





# **Tax and Superannuation Laws Amendment (2014 Measures No. 1) Regulation 2014**

## **Select Legislative Instrument No. 6, 2014**

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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 Acts mentioned in section 3.

Dated 17 February 2014

Quentin Bryce  
Governor-General

By Her Excellency's Command

Arthur Sinodinos AO  
Assistant Treasurer

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## **1 Name of regulation**

This regulation is the *Tax and Superannuation Laws Amendment (2014 Measures No. 1) Regulation 2014*.

## **2 Commencement**

This regulation commences on the day after it is registered.

## **3 Authority**

This regulation is made under the following Acts:

- (a) the *Income Tax Assessment Act 1997*;
- (b) the *Superannuation Guarantee (Administration) Act 1992*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## **Schedule 1—Calculating defined benefit contributions**

### ***Income Tax Assessment Regulations 1997***

#### **1 Before Subdivision 293-E**

Insert:

#### **Subdivision 293-D—Modifications for defined benefit interests**

##### **293-115.01 Method of determining amount of defined benefit contributions**

For subsection 293-115(1) of the Act, the amount of defined benefit contributions for an individual in the 2012-2013 financial year in respect of a defined benefit interest is the individual's notional taxed contributions for the defined benefit interest for that financial year.

Note: The amount of defined benefit contributions in respect of a defined benefit interest in a constitutionally protected fund is nil for the 2012-2013 financial year.

#### **2 At the end of Part 5**

Add:

##### **910-1.04 Transitional arrangements arising out of the *Tax and Superannuation Laws Amendment (2014 Measures No. 1) Regulation 2014***

The amendment of these Regulations made by item 1 of Schedule 1 to the *Tax and Superannuation Laws Amendment (2014 Measures No. 1) Regulation 2014* applies on and after 1 July 2012.

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## Schedule 2—Public sector superannuation funds

### *Superannuation Guarantee (Administration) Regulations 1993*

#### **1 Regulation 9B**

Repeal the regulation, substitute:

#### **9B Contributions under prescribed legislation**

For subsection 32C(9) of the Act, a contribution to a fund by an employer for the benefit of an employee is made in compliance with the choice of fund requirements if the contribution is made under a law set out in an item in the following table during the period set out in the item.

<b>Contributions under prescribed legislation</b>		
<b>Item</b>	<b>Contributions made under the ...</b>	<b>during the period from ...</b>
1	<i>Parliamentary Superannuation Act 2004</i>	1 July 2005 onwards
2	<i>First State Superannuation Act 1992 (NSW)</i>	1 July 2005 onwards
3	<i>Emergency Services Superannuation Act 1986 (Vic.)</i>	1 July 2005 onwards
4	<i>Parliamentary Salaries and Superannuation Act 1968 (Vic.)</i>	1 July 2005 onwards
5	<i>State Employees Retirement Benefits Act 1979 (Vic.)</i>	1 July 2005 onwards
6	<i>State Superannuation Act 1988 (Vic.)</i>	1 July 2005 onwards
7	<i>Transport Superannuation Act 1988 (Vic.)</i>	1 July 2005 onwards
8	<i>Local Government Act 2009 (Qld)</i>	1 July 2010 onwards
9	<i>Coal Industry Superannuation Act 1989 (WA)</i>	1 July 2005 onwards

## Schedule 2 Public sector superannuation funds

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<b>Contributions under prescribed legislation</b>		
<b>Item</b>	<b>Contributions made under the ...</b>	<b>during the period from ...</b>
10	<i>Fire and Emergency Services Superannuation Act 1985 (WA)</i>	1 July 2005 onwards
11	<i>State Superannuation Act 2000 (WA)</i>	1 July 2005 onwards
12	<i>Electricity Corporations Act 1994 (SA)</i>	1 July 2005 onwards
13	<i>Local Government Act 1999 (SA)</i>	1 July 2005 onwards
14	<i>Southern State Superannuation Act 2009 (SA)</i>	1 August 2009 onwards
15	<i>Public Sector Superannuation Reform Act 1999 (Tas.)</i>	1 July 2005 onwards
16	<i>Retirement Benefits (Parliamentary Superannuation) Regulations 2012 (Tas.)</i>	25 December 2012 onwards
17	<i>Retirement Benefits (State Fire Commission Superannuation Scheme) Act 2005 (Tas.)</i>	1 July 2005 onwards
18	<i>Retirement Benefits (Tasmanian Ambulance Service Superannuation Scheme) Act 2006 (Tas.)</i>	1 July 2005 onwards

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## 2 Schedule 2

Repeal the Schedule.

## **Schedule 3—Approved clearing houses**

### ***Superannuation Guarantee (Administration) Regulations 1993***

#### **1 Regulation 7AE**

Repeal the regulation, substitute:

#### **7AE Approved clearing houses**

For subsection 79A(3) of the Act, each of the following bodies is an ***approved clearing house***:

- (a) the Department administered by the Minister administering the *Human Services (Medicare) Act 1973*;
- (b) the Australian Taxation Office.