



Superannuation Industry (Supervision) Amendment Regulations 2008 (No. 2)

Select Legislative Instrument 2008 No. 134

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Superannuation Industry (Supervision) Act 1993*.

Dated 24 June 2008

P. M. JEFFERY
Governor-General

By His Excellency's Command

NICK SHERRY
Minister for Superannuation and Corporate Law

1 Name of Regulations

These Regulations are the *Superannuation Industry (Supervision) Amendment Regulations 2008 (No. 2)*.

2 Commencement

- (1) These Regulations are taken to have commenced on 4 October 2007.
- (2) However, for the period starting on 4 October 2007 and ending immediately before the day on which these Regulations are registered, the amendment made by item [1] of Schedule 1 does not apply to the extent to which:
 - (a) the rights of a person (other than the Commonwealth or an authority of the Commonwealth) as at the day on which these Regulations are registered would be affected so as to disadvantage that person; or
 - (b) liabilities would be imposed on a person (other than the Commonwealth or an authority of the Commonwealth) in respect of anything done or omitted to be done before the day on which these Regulations are registered.

3 Amendment of *Superannuation Industry (Supervision) Regulations 1994*

Schedule 1 amends the *Superannuation Industry (Supervision) Regulations 1994*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 8.02A

substitute

8.02A Period within which an auditor must be appointed (Act s 35C)

For subsection 35C (1) of the Act, the following periods are prescribed:

- (a) for a registrable superannuation entity — as soon as practicable, but in any event, no later than the last day of each year of income;
- (b) for a self managed superannuation fund — as soon as practicable but, in any event, no later than 30 days before the date by which the auditor must give a report mentioned in subsection 35C (6) of the Act to the trustees of the fund.

Note See regulation 8.03 for the period within which a report mentioned in subsection 35C (6) of the Act must be provided.

[2] Paragraph 8.03 (a)

omit

section 36A

insert

section 35D