



# Superannuation (PSS) Membership Inclusion Amendment Declaration 2009 (No. 1)<sup>1</sup>

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I, NICK SHERRY, Minister for Superannuation and Corporate Law, acting for and on behalf of the Minister for Finance and Deregulation, make this Declaration under paragraph 6 (1) (j) of the *Superannuation Act 1990*.

Dated 17 March 2009

NICK SHERRY  
Minister for Superannuation and Corporate Law  
for and on behalf of the Minister for Finance and Deregulation

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**1 Name of Declaration**

This Declaration is the *Superannuation (PSS) Membership Inclusion Amendment Declaration 2009 (No. 1)*.

**2 Commencement**

This Declaration commences on 1 April 2009.

**3 Amendment of *Superannuation (PSS) Membership Inclusion Declaration 2006***

Schedule 1 amends the *Superannuation (PSS) Membership Inclusion Declaration 2006*.

## Schedule 1 Amendments

(section 3)

**[1] Subsection 3 (1), after definition of *AWB Limited***

*insert*

*Health Services Australia Limited* means the company (ACN 078 934 791) that was incorporated under the Corporations Law on 17 June 1997.

**[2] After subsection 4 (18)**

*insert*

- (19) Section 6 of the 1990 Act ceases to apply to a person referred to in item 26 of Schedule 1 at the end of the earlier of:
- (a) the day on which the person ceases to be an employee of Health Services Australia Limited;
  - (b) the day immediately before the day on which the person becomes, in relation to the person's employment with Health Services Australia Limited, a member of an alternative superannuation scheme;
  - (c) if Health Services Australia Limited ceases to be owned by Medibank – the last day on which Health Services Australia Limited is owned by Medibank; or
  - (d) if Health Services Australia Limited is owned by Medibank and Commonwealth control of Medibank ceases – the last day on which Medibank is under Commonwealth control.

**[3] Schedule 1, after item 25**

*insert*

- 26 A person who:
- (a) either:
    - (i) meets the following conditions:
      - (A) was an employee of Health Services Australia Limited on 31 March 2009;
      - (B) was, on 31 March 2009 and in relation to the person's employment with Health Services Australia Limited, a member of the Public Sector Superannuation Scheme; and
      - (C) has not ceased in his or her employment with Health Services Australia Limited; or

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- (ii) becomes an employee of Health Services Australia Limited on or after 1 April 2009 and immediately before becoming last so employed, was a member of the Public Sector Superannuation Scheme; and
- (b) is not, in relation to the employment with Health Services Australia Limited, a member of an alternative superannuation scheme.

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**Notes**

1. This Declaration amends F2006L04171.
2. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See [www.frli.gov.au](http://www.frli.gov.au)