

SIXTH AMENDMENT
of the
SUPERANNUATION (PSSAP) TRUST DEED

THIS DEED is made on 10 February 2012 by THE MINISTER FOR FINANCE AND DEREGULATION.

WHEREAS section 10 of the *Superannuation Act 2005* (the Act) provides for the Minister to establish a superannuation scheme to be administered by the Board established under section 20 of the *Superannuation Act 1990* (1990 Act) before its repeal by the *Superannuation Legislation (Consequential Amendments and Transitional Provisions) Act 2011*;

AND WHEREAS the body corporate, that was previously constituted as the Board under repealed section 20 of the 1990 Act, is continued in existence under the name Commonwealth Superannuation Corporation (CSC) by section 5 of the *Governance of Australian Government Superannuation Schemes Act 2011*;

AND WHEREAS the Public Sector Superannuation Accumulation Plan (the PSSAP) was established by Trust Deed dated 29 June 2005¹ (the Trust Deed);

AND WHEREAS the Schedule to the Trust Deed contains Rules for the administration of the PSSAP (the Rules);

AND WHEREAS the Trust Deed and the Rules have been amended from time to time by various Deeds;

AND WHEREAS section 11 of the Act provides for the Minister, by instrument in writing, to amend the Trust Deed, and under section 32 requires the consent of CSC to amendments in certain circumstances;

AND WHEREAS the consent of CSC is not required in the amendments provided for in this Deed.

NOW THIS DEED WITNESSES as follows:

1. Commencement of amendments

The amendments in this Deed commence on the day after the day of registration.

2. Interpretation

Unless a contrary intention appears, a word or phrase in this Deed has the same meaning it has in the Trust Deed and the Rules.

3. Application

The amendments made by clause 4 of this Deed apply in relation to assignments made under subsection 14(3) of the *Remuneration Tribunal Act 1973* on or after the day of commencement of this Deed.

¹ Section 4 of the Act defines “Trust Deed” to include that deed as subsequently amended. A note listing particulars of the Trust Deed and the amending deeds is set out at the end of this Deed.

4. Assignment to an amount of remuneration

The Rules are amended as follows:

- 4.1 Rule 1.2.1 is amended by replacing the definition of “remuneration determination” with the following definition:

“remuneration determination

means:

- (a) any determination made under the *Remuneration Tribunal Act 1973*; or
- (b) any determination made under another Act or a law of a Territory in respect of remuneration for a person holding a statutory office or appointed under an Act or law of a Territory, not being a determination of remuneration made under section 24 of the *Public Service Act 1999* or section 24 of the *Parliamentary Service Act 1999*; or
- (c) an assignment to an amount of remuneration under subsection 14(3) of the *Remuneration Tribunal Act 1973* for a Secretary of a Department appointed under the *Public Service Act 1999*.

IN WITNESS WHEREOF this Deed has been executed the day and year first hereinbefore written.

SIGNED, SEALED AND DELIVERED)

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by)

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Senator the Hon PENELOPE YING YEN WONG)

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Minister for Finance and Deregulation)

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in the presence of:)

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(name) Georgia Goldsworthy)

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(address))

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(description) Research Assistant)

to Senator the)

Hon Penny Wong

TABLE LISTING TRUST DEED AND AMENDING DEEDS

From 1 January 2005, paragraph 6(d) of the *Legislative Instruments Act 2003* declared disallowable instruments (such as the instruments amending the Trust Deed) to be legislative instruments. Legislative instruments are registered on the Federal Register of Legislative Instruments instead of being notified in the *Gazette*.

Date	Number	Gazette / Registration details
29 June 2005	Trust Deed	F2005L01901, 30 June 2005
25 July 2006	First	F2006L02524, 1 August 2006
21 June 2007	Second	F2007L01942, 28 June 2007
8 April 2008	Third	F2008L01089, 18 April 2008
22 June 2009	Fourth	F2009L02531, 25 June 2009
29 June 2011	Fifth	F2011L01390, 30 June 2011