
LOCAL GOVERNMENT

LG301*

Local Government Act 1995

**Local Government (Amendment of Part VIA -
Employee Superannuation) Regulations 2006**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Local Government (Amendment of Part VIA - Employee Superannuation) Regulations 2006*.

2. Commencement

These regulations come into operation on 1 July 2006.

**3. Continued provisions of *Local Government Act 1960*
Part VIA amended**

The amendments in these regulations are to the *Local Government Act 1960** Part VIA as continued by the *Local Government Act 1995*** Schedule 9.3 clause 16.

[* *Reprinted as at 24 June 1983.*
For subsequent amendments prior to commencement of Local Government Act 1995 see 1995 Index to Legislation of Western Australia, Table 1, p. 130-2.]

[** *Reprint 3 as at 5 August 2005*
For subsequent amendments see Acts No. 24 and 38 of 2005.]

4. Section 170A amended

Section 170A(1) is amended by deleting the definition of “industry scheme” and inserting the following definition instead —

“

“**industry scheme**” means the WA Local Government Superannuation Plan (formerly called the W.A. Local Government Occupational Superannuation Fund) established by a trust deed dated 21 March 1990 and continued under a trust deed dated 4 November 2004;

”

5. Section 170B amended

After section 170B(4) the following subsections are inserted —

“

- (5) If, in respect of an employee for any period —
- (a) there is a chosen fund for the employee throughout the period; and
 - (b) the chosen fund is not the industry scheme; and
 - (c) the municipality makes the minimum SG contributions for the employee for that period to the chosen fund,

the amount that the municipality would, but for this subsection, be required under subsection (1) and the industry scheme trust deed to contribute to the industry scheme for that employee for that period is reduced by the amount of those minimum SG contributions made to the chosen fund.

- (6) In subsection (5) —
- (a) the following terms have the same meanings as they have in the *Superannuation Guarantee (Administration) Act 1992* (Cwlth) —
 - (i) chosen fund for the employer;
 - (ii) individual superannuation guarantee shortfall;and
 - (b) a reference to a municipality making the minimum SG contributions for an employee for a period is a reference to the municipality making the contributions necessary for it to avoid incurring an individual superannuation guarantee shortfall in respect of the employee in respect of that period.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
