



2002B00342

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Proceeds of Crime Amendment Regulations 2002 (No. ())¹

Statutory Rules 2002 No. \angle^2

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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 *Proceeds of Crime Act 1987*.

Dated **19 DEC 2002**

2002

PETER HOLLINGWORTH

Governor-General

By His Excellency's Command

CHRISTOPHER MARTIN ELLISON
Minister for Justice and Customs

1 Name of Regulations

These Regulations are the *Proceeds of Crime Amendment Regulations 2002* (No.).

2 Commencement

These Regulations commence on gazettal.

3 Amendment of *Proceeds of Crime Regulations 1987*

Schedule 1 amends the *Proceeds of Crime Regulations 1987*.

Schedule 1 Amendment

(regulation 3)

[1] Regulation 8

substitute

8 Remuneration of Official Trustee

For subsection 55 (1) of the Act, the amount payable to the Official Trustee for remuneration is as follows:

- (a) for services performed by a person who occupies the position of, or performs the duties of, an officer in the Senior Executive Service of the Australian Public Service — the amount for each hour or part of an hour prescribed in paragraph 16.07C (3) (a) of the *Bankruptcy Regulations 1996*;
- (b) for services performed by a person who is an Insolvency and Trustee Officer Grade 2, or an equivalent or higher position in the Australian Public Service, not being a position mentioned in paragraph (a) — the amount for each hour or part of an hour prescribed in paragraph 16.07C (3) (b) of the *Bankruptcy Regulations 1996*;

- (c) for services performed by a person who is an Insolvency and Trustee Officer Grade 1, or an equivalent or lower position in the Australian Public Service — the amount for each hour or part of an hour prescribed in paragraph 16.07C (3) (d) of the *Bankruptcy Regulations 1996*.

Note For GST component, see regulation 8A.

8A GST component

In addition to the amount of remuneration mentioned in regulation 8, there is payable to the Official Trustee, because of the goods and services tax attaching to the services performed, an amount equal to 8.4% of the amount worked out in accordance with regulation 8.

Note The result is the price of the taxable supply within the meaning of the *A New Tax System (Goods and Services Tax) Act 1999*. The component added by this regulation is equivalent to the amount of goods and services tax that will be payable on the Official Trustee's fees.

Notes

1. These Regulations amend Statutory Rules 1987 No. 224, as amended by 1989 No. 236; 1991 No. 460; 1993 No. 199; Act No. 88, 1993; Statutory Rules 1994 Nos. 17 and 238; 1995 Nos. 80 and 325; 1996 Nos. 203 and 267; 1997 Nos. 110 and 240; 1998 No. 335; 2000 No. 276; 2001 No. 50.
2. Notified in the *Commonwealth of Australia Gazette* on 2002. *20 December*