rules Publication Act 1903* and may be expressed to have taken effect from and including a day not earlier than 12 months before the making of the declaration.

Health Services Australia (HSA) is a 100% Commonwealth owned company limited by shares which came into being as a result of the restructuring of the Australian Government Health Service (AGHS). Adelaide Symphony Orchestra Pty Ltd., Melbourne Symphony Orchestra Pty Ltd., and Symphony Australia Holdings Pty Ltd. are three new wholly owned subsidiaries of the ABC.

All four bodies were established on 1 July 1997 under Corporations Law. They are bodies of a kind described in paragraph (a) of the definition of "approved authority" in subsection 3(1) of the 1976 Act. It is appropriate that HSA and the three new companies of the ABC be declared to be approved authorities for the purposes of the 1976 Act to enable employees to remain, or resume, membership of the CSS.

The Declaration contained in the Statutory Rule and cited as "Superannuation (CSS) Approved Authority Declaration (Amendment)" amends the Principal Declaration by including Health Services Australia, Adelaide Symphony Orchestra Pty Ltd, Melbourne Symphony Orchestra Pty Ltd and Symphony Australia Holdings Pty Ltd in the list of bodies declared by the Minister for Finance to be approved authorities for the purposes of the 1976 Act.

The Declaration commenced on 1 July 1997.