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Statutory Rules 1997 No. 1

215/

## Superannuation (CSS) Continuing Contributions for Benefits Regulations<sup>2</sup> (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

1

1997.

20 August/

1 WILLIAM DEANE/

Governor-General

By His Excellency's Command,

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Minister for Finance

JOHN FAHEY/

### 1. Commencement

1.1 These Regulations are taken to have commenced on  
30 June 1992.

**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:

“; (p) a class of persons each of whom:

(i) is employed by the Nuclear Safety Bureau (in this paragraph called ‘NSB’); and

(ii) is either:

(A) a person who, immediately before last becoming so employed, was an eligible employee; or

(B) a person to whom invalidity pension under the Act was, or would have been (but for the suspension of payment), payable immediately before becoming so employed; or

(C) a person to whom deferred benefits under the Act were applicable immediately before becoming so employed; or

(D) a person who, because of the person’s employment in NSB, would be a re-employed former contributor with preserved rights if NSB were an approved authority; and

(iii) after becoming an employee of NSB, made contributions to the superannuation scheme provided for by the Act as if he or she were a member of the scheme, despite the fact that he or she was not entitled to make contributions to the scheme; and

- (iv) in relation to the person's employment with NSB, is not 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; and
- (v) is not a person to whom Division 2 or 3 of Part IV of the Public Service Act applies.”.

**3.2 Subregulation 3A (1A):**

Omit “and (1) (o) (iv) (C),”, substitute “, (1) (o) (iv) (C) and (1) (p) (iv) (C),”.

**4. Regulation 4 (When s. 14A of the Act no longer applies)**

**4.1 Subregulation 4 (1A):**

Omit “and (13) (b) (iii),”, substitute “, (13) (b) (iii) and (16) (c) (iii),”.

**4.2 Add at the end:**

“(16) Section 14A of the Act ceases to apply to a person in the class of persons mentioned in paragraph 3A (1) (p) at the end of the first occurring of the following days:

- (a) 31 December 1996;
- (b) the day on which the person ceases to be an employee of the Nuclear Safety Bureau (in this subregulation called ‘NSB’);
- (c) 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 NSB, other than:
  - (i) the scheme provided for by the Act; or
  - (ii) a scheme to which contributions are made in respect of the person 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.”.

## **5. Schedule 1 (Modification of Act)**

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

Add at the end:

“; (m) Nuclear Safety Bureau.”.

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## **NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 1997. 27 August/
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, 201, 349 and 438; 1996 Nos. 6, 97 and 297; 1997 No. 47.