



Governor-General Amendment (Salary and Superannuation) Act 2008

No. 62, 2008

**An Act to amend the *Governor-General Act 1974*,
and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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Governor-General Amendment (Salary and Superannuation) Act 2008

No. 62, 2008

An Act to amend the *Governor-General Act 1974*, and for related purposes

[Assented to 30 June 2008]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Governor-General Amendment (Salary and Superannuation) Act 2008*.

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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Part 1—Salary

Governor-General Act 1974

1 Section 3

Omit “\$365,000”, substitute “\$394,000”.

2 Transitional

The amendment made by this Part does not have effect during the continuance in office of the person holding office as Governor-General immediately before the commencement of this Part.

Part 2—Superannuation

Governor-General Act 1974

3 Subsection 2A(2) (definition of *assessment*)

Repeal the definition.

4 Subsection 2A(2) (definition of *basic rate*)

Repeal the definition.

5 Subsection 2A(2) (definition of *notice of assessment*)

Repeal the definition.

6 Subsection 2A(2) (definition of *Scheme*)

Repeal the definition.

7 Subsection 2A(2) (definition of *surcharge*)

Repeal the definition.

8 Subsection 2A(2) (definition of *surchargeable contributions*)

Repeal the definition.

9 Subsection 2A(2) (definition of *surcharge debt account*)

Repeal the definition.

10 Subsection 2A(2) (definition of *surcharge deduction amount*)

Repeal the definition.

11 Subsection 4(1)

Omit “subsection (3)”, substitute “paragraph (3)(a)”.

12 Subsection 4(2)

Omit “subsection (3A)”, substitute “paragraph (3)(b)”.

13 Subsections 4(3) to (7)

Repeal the subsections, substitute:

- (3) The rate of the allowance payable to a person under this section at any time is:
- (a) in the case of a person who has held office as Governor-General—60% of the rate of the salary payable to the Chief Justice of the High Court of Australia at that time; or
 - (b) in the case of a person who is a spouse of a deceased person who held office as Governor-General—five-eighths of the rate applicable under paragraph (a) at that time to a person who has held office as Governor-General.
- (4) The amount of the allowance that, but for this subsection, would be payable to a person under this section in respect of any period is reduced by the amount of any pension or retiring allowance payable to that person, whether by virtue of a law or otherwise, in respect of that period out of money provided in whole or in part by the Commonwealth, a State or a Territory.

14 Paragraph 4A(3)(b)

Repeal the paragraph, substitute:

- (b) ensure that the aggregate of the rates of allowance applicable to the spouses will not exceed 100% of the rate of allowance that would have been applicable to the deceased person under paragraph 4(3)(a); and

15 Paragraph 4A(3)(c)

Omit “subsection 4(3A)”, substitute “paragraph 4(3)(b)”.

16 Section 5A

Repeal the section.

17 Application

The repeals and amendments made by this Part do not apply in relation to a person who held office as Governor-General at any time after 29 June 2001 and before the commencement of this Part.

*[Minister's second reading speech made in—
House of Representatives on 18 June 2008
Senate on 24 June 2008]*

(136/08)

6 *Governor-General Amendment (Salary and Superannuation) Act 2008* No. 62, 2008