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Statutory Rules 1995 No. 1

349/

Superannuation (CSS) Continuing Contributions for Benefits 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 16 1995.

16 November/

BILL HAYDEN
Governor-General

By His Excellency's Command,

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Minister for Finance

KIM C BEAZLEY

1. Commencement

1.1 These Regulations are taken to have commenced on 21 June
1995.

2. Amendment

2.1 The Superannuation (CSS) Continuing Contributions for Benefits Regulations are amended as set out in these Regulations.

3. Regulation 3A (Classes of persons to which s. 14A of the Act applies)

3.1 Subregulation 3A (1):

Add at the end:

“(n) a class of persons each of whom:

- (i) is relevantly employed for the purposes of this paragraph, that is to say employed (otherwise than as a casual employee or a temporary part-time employee) by Avalon Airport Geelong Pty Ltd. or ASTAAS Pty Ltd; and
- (ii) immediately before last becoming relevantly employed, was an eligible employee employed by Avalon Airport Geelong Pty Ltd., ASTAAS Pty Ltd or AeroSpace Technologies of Australia Limited; and
- (iii) immediately before 21 June 1995, was an eligible employee employed by AeroSpace Technologies of Australia Limited; and
- (iv) is not, in relation to the employment referred to in subparagraph (i), a member of a superannuation scheme, other than:
 - (A) the scheme provided for by the Act; or
 - (B) a scheme to which contributions are made in respect of the person only in relation to performance pay; or
 - (C) 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.

[NOTE: Until 5 September 1995, ASTAAS Pty Ltd was known as ASTA Aircraft Services Pty. Ltd.]”

3.2 Subregulation 3A (1A):

Omit “(1) (f) (iii) (C) and (1) (j) (iv) (B)”, substitute “(1) (f) (iii) (C), (1) (j) (iv) (B) and (1) (n) (iv) (C)”.

4. Regulation 4 (When s. 14A no longer applies)

4.1 Subregulation 4 (1A):

Omit “(10) (c) (iii) and (11) (c) (iii)”, substitute “(10) (c) (iii), (11) (c) (iii) and (13) (b) (iii)”.

4.2 Add at the end:

“(13) Section 14A of the Act ceases to apply to a person in the class of persons mentioned in paragraph 3A (1) (n) at the end of the day specified in whichever of the following paragraphs applies or first applies to the person:

- (a) subject to subregulation (14), the day on which the person ceases to be relevantly employed for the purposes of that paragraph; or
- (b) the day immediately preceding the day on which the person becomes a member of a superannuation scheme applying to the person’s employment as a person who is so employed, other than:
 - (i) the scheme provided for under the Act; or
 - (ii) a superannuation scheme to which contributions are made only in relation to performance pay; or
 - (iii) 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; or
- (c) if the company by which the person is relevantly employed for the purposes of paragraph 3A (1) (n) ceases to be under Commonwealth control—the last day on which the company is under Commonwealth control.

“(14) A person is not taken to cease to be relevantly employed for the purposes of paragraph 3A (1) (n) if:

- (a) he or she ceases to be employed either by Avalon Airport Geelong Pty Ltd. or by ASTAAS Pty Ltd and immediately afterwards becomes employed (otherwise

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(b) on the day on which he or she so becomes employed, the company by which he or she is then employed is under Commonwealth control.”.

5.1 Subclause 2.1 (inserted subsection 159 (1A)):

“(k) Avalon Airport Geelong Pty Ltd.;
(l) ASTAAS Pty Ltd.”.

1. Notified in the *Commonwealth of Australia Gazette* on 1995. (
2. 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 and 201

1995.

23 November/