



# **Superannuation Legislation (Public Sector Superannuation Schemes) Amendment Regulations 2011 (No. 1)<sup>1</sup>**

**Select Legislative Instrument 2011 No. 131**

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I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Superannuation Act 1976*, the *Superannuation Act 1990* and the *Papua New Guinea (Staffing Assistance) Act 1973*.

Dated 30 June 2011

QUENTIN BRYCE  
Governor-General

By Her Excellency's Command

PENELOPE YING YEN WONG  
Minister for Finance and Deregulation

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## 1 Name of Regulations

These Regulations are the *Superannuation Legislation (Public Sector Superannuation Schemes) Amendment Regulations 2011 (No. 1)*.

## 2 Commencement

These Regulations commence on the commencement of the *Governance of Australian Government Superannuation Schemes Act 2011*.

## 3 Amendment of Superannuation (Cost of Administration) Regulations

Schedule 1 amends the Superannuation (Cost of Administration) Regulations.

## 4 Amendment of Superannuation (CSS) Deferred Benefits Regulations

Schedule 2 amends the Superannuation (CSS) Deferred Benefits Regulations.

## 5 Amendment of *Superannuation (CSS) (Superannuation Guarantee) Regulations 2008*

Schedule 3 amends the *Superannuation (CSS) (Superannuation Guarantee) Regulations 2008*.

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**6 Amendment of Superannuation (CSS) Fees Regulations**

Schedule 4 amends the Superannuation (CSS) Fees Regulations.

**7 Amendment of Superannuation (PSS) Fees Regulations**

Schedule 5 amends the Superannuation (PSS) Fees Regulations.

**8 Amendment of *Papua New Guinea (Staffing Assistance) (Superannuation) Regulations 1973***

- (1) Schedule 6 amends the *Papua New Guinea (Staffing Assistance) (Superannuation) Regulations 1973*.
- (2) Despite the repeal of regulation 8B of the *Papua New Guinea (Staffing Assistance) (Superannuation) Regulations 1973* by Schedule 6, a request may be made to the Commonwealth Superannuation Corporation, on or after the day on which these Regulations commence, for reconsideration of a decision of the Commissioner for Superannuation that was made before that day as if:
  - (a) the regulation had not been repealed; and
  - (b) the references in subregulation 8B (2) to the Commissioner (other than the first reference) were references to the Commonwealth Superannuation Corporation; and
  - (c) the references in subregulations 8B (4) and (5) to the Commissioner were references to the Commonwealth Superannuation Corporation.

*Note* Subregulation 8B (2), as affected by this subregulation, specifies time limits within which requests may be made.

- (3) Despite the repeal of regulation 8B of the *Papua New Guinea (Staffing Assistance) (Superannuation) Regulations 1973* by Schedule 6, an application may be made to the Administrative Appeals Tribunal, on or after the day on which these Regulations commence, for review of a decision of the

Commissioner for Superannuation that was made before that day as if the regulation had not been repealed.

*Note* The *Administrative Appeals Tribunal Act 1975* specifies time limits within which applications may be made.

**9 Amendment of Superannuation (CSS) Former Eligible Employees Regulations**

Schedule 7 amends the Superannuation (CSS) Former Eligible Employees Regulations.

**10 Amendment of *Superannuation (CSS) Salary Regulations 1978***

Schedule 8 amends the *Superannuation (CSS) Salary Regulations 1978*.

**11 Amendment of Superannuation (CSS) Former Provident Account Contributors Regulations**

Schedule 9 amends the Superannuation (CSS) Former Provident Account Contributors Regulations.

**12 *Superannuation (CSS) (Liability to Taxation) Regulations 2000* — repeal**

Statutory Rules 2000 No. 154 are repealed.

**13 Superannuation (CSS) Unclaimed Money Regulations — repeal**

Statutory Rules 1997 No. 99 are repealed.

**14 *Superannuation (PSS) (Liability to Taxation) Regulations 2000* — repeal**

Statutory Rules 2000 No. 155 are repealed.

**Schedule 1 Amendments of  
Superannuation (Cost of  
Administration) Regulations**  
(regulation 3)

**[1] Regulation 1**

*substitute*

**1 Name of Regulations**

These Regulations are the *Superannuation (Cost of Administration) Regulations 1980*.

**[2] Regulation 3**

*omit*

the Board

*insert*

CSC

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**Schedule 2**      **Amendments of  
Superannuation (CSS)  
Deferred Benefits Regulations**  
(regulation 4)

**[1]**      **Regulation 1**

*substitute*

**1**      **Name of Regulations**

These Regulations are the *Superannuation (CSS) Deferred Benefits Regulations 1979*.

**[2]**      **Regulation 4**

*omit*

**Schedule 3      Amendment of  
Superannuation (CSS)  
(Superannuation Guarantee)  
Regulations 2008**  
(regulation 5)

**[1]      Subregulation 5 (3)**

*omit*

The Board

*insert*

CSC

**[2]      Subregulation 5 (4)**

*omit*

the Board

*insert*

CSC

**[3]      Subregulation 5 (5)**

*omit*

the Board

*insert*

CSC



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## Schedule 4      Amendments of Superannuation (CSS) Fees Regulations

(regulation 6)

### [1]      Regulation 1

*substitute*

#### 1      Name of Regulations

These Regulations are the *Superannuation (CSS) Fees Regulations 1993*.

### [2]      Subregulation 3 (2)

*omit*

the Board

*insert*

CSC

### [3]      Paragraph 3 (3) (a)

*omit*

the Board

*insert*

CSC

### [4]      Paragraph 3 (3) (c)

*omit*

the Board

*insert*

CSC

## Schedule 5      Amendments of Superannuation (PSS) Fees Regulations

(regulation 7)

**[1]      Regulation 1**

*substitute*

**1      Name of Regulations**

These Regulations are the *Superannuation (PSS) Fees Regulations 1993*.

**[2]      Regulation 3**

*omit*

the Board

*insert*

CSC

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**Schedule 6**      **Amendment of *Papua New  
Guinea (Staffing Assistance)  
(Superannuation)  
Regulations 1973***  
(regulation 8)

**[1]**      **Regulation 8B**  
*omit*

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**Schedule 7      Amendments of  
Superannuation (CSS) Former  
Eligible Employees  
Regulations**  
(regulation 9)

**[1]      Regulation 1**

*substitute*

**1      Name of Regulations** [see Note 1]

These Regulations are the *Superannuation (CSS) Former Eligible Employees Regulations 1986*.

**[2]      Subregulation 15A (2)**

*omit*

the Board,

*insert*

CSC,

**[3]      Subparagraph 15A (3) (d) (ii)**

*omit*

the Board,

*insert*

CSC,

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**[4] Subparagraph 15A (5) (c) (i)**

*omit*

the Board

*insert*

CSC

**[5] Subparagraph 15A (5) (c) (ii)**

*omit*

the Board,

*insert*

CSC,

**[6] Schedule 5, substituted Division 3 of Part IX**

*omit each mention of*

the Board

*insert*

CSC

**[7] Schedule 5, substituted subsection 133 (3)**

*omit*

The Board

*insert*

CSC

**[8] Schedule 10A, item 2, substituted section 110T**

*omit*

the Board

*insert*

CSC

**[9] Schedule 10A, item 6, substituted subsection 137 (2)**

*omit*

the Board

*insert*

CSC

**[10] Schedule 10A, item 7, substituted subsection 138 (1)**

*omit*

the Board

*insert*

CSC

**[11] Schedule 11A, item 5, new subsection 62 (1A)**

*omit*

the Board,

*insert*

CSC,

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**Schedule 8**      **Amendments of  
Superannuation (CSS) Salary  
Regulations 1978**

(regulation 10)

**[1] Paragraph 12 (a)**

*omit*

the Board

*insert*

CSC

**[2] Subparagraph 13 (2) (b) (i)**

*omit*

the Board

*insert*

CSC

**[3] Subparagraph 13 (2) (c) (i)**

*omit*

the Board

*insert*

CSC

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## **Schedule 9      Amendments of Superannuation (CSS) Former Provident Account Contributors Regulations**

(regulation 11)

**[1]      Regulation 1**

*substitute*

**1      Name of Regulations**

These Regulations are the *Superannuation (CSS) Former Provident Account Contributors Regulations 1978*.

**[2]      Schedule, new subparagraph 80AB (2) (b) (ii)**

*omit*

the Board

*insert*

CSC

**[3]      Schedule, new subparagraph 211 (2) (b) (ii)**

*omit*

the Board

*insert*

CSC



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**[4] Schedule, new subsection 222 (1), definition of *rate of fund contribution tax***

*omit*

the Board

*insert*

CSC

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.