
COAL SUPERANNUATION BOARD

CE301*

Coal Industry Superannuation Act 1989

**Coal Industry Superannuation Amendment
Regulations 1998**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Coal Industry Superannuation Amendment Regulations 1998*.

2. The regulations amended

The amendments in these regulations are to the *Coal Industry Superannuation Regulations 1990**.

[* Reprinted as at 30 May 1996.]

3. Regulation 3 amended

Regulation 3(1) is amended in the definitions of “accrued benefit”, “accrual product” and “accrual rate” by deleting “salary” in each place where it occurs and inserting instead —
“ amount ”.

4. Regulation 7 amended

- (1) Regulation 7(1) is repealed and the following subregulation is inserted instead —

“

- (1) Subject to subregulations (2) and (3), in these regulations —

“**benchmark amount**” means —

- (a) until 1 July 1999, \$31 452; and
(b) on and after that date, the benchmark amount on the previous 30 June increased by —
(i) either —
(A) an amount equal to the increase (if any) in the index of Average Weekly Ordinary Time Earning for full time adults published by the Australian Statistician for the year ending on the previous 31 March; or

- (B) such lesser amount as is determined by the Board on the recommendation of the actuary;
 - and
 - (ii) any additional amount agreed between the Board and all employers.
- ”.

- (2) Regulation 7(2) is amended by deleting “salary” and inserting instead —
“ amount ”.

5. Regulation 14 amended

Regulation 14(1) is amended by deleting “salary.” and inserting instead —
“ amount. ”.

6. Regulation 15 amended

- (1) Regulation 15(1) is amended by deleting “(4)” and inserting instead —
“ (5) ”.
- (2) Regulation 15(6) is amended by deleting “total benchmark salaries for all” and inserting instead —
“ benchmark amount multiplied by the number of ”.
- (3) Regulation 15(7) is amended as follows:
 - (a) by deleting “, the Board”;
 - (b) in paragraph (a) by inserting before “shall” —
“ the Board ”;
 - (c) in paragraph (b) by deleting “may amend these regulations” and inserting instead —
“ these regulations may be amended ”.

7. Regulation 18 amended

- (1) Regulation 18 is amended after the regulation designation “18.” by inserting the subregulation designation “(1)”.
- (2) Regulation 18(1)(a)(ii) is amended by deleting “salary” and inserting instead —
“ amount ”.
- (3) After regulation 18(1) the following subregulation is inserted —
“
 - (1a) If a category A member who is between 60 and 65 years of age (inclusive) dies in service, the Board shall pay a benefit equal to the benefit that would have been payable to the member if the member had left service on the date of death and become entitled to a benefit under regulation 17(1).”.

- (4) Regulation 18(2) is amended by deleting “60” in both places where it occurs and inserting instead —

“ 65 ”.

8. Regulation 19 amended

- (1) Regulation 19(1) is amended as follows:

- (a) by inserting after “member who” —
“ is under 60 years of age and who ”;
- (b) in paragraph (a)(ii) by deleting “salary” and inserting instead —
“ amount ”.

- (2) After regulation 19(1) the following subregulation is inserted —

“

- (1a) A category A member who is over 60 years of age and who leaves service with an employer because of total and permanent disablement is entitled to a benefit equal to the benefit to which the member would have been entitled if the member had left service on the date of disablement and become entitled to a benefit under regulation 17(1) or (2) (as applicable).

”.

9. Regulation 22 amended

Regulation 22(3) and (5)(b) are amended by deleting “salary” and inserting instead —

“ amount ”.

10. Regulation 22B inserted

- (1) After regulation 22A the following regulation is inserted in Part 5 —

“

22B. Reduction if surcharge paid

If any amount paid by the Board under the *Superannuation Contributions Tax Imposition Act 1997* of the Commonwealth in relation to a member has not been deducted from the member’s accumulation account, the Board may reduce a benefit payable to or in respect of the member by that amount plus interest at a rate determined by the Board on the advice of the Actuary.

”.

11. Regulation 26 amended

Regulation 26(4)(a) is amended by deleting “*Mental Health Act 1962*” and inserting instead —

“ *Mental Health Act 1996* ”.

12. Regulation 27A amended

- (1) Regulation 27A(2)(a) is amended by deleting “regulations” and inserting instead —

“ regulation ”.

- (2) After regulation 27A(3)(b) the following paragraph is inserted —

“

- (ba) any amount payable by the Board under the
*Superannuation Contributions Tax Imposition
Act 1997* of the Commonwealth in relation to
the member;

”.

13. Regulation 36 amended

Regulation 36(2) is amended by deleting “salary” and inserting instead —

“ amount ”.

14. Regulation 53 amended

Regulation 53(1) is amended by deleting “salary” and inserting instead —

“ amount ”.

15. Schedule 1 amended

- (1) Parts A to E of Schedule 1 are amended by deleting “BS” in each place where it occurs and inserting instead —

“ BA ”.

- (2) Part F of Schedule 1 is amended by deleting the definition of “BS” and inserting the following definition instead —

“ BA = benchmark amount; ”.

16. Schedule 3 amended

Clause 7 (1) (b) in Schedule 3 is amended by inserting after “demanded” —

“ by ”.

By Command of the Governor,

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