Presented and read a first time

Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019

No. , 2019

(Treasury)

A Bill for an Act to amend the Superannuation Guarantee (Administration) Act 1992, and for related purposes
## Contents

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**Schedule 1—Choice of fund for workplace determinations and enterprise agreements**  

*Superannuation Guarantee (Administration) Act 1992*  

3
A Bill for an Act to amend the Superannuation Guarantee (Administration) Act 1992, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act is the Treasury Laws Amendment (Your Superannuation, Your Choice) Act 2019.

2 Commencement

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.
### Commencement information

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<td>1. The whole of this Act</td>
<td>The day after this Act receives the Royal Assent.</td>
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Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

(2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

### 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.
Schedule 1—Choice of fund for workplace determinations and enterprise agreements

Superannuation Guarantee (Administration) Act 1992

1 Paragraph 19(2B)(c)
Omit “(which deals with certain cases where no contributions are required)”, substitute “(which deals with certain cases where defined benefit members cannot choose another fund)”.

2 Section 20 (heading)
Repeal the heading, substitute:

20 Defined benefit schemes—certain cases where members cannot choose another fund

3 Subsection 20(1)
Omit “either subsection (2) or (3) is satisfied”, substitute “subsection (2), (3) or (3A) is satisfied”.

4 After subsection 20(3)
Insert:

Member’s benefit not affected

(3A) This subsection is satisfied if the employee would be entitled, on the employee’s retirement, resignation or retrenchment, to the same amount of benefit from the defined benefit superannuation scheme, whether or not the employee had contributions:
(a) for the quarter; and
(b) made by the employer for the benefit of the employee; to a fund (within the meaning of Part 3A) other than the defined benefit superannuation scheme.
Schedule 1  Choice of fund for workplace determinations and enterprise agreements

5 Paragraph 32C(6)(g)
After “determination”, insert “made before 1 July 2020”.

6 Paragraph 32C(6)(h)
After “agreement”, insert “made before 1 July 2020”.

7 After subsection 32C(6)
Insert:

Contributions previously covered by paragraphs (6)(g) and (h)

(6AA) A contribution to a fund by an employer for the benefit of an employee is also made in compliance with the choice of fund requirements if:
(a) at the time the contribution is made, there is no chosen fund for the employee; and
(b) the fund is a fund to which the employer has previously made contributions, in compliance with the choice of fund requirements under paragraph (6)(g) or (h), for the benefit of the employee.