



Superannuation Supervisory Levy Imposition Amendment Act 2005

No. 18, 2005

***An Act to amend the *Superannuation Supervisory
Levy Imposition Act 1998*, and for related purposes***

Note: An electronic version of this Act is available in SCALEplus
(<http://scaleplus.law.gov.au/html/comact/browse/TOCN.htm>)

Contents

1	Short title.....	1
2	Commencement	2
3	Schedule(s).....	2

Schedule 1—Amendment of the Superannuation Supervisory Levy Imposition Act 1998		3
--	--	----------



Superannuation Supervisory Levy Imposition Amendment Act 2005

No. 18, 2005

**An Act to amend the *Superannuation Supervisory
Levy Imposition Act 1998*, and for related purposes**

[Assented to 22 February 2005]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Superannuation Supervisory Levy
Imposition Amendment Act 2005*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the Superannuation Supervisory Levy Imposition Act 1998

1 Section 5 (paragraph (a) of the definition of *statutory upper limit*)

Repeal the paragraph, substitute:

- (a) in relation to the financial year commencing on 1 July 2005—\$1,500,000; or

2 Subsection 7(1)

Repeal the subsection, substitute:

- (1) Subject to subsection (2), the amount of levy payable by a trustee of a superannuation entity for a financial year is the sum of the restricted levy component and the unrestricted levy component for the financial year.

Note: For *restricted levy component*, see subsection (1A). For *unrestricted levy component*, see subsection (1B).

(1A) The *restricted levy component* for the financial year is:

- (a) unless paragraph (b) or (c) applies—the amount that, for the financial year, is the restricted levy percentage of:
 - (i) except where the superannuation entity was an unregulated entity on 30 June of the previous financial year—the superannuation entity’s asset value on that day; or
 - (ii) if the superannuation entity was an unregulated entity on 30 June of the previous financial year—the unregulated entity’s asset value on that day; or
- (b) if the amount worked out under paragraph (a) exceeds the maximum restricted levy amount for the financial year—the maximum restricted levy amount; or
- (c) if the amount worked out under paragraph (a) is less than the minimum restricted levy amount for the financial year—the minimum restricted levy amount.

Note: The restricted levy percentage, maximum restricted levy amount, minimum restricted levy amount and the method of working out the

superannuation entity's asset value are as determined under subsection (3).

- (1B) The *unrestricted levy component* for the financial year is the amount that, for the financial year, is the unrestricted levy percentage of the superannuation entity's asset value.

Note: The unrestricted levy percentage is as determined under subsection (3).

3 Paragraphs 7(3)(a), (b) and (c)

Repeal the paragraphs, substitute:

- (a) the *maximum restricted levy amount* for each financial year; and
- (b) the *minimum restricted levy amount* for each financial year; and
- (c) the *restricted levy percentage* for each financial year; and
- (ca) the *unrestricted levy percentage* for each financial year; and

4 Subsection 7(4)

Omit "maximum levy amount", substitute "maximum restricted levy amount".

5 After subsection 7(4)

Insert:

- (4A) A determination under subsection (3) may make different provision for different classes of superannuation entity.

6 Subsection 8(1)

Repeal the subsection, substitute:

- (1) The indexation factor for a financial year is the number worked out by:
 - (a) dividing the index number for the March quarter immediately preceding that financial year by the index number for the March quarter immediately preceding that first-mentioned March quarter; and
 - (b) adding 0.030 to the number worked out under paragraph (a).

7 Subsection 8(3)

Omit "subsection (1)", substitute "paragraph (1)(a)".

8 Application and transitional

The amendments made by this Schedule apply in relation to levy payable for:

- (a) the financial year commencing on 1 July 2005; and
 - (b) each succeeding financial year.
-

*[Minister's second reading speech made in—
House of Representatives on 9 December 2004
Senate on 9 February 2005]*

(240/04)
