

Superannuation (PSS) Approved Authority Exclusion Declaration 1995 No. 215

EXPLANATORY STATEMENT

STATUTORY RULES 1995 No. 215

Issued by the Authority of the Minister for Finance

Superannuation Act 1990

Declaration under paragraph a of the definition of "Approved Authority" in section 3.

The *Superannuation Act 1990* (the 1990 Act) makes provision for and in relation to an occupational superannuation scheme, the Public Sector Superannuation Scheme (the PSS), for persons employed by the Commonwealth and certain other persons.

Persons eligible to contribute under the 1990 Act include certain persons employed by an approved authority. In accordance with paragraph (a) of the definition of "approved authority" in section 3 of the 1990 Act, an approved authority includes an authority or body that was, immediately before 1 July 1990, an approved authority for the purposes of the *Superannuation Act 1976*, other than any such authority or body declared, in writing, by the Minister for Finance not to be an approved authority for the purposes of the 1990 Act.

In accordance with section 45 of the 1990 Act, a declaration for the purposes of paragraph (a) of the definition of "approved authority" is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901* and a Statutory Rule for the purposes of the *Statutory Rules Publication Act 1903*.

The declaration contained in the Statutory Rules, and cited as **Superannuation (PSS) Approved Authority Exclusion Declaration**, repeals and replaces two previous declarations (Statutory Rules 1993, No. 1 and Statutory Rules 1994, No. 15) with a single declaration containing those declarations, but incorporating certain changes which update the declaration.

The declaration updates the names of the following bodies in the declaration:

- * Telstra Corporation Limited, changed from Australian and Overseas Telecommunications Corporation (substituted under the provisions of the *Australian and Overseas Telecommunications Corporation Act 1991* as amended by the *Transport and Communications Legislation Amendment Act (No. 3) 1993*);
- * the Centralian College replaces the Alice Springs College of Technical and Further Education;
- * the University of Canberra. This was previously referred to as the University of Canberra sponsored by Monash University. The reference to sponsorship is no longer applicable and does not appear in the declaration.

The declaration includes certain ACT bodies, which were previously approved authorities, that have, since the establishment of the ACT Government Service, surrendered their staffing powers to the ACT. However, the approved authority status of the ACT enables employees of the following bodies to continue membership of the PSS:

- * the Canberra Institute of Technology;
- * the Canberra Theatre Trust;
- * the Milk Authority of the Australian Capital Territory; and

* the National Exhibition Centre Trust.

The declaration does not include bodies that were included in the repealed declarations which have since been sold by the Commonwealth. They are:

* the Snowy Mountains Engineering Corporation (SMEC). The *Snowy Mountains Engineering Corporation Limited Sale Act 1993* provides that SMEC is not an approved authority for the purposes of the 1990 Act;

* the Commonwealth Serum Laboratories (CSL Limited). The *CSL Sale Act 1993* provides that on and after the sale day CSL Limited is not an approved authority for the purposes of the 1990 Act;

* AeroSpace Technologies of Australia Limited (ASTA) (Aerospace Technologies of Australia Pty Limited in the repealed declaration). The *AeroSpace Technologies of Australia Limited Sale Act 1994* provides that on and after the sale day ASTA is not an approved authority for the purposes of the Act.

The declaration commenced on 1 July 1995.