



Superannuation (Unclaimed Money and Lost Members) Amendment (Prescribed Public Sector Superannuation Schemes and Other Measures) Regulation 2013

Select Legislative Instrument No. 203, 2013

I, Quentin Bryce AC CVO, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Superannuation (Unclaimed Money and Lost Members) Act 1999*.

Dated 05 August 2013

Quentin Bryce
Governor-General

By Her Excellency's Command

David Bradbury
Minister Assisting for Financial Services and Superannuation

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(Prescribed Public Sector Superannuation Schemes and Other
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1 Name of regulation

This regulation is the *Superannuation (Unclaimed Money and Lost Members) Amendment (Prescribed Public Sector Superannuation Schemes and Other Measures) Regulation 2013*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the *Superannuation (Unclaimed Money and Lost Members) Act 1999*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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Schedule 1—Amendments

Superannuation (Unclaimed Money and Lost Members) Regulations 1999

1 Before regulation 1

Insert:

Part 1—Preliminary

2 Regulations 3 and 4

Repeal the regulations, substitute:

3 Definition

In these Regulations:

Act means the *Superannuation (Unclaimed Money and Lost Members) Act 1999*.

3 Before regulation 4B

Insert:

Part 2—Prescribed visas

4 Regulations 4B and 4BA

Repeal the regulations, substitute:

4B Temporary residents—prescribed visas

For subsection 20AA(2) and subparagraphs 20H(1)(a)(ii) and 20H(2)(b)(iii) of the Act, the following visas, as described in Schedule 2 to the *Migration Regulations 1994*, are prescribed:

- (a) Subclass 405 (Investor Retirement) visa;

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(b) Subclass 410 (Retirement) visa.

5 Before regulation 4C

Insert:

Part 3—Information to be included in notices

6 Regulation 4C (heading)

Repeal the heading, substitute:

4C Recovery of overpayments

7 Subregulation 4C(1)

Omit “paragraph 20L(4)(a)”, substitute “paragraphs 18B(4)(a), 20L(4)(a) and 24K(4)(a)”.

8 Subregulation 4C(2) (definition of *debtor*)

Repeal the definition, substitute:

debtor has the same meaning as in the section of the Act under which the notice is given.

9 Before regulation 5

Insert:

Part 4—Information about lost members

10 Regulation 5 (heading)

Repeal the heading, substitute:

5 Information to be given to Commissioner

11 Regulation 8

Repeal the regulation.

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12 Regulation 9, heading

Repeal the heading, substitute:

9 Register of Lost Members

13 Before regulation 10

Insert:

Part 5—Obtaining information and documents

14 Regulation 10 (heading)

Repeal the heading, substitute:

10 Expenses for persons attending before Commissioner

15 Regulation 10

Omit “The”, substitute “For subsection 47(4) of the Act, the”.

16 After regulation 10

Insert:

Part 6—Prescribed public sector superannuation schemes

11 Unclaimed money and lost member accounts—prescribed schemes

For sections 18AA and 24HA of the Act, each public sector superannuation scheme mentioned in the table is prescribed.

Prescribed public sector superannuation schemes

Item	Scheme	Act under which scheme is established
1	Emergency Services	<i>Emergency Services Superannuation Act</i>
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Prescribed public sector superannuation schemes

Item	Scheme	Act under which scheme is established
	Superannuation Scheme	<i>1986 (Vic.)</i>
2	New Scheme	<i>State Superannuation Act 1988 (Vic.)</i>
3	Revised Scheme	<i>State Superannuation Act 1988 (Vic.)</i>
4	State Employees Retirement Benefits Fund	<i>State Employees Retirement Benefits Act 1979 (Vic.)</i>
5	Transport Superannuation Fund	<i>Transport Superannuation Act 1988 (Vic.)</i>
6	GESB Super (Retirement Access) Scheme	<i>State Superannuation Act 2000 (WA)</i>
7	GESB Super Scheme	<i>State Superannuation Act 2000 (WA)</i>
8	West State Super Scheme	<i>State Superannuation Act 2000 (WA)</i>

12 Unclaimed superannuation of former temporary residents—prescribed schemes

For section 20JA of the Act, each public sector superannuation scheme mentioned in the table is prescribed.

Prescribed public sector superannuation schemes

Item	Scheme	Act under which scheme is established
1	Public Sector Superannuation Scheme	<i>Superannuation Act 1990</i>
2	Emergency Services Superannuation Scheme	<i>Emergency Services Superannuation Act 1986 (Vic.)</i>
3	New Scheme	<i>State Superannuation Act 1988 (Vic.)</i>
4	Revised Scheme	<i>State Superannuation Act 1988 (Vic.)</i>
5	State Employees Retirement Benefits Fund	<i>State Employees Retirement Benefits Act 1979 (Vic.)</i>
6	Transport Superannuation Fund	<i>Transport Superannuation Act 1988 (Vic.)</i>
7	State Public Sector Superannuation Scheme	<i>Superannuation (State Public Sector) Act 1990 (Qld)</i>

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Schedule 1 Amendments

Prescribed public sector superannuation schemes		
Item	Scheme	Act under which scheme is established
8	GESB Super (Retirement Access) Scheme	<i>State Superannuation Act 2000 (WA)</i>
9	GESB Super Scheme	<i>State Superannuation Act 2000 (WA)</i>
10	West State Super Scheme	<i>State Superannuation Act 2000 (WA)</i>

17 Schedule 1

Omit “*High Court Rules 1952*” (wherever occurring), substitute “*High Court Rules 2004*”.

6	<i>Superannuation (Unclaimed Money and Lost Members) Amendment (Prescribed Public Sector Superannuation Schemes and Other Measures) Regulation 2013</i>	<i>No. 203, 2013</i>
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