



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**Main Committee**

**SUPERANNUATION LEGISLATION  
AMENDMENT BILL 2004**

**Second Reading**

**SPEECH**

**Wednesday, 1 December 2004**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

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<b>Questioner</b>	<b>Responder</b>
<b>Speaker</b> Stone, Dr Sharman, MP	<b>Question No.</b>

**Dr STONE** (Murray—Parliamentary Secretary to the Minister for Finance and Administration) (11.10 am)—in reply—I would like to sum up this debate. The Superannuation Legislation Amendment Bill 2004 is indeed a very important bill. It proposes amendments to the Superannuation Act 1976 in respect of the Commonwealth Superannuation Scheme, the CSS, and the rules for the administration of the Public Sector Superannuation Scheme. I would like to thank all those who have contributed to this debate, particularly the member for Blair, who made a very important contribution.

The purpose of this bill, as the member for Blair said, is to make specific provision to allow the superannuation salary for secretaries and certain Australian government office holders who are CSS or PSS members to be set in certain determinations of remuneration made by the relevant minister or a Presiding Officer of the Senate or the House of Representatives. The bill validates the setting of superannuation salary in such determinations that have been made in the past, while also ensuring that no benefit that has been paid or is being paid will be reduced because of the amendments of the bill.

The bill is necessary to confirm the validity of determinations of superannuation salaries, as I said, made in the past, including those of such members who are secretaries of a department. Let me reiterate: this does not reduce the entitlements of office holders. It ensures that former secretaries or certain office holders who may have had a benefit based on a lower superannuation salary than an amount set in a relevant determination will be entitled to a benefit based on the higher salary in the determination. The bill will not increase public servants' remuneration. The amendments confirm the original intention that superannuation for secretaries and office holders whose remuneration is set in a determination based on total remuneration should be based on a component of that total remuneration rather than being linked to their cash salary.

The original Superannuation Legislation Amendment Bill 2004 acknowledged existing arrangements under which remuneration determinations made by the Remuneration Tribunal under the Remuneration Tribunal Act 1973 could set superannuation salary for CSS and PSS members. These provisions were included for the purpose of consolidating all provisions that authorised superannuation salary for CSS and PSS members to be set in remuneration determinations. It has since been recognised that the bill also needed to apply to other remuneration determinations under the Remuneration Tribunal Act—for example, determinations made by employing bodies for principal executive officers within the meaning of the act.

The original bill included provisions for validating past determinations of remuneration which did not include any determinations made by the tribunal. The bill will now validate past determinations made by employing bodies under section 12C of the Remuneration Tribunal Act in respect of principal executive officers insofar as those determinations relate to superannuation salary. Again I thank all the members who have taken part in this debate. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Ordered that the bill be reported to the House without amendment.