



# **Superannuation (PSSAP) Membership Eligibility (Inclusion) Amendment Declaration 2019 (No. 1)**

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I, MATHIAS HUBERT PAUL CORMANN, Minister for Finance and the Public Service,  
make the following Declaration.

Dated 19/02/19

MATHIAS HUBERT PAUL CORMANN  
Minister for Finance and the Public Service

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## **1 Name**

This instrument is the *Superannuation (PSSAP) Membership Eligibility (Inclusion) Amendment Declaration 2019 (No. 1)*.

## **2 Commencement**

This instrument commences on 1 July 2019.

## **3 Authority**

This instrument is made under subparagraph 13(1)(a)(ii) of the *Superannuation Act 2005*.

## **4 Schedules**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 (PSSAP) Membership Eligibility (Inclusion) Declaration 2005*

#### 1 Section 3 (after the definition of APRA)

Insert the following new definition:

**ASIC** means the Australian Securities and Investments Commission established by the *Australian Securities and Investments Commission Act 1989* and continued in existence by the *Australian Securities and Investments Commission Act 2001*.

#### 2 Subparagraph 4(2)(g)(ii)

Omit “CSC”, substitute “**CSC**”.

#### 3 Subparagraph 4(2)(h)(iii)

Omit “.”, substitute “; and”.

#### 4 Subparagraph 4(2)(i)(ii)

Omit “alternative superannuation scheme”, substitute “**alternative superannuation scheme**”.

#### 5 Subparagraph 4(2)(i)(iii)

Omit “Australian Hearing Services” (first occurring), substitute “**Australian Hearing Services**”.

#### 6 Subparagraph 4(2)(j)(ii)

Omit “**immediately**”, substitute “immediately”.

#### 7 Subparagraph 4(2)(j)(iii)

Omit “.”, substitute “; and”.

#### 8 After paragraph 4(2)(j)

Insert the following new paragraph:

(k) in item [15] of the Schedule, at the end of the earlier of:

- (i) the day on which the person ceases to be an employee of **ASIC**;
- (ii) the day immediately before the day on which the person becomes, in relation to the person’s employment with **ASIC**, a member of an **alternative superannuation scheme**;
- (iii) the day immediately before the day on which the person becomes a member of a superannuation scheme to which contributions are made by **ASIC** for purposes solely related to satisfying obligations under the *Superannuation Guarantee (Administration) Act 1992*; or
- (iv) if **ASIC** ceases to be a Commonwealth entity within the meaning of the *Public Governance, Performance and Accountability Act 2013* – the last day on which **ASIC** is a Commonwealth entity.

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## 9 Item 1 of Schedule 1

Repeal the item.

## 10 Schedule 1 (after item 14)

Insert the following new item:

- [15]** A person who:
- (a) ceases to be employed by the Commonwealth and becomes an employee of **ASIC** on 1 July 2019 as a result of section 310 or section 311 of the *Australian Securities and Investments Commission Act 2001*; and
  - (b) immediately before becoming so employed by **ASIC**, was an **ordinary employer-sponsored member** of **PSSAP** in relation to the person's employment at **ASIC**.