Commonwealth Coat of Arms of Australia

**Superannuation Guarantee Charge Act 1992**

**No. 93 of 1992**

**An Act to impose a charge on any shortfall in the amount contributed by employers to superannuation funds for the benefit of employees**

[*Assented to 30 June 1992*]

The Parliament of Australia enacts:

**Short title**

**1.** This Act may be cited as the *Superannuation Guarantee Charge Act 1992.*

**Commencement**

**2.** This Act commences on 1 July 1992.

**Incorporation of the Superannuation Guarantee (Administration) Act**

**3.** The *Superannuation Guarantee (Administration) Act 1992* is incorporated and is to be read as one with this Act.

**Act binds Crown**

**4.** This Act binds the Crown in right of each State, the Australian Capital Territory and the Northern Territory.

**Imposition of charge**

**5.** Charge is imposed on any superannuation guarantee shortfall of an employer in a year.

**Amount of charge**

**6.** The amount of superannuation guarantee charge payable on a superannuation guarantee shortfall of an employer in a year is an amount equal to the amount of the shortfall.

**Severability**

**7.** It is the intention of the Parliament that if, but for this section, section 5 would impose a superannuation guarantee charge on a State that exceeds the legislative power of the Commonwealth, section 5 of this Act has effect as if it did not impose that charge.

[*Minister's second reading speech made in—*

*House of Representatives on 2 April 1992*

*Senate on 7 May 1992*]