

**FOURTH AMENDING DEED TO THE
DEED
TO ESTABLISH AN OCCUPATIONAL
SUPERANNUATION SCHEME FOR COMMONWEALTH
EMPLOYEES AND CERTAIN OTHER PERSONS**

Pursuant to

**SECTION 5 OF THE
SUPERANNUATION ACT 1990**

**Australian Government
Solicitor
Robert Garran Offices
BARTON ACT 2600**

THIS DEED is made on 21st December 1992 by THE COMMONWEALTH OF AUSTRALIA (in this Deed called "the Commonwealth").

WHEREAS the Commonwealth Minister of State for Finance, for and on behalf of the Commonwealth, pursuant to section 4 of the Superannuation Act 1990, established by Deed dated 21 June 1990 (in this Deed called "the Trust Deed") an occupational superannuation scheme (in this Deed called the "Superannuation Scheme") in order to provide benefits for certain of its employees and for certain other persons;

AND WHEREAS section 5 of the Superannuation Act 1990 provides that the Minister may, by signed instrument, amend the Trust Deed;

AND WHEREAS by Deeds dated 21 June 1990, 1 July 1991 and 30 June 1992 (the First, Second and Third Amending Deeds, respectively) the Minister amended the Trust Deed and the Rules for the administration of the Superannuation Scheme set out in the Schedule to the Trust Deed;

NOW THIS DEED WITNESSES that the Rules for the administration of the Superannuation Scheme set out in the Schedule to the Trust Deed are amended as follows:

1.1 Rule 1.1.1 is amended by:

- (a) adding the following definition after the definition of "minimum retiring age":

"mobility allowance", means an allowance of that name payable in accordance with a determination made under section 82D of the Public Service Act 1922;
and

- (b) adding the following paragraph after paragraph (d) of the definition of "permanent full-time employee":

"or (e) a person who is eligible to be paid a mobility allowance or who would be eligible to be paid the allowance except for the amount of income that the person is receiving;".

1.2 The following rule and its heading are inserted after rule 2.1.4:

"Annual rate of salary for a member who is eligible to be paid mobility allowance

2.1.4A. The annual rate of salary on a particular day for a member who is eligible to be paid a mobility allowance on that day, or who would be eligible to be paid the allowance on that day except for the amount of income that the member is receiving, shall be the greater of:

- (a) the annual rate of superannuation salary payable on that day in respect of the office that the member held immediately before becoming eligible for a mobility allowance; and
- (b) the annual rate of CSS salary (if any) applicable to the member on that day under rule 2.1.11."

1.3 Rule 2.3.1 is amended by:

- (a) replacing "members." at the end of paragraph (g) with "members; or"; and

(b) adding the following paragraph:

"(h) where the member was eligible to be paid a mobility allowance on the anniversary of his or her birth immediately preceding the contribution due day, or would have been eligible to be paid the allowance on that anniversary of birth except for the amount of income that the member was then receiving, and:

(i) where he or she was a member on that anniversary of birth - the fortnightly rate of salary on that anniversary of birth in respect of the office that he or she held immediately before becoming eligible for the mobility allowance; or

(ii) where he or she was an eligible employee for the purposes of the 1976 Act on the anniversary of birth immediately preceding the contribution due day - the fortnightly contribution salary on the contribution due day for the purposes of the 1976 Act in accordance with rule 2.4.2.".

1.4 Rule 3.1.7 is amended by replacing:

"Except where rule 3.1.12 and rule 3.1.13 apply,"

with:

"Except where rules 3.1.9A, 3.1.12 and 3.1.13 apply,".

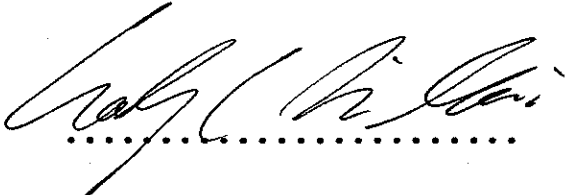
1.5 The following rule is inserted after rule 3.1.9:

"3.1.9A. Rule 3.1.7 does not apply to a member who is eligible to be paid a mobility allowance or who would be eligible to be paid the allowance except for the amount of income that the member is receiving."

2. This Deed has effect from 21st December 1992.

IN WITNESS whereof the Honourable Ralph Willis, Minister for Finance, has hereunto set the name of the Commonwealth of Australia and affixed his own seal the day and the year first above written.

SIGNED, SEALED AND DELIVERED)
)
 by the Honourable RALPH WILLIS,)
)
 Minister for Finance, for and)
)
 on behalf of THE COMMONWEALTH)
)
 OF AUSTRALIA, in the presence)
)
 of: *Dianne Jay*)
 (name) DIANNE JAY)
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 A3 BARANKAROO ST)
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 CHISHOLM ACT 2905)
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 ADVISER TO MINISTER)
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