

Superannuation (PSSAP—Ordinary Employer‑Sponsored Member Exclusion) Determination 2020

made under subsection 18(10) of the

Superannuation Act 2005

**Compilation No. 1**

**Compilation date:** 1 September 2021

**Includes amendments up to:** F2021L01097

**Registered:** 7 September 2021

**About this compilation**

**This compilation**

This is a compilation of the *Superannuation (PSSAP—Ordinary Employer-Sponsored Member Exclusion) Determination 2020* that shows the text of the law as amended and in force on 1 September 2021 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Editorial changes**

For more information about any editorial changes made in this compilation, see the endnotes.

**Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

**Self‑repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

1 Name 1

3 Authority 1

5 Classes of persons who cannot be ordinary employer‑sponsored members under subsection 18(7) or 18(8A) of the *Superannuation Act 2005* 1

Endnotes 2

Endnote 1—About the endnotes 2

Endnote 2—Abbreviation key 3

Endnote 3—Legislation history 4

Endnote 4—Amendment history 5

1 Name

This instrument is the *Superannuation (PSSAP—Ordinary Employer‑Sponsored Member Exclusion) Determination 2020*.

3 Authority

This instrument is made under subsection 18(10) of the *Superannuation Act 2005*.

5 Classes of persons who cannot be ordinary employer‑sponsored members under subsection 18(7) or 18(8A) of the *Superannuation Act 2005*

For the purposes of subsection 18(10) of the *Superannuation Act 2005*, the classes of persons are the following:

(a) members of the Australian Defence Force in respect of their military service;

(b) persons who hold office as Judges of the Federal Circuit and Family Court of Australia (Division 2);

(c) persons to whom Division 1 of Part 2 of the *Parliamentary Superannuation Act 2004* applies.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Editorial changes**

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) |
| C[x] = Compilation No. x | /sub‑subparagraph(s) |
| Ch = Chapter(s) | pres = present |
| def = definition(s) | prev = previous |
| Dict = Dictionary | (prev…) = previously |
| disallowed = disallowed by Parliament | Pt = Part(s) |
| Div = Division(s) | r = regulation(s)/rule(s) |
| ed = editorial change | reloc = relocated |
| exp = expires/expired or ceases/ceased to have | renum = renumbered |
| effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = *Legislation Act 2003* | Sch = Schedule(s) |
| LIA = *Legislative Instruments Act 2003* | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given | SLI = Select Legislative Instrument |
| effect | SR = Statutory Rules |
| (md not incorp) = misdescribed amendment | Sub‑Ch = Sub‑Chapter(s) |
| cannot be given effect | SubPt = Subpart(s) |
| mod = modified/modification | underlining = whole or part not |
| No. = Number(s) | commenced or to be commenced |

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| Superannuation (PSSAP—Ordinary Employer‑Sponsored Member Exclusion) Determination 2020 | 24 Dec 2020 (F2020L01712) | 7 Mar 2021 (s 2(1) item 1) |  |
| Superannuation (PSSAP—Ordinary Employer‑Sponsored Member Exclusion) Amendment (Judges) Determination 2021 | 12 Aug 2021 (F2021L01097) | Sch 1: 1 Sept 2021 (s 2(1) item 2) | — |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| s 2 | rep LA s 48D |
| s 4 | rep LA s 48C |
| s 5 | am F2021L01097 |