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Superannuation (CSS) Continuing Contributions for Benefits Amendment Regulations 2002 (No. 2)¹

Statutory Rules 2002 No. 2²

341

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 *Superannuation Act 1976*.

Dated 19 DEC 2002 2002

PETER HOLLINGWORTH
Governor-General

By His Excellency's Command

NICK MINCHIN
Minister for Finance and Administration

1 Name of Regulations

These Regulations are the *Superannuation (CSS) Continuing Contributions for Benefits Amendment Regulations 2002* (No.).

2

2 Commencement

These Regulations commence on gazettal.

3 Amendment of *Superannuation (CSS) Continuing Contributions for Benefits Regulations 1981*

Schedule 1 amends the *Superannuation (CSS) Continuing Contributions for Benefits Regulations 1981*.

Schedule 1 Amendments

(regulation 3)

[1] Subregulation 2 (1), after definition of *Commonwealth control*

insert

CSS/PSS Board means either or both of:

- (a) the CSS Board established under section 27A of the *Superannuation Act 1976*; and
- (b) the PSS Board established under section 20 of the *Superannuation Act 1990*.

[2] Sub-subparagraph 3A (1) (za) (iii) (B)

omit

purposes.

insert

purposes;

[3] Sub-subparagraph 3A (1) (zc) (iii) (B)*omit*

purposes.

insert

purposes;

[4] After paragraph 3A (1) (zc)*insert*

(zd) a class of persons each of whom:

(i) is, or becomes, an employee of the CSS/PSS Board (otherwise than on a casual or temporary part-time basis); and

(ii) either:

(A) immediately before becoming so employed, was an eligible employee; or

(B) immediately before becoming so employed, was a person to whom a pension of a kind mentioned in section 64A or 65 of the superseded Act as in force immediately before the repeal of that section was payable, or would have been payable but for a suspension of payment; or

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

(D) immediately before becoming so employed, was a person to whom deferred benefits under the Act or the superseded Act were applicable, and, in the case of a person who becomes a full-time temporary employee, makes an election in writing to become an eligible employee; or

(E) is a person who, because of the person's employment by the CSS/PSS Board, is a re-employed former contributor with

preserved rights, and, in the case of a person who becomes a full-time temporary employee, makes an election in writing to become an eligible employee; and

- (iii) is not, in relation to the person's employment by the CSS/PSS Board, a member of a superannuation scheme, other than:
 - (A) the scheme provided for by the Act; or
 - (B) 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] Subregulation 3A (1A)

omit

and (1) (zc) (iii) (B),

insert

, (1) (zc) (iii) (B) and (1) (zd) (iii) (B),

[6] Subregulation 4 (1A)

omit

and (29) (b) (ii),

insert

, (29) (b) (ii) and (30) (b) (ii),

[7] After subregulation 4 (29)

insert

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

- (a) the day on which the person ceases to be an employee of the CSS/PSS Board; or

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- (b) the day immediately before the day on which the person becomes a casual or temporary part-time employee of the CSS/PSS Board; or
 - (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 the CSS/PSS Board, other than:
 - (i) the scheme provided for by the Act; or
 - (ii) 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.

[8] Schedule 1, subitem 2.1, inserted subsection 159 (1A)

omit

- (x) Snowy Hydro Limited.

insert

- (x) Snowy Hydro Limited;

[9] Schedule 1, subitem 2.1, inserted subsection 159 (1A)

omit

- (z) ASPI Ltd.

insert

- (z) ASPI Ltd;
- (za) the CSS/PSS Board.

Notes

1. These Regulations amend 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 Nos. 47 and 215; 1998 Nos. 91 and 242; 1999 Nos. 63 and 172; 2001 No. 230; 2002 No. 94.
2. Notified in the *Commonwealth of Australia Gazette* on *L* 2002. *20 December*