



Defence Force (Superannuation) (Productivity Benefit) Amendment Determination 2012 (No. 1)¹

Defence Act 1903

I, Warren Snowdon, Minister for Defence Science and Personnel, make the following determination under subsection 52 (1) of the *Defence Act 1903*.

Dated 30 July 2012

WARREN SNOWDON
Minister for Defence Science and Personnel

1 Name of determination

This determination is the *Defence Force (Superannuation) (Productivity Benefit) Amendment Determination 2012 (No. 1)*.

2 Commencement

This determination is taken to have commenced on 1 January 2012.

3 Amendment of *Defence Force (Superannuation) (Productivity Benefit) Determination 1988*

Schedule 1 amends the *Defence Force (Superannuation) (Productivity Benefit) Determination 1988*.

Schedule 1 Amendments

(section 3)

[1] Subclause 3 (1), definition of *DFRDB Act 1973*

omit

[2] Subclause 3 (1), definition of *Authority*

omit

[3] Subclause 3 (1)

insert

Chief Executive Medicare has the same meaning as in the *Human Services (Medicare) Act 1973*.

[4] Subclause 3 (1), definition of *Commissioner*

omit

[5] Subclause 3 (1)

insert

ComSuper means the body established by section 4 of the *ComSuper Act 2011*.

[6] Subclause 3 (1)

insert

CSC (short for Commonwealth Superannuation Corporation) has the same meaning as in the *Governance of Australian Government Superannuation Schemes Act 2011*.

[7] Subclause 3 (1)

insert

DFRDB Act means the *Defence Force Retirement and Death Benefits Act 1973*.

[8] Subclause 6A (3)*omit*

in respect of the member the benefit must be paid to a superannuation fund or approved deposit fund nominated by the Commissioner.

insert

in respect of the member, the benefit must be paid to a superannuation fund or approved deposit fund nominated by the CSC.

[9] Clause 11, heading*substitute***11 Reconsideration of decision of CSC****[10] Clause 12, heading***substitute***12 Review of decisions of CSC****[11] Clause 13***substitute***13 Delegation of function of CSC**

The CSC may, by instrument in writing, delegate the CSC's functions under subclause 6 (3) to:

- (a) the CEO of ComSuper; or
- (b) a member of the staff of ComSuper who holds, or is for the time being performing the duties of, an office with a classification not lower than Executive Level 1.

[12] Schedule*after*

2011 0.0551

insert

2012 0.0367

[13] Further amendments

<i>Provision</i>	<i>omit each mention of</i>	<i>insert</i>
Subclause 3 (1), definition of <i>severe financial hardship</i>	Authority	CSC
Subclause 3 (1), definition of <i>surcharge debt account</i>	Authority	CSC
Subclause 3 (1), definition of <i>surcharge deduction amount</i>	Authority	CSC
Subclauses 3A (1) and (2)	Authority	CSC
Paragraph 3A (2) (d)	DFRDB Act 1973	DFRDB Act
Paragraph 3A (2) (e)	Authority	CSC
Subclause 3A (3)	Authority	CSC
Subclause 3A (4)	DFRDB Act 1973	DFRDB Act
Paragraph 4 (2) (a)	<i>Defence Act 1903</i>	Defence Act
Paragraph 6 (1) (c)	Authority	CSC
Paragraph 6 (1) (d)	Australian Prudential Regulation Authority	Chief Executive Medicare
Subclauses 6 (3) and (5)	Commissioner	CSC
Subclause 6 (7)	Authority	CSC
Subclause 6A (3)	Commissioner	CSC
Subclause 8B (2)	DFRDB Act 1973	DFRDB Act
Clauses 11 and 12	Commissioner	CSC

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.comlaw.gov.au.