

NORTHERN TERRITORY OF AUSTRALIA
ADMINISTRATORS PENSIONS AMENDMENT ACT 1998

No. 66 of 1998

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SCHEDULE



NORTHERN TERRITORY OF AUSTRALIA

No. 66 of 1998

AN ACT

to amend the *Administrators Pensions Act*

[Assented to 23 September 1998]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Administrators Pensions Amendment Act 1998*.

2. COMMENCEMENT

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Administrators Pensions Act* is in this Act referred to as the Principal Act.

4. REPEAL AND SUBSTITUTION

Section 3 of the Principal Act is repealed and the following substituted:

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"3. DEFINITIONS

"In this Act, unless the contrary intention appears -

'Administrator' does not include an Acting Administrator;

'superannuation contributions surcharge' means the superannuation contributions surcharge imposed under the Surcharge Act;

'Surcharge Act' means the *Superannuation Contributions Tax Imposition Act 1997* of the Commonwealth and includes regulations under that Act;

'Surcharge Collection Act' means the *Superannuation Contributions Tax (Assessment and Collection) Act 1997* of the Commonwealth and includes regulations under that Act.

"3A. ACT TO BE ADMINISTERED SO AS TO COMPLY WITH SUPERANNUATION SURCHARGE LAWS AND AGREEMENTS WITH COMMONWEALTH

"This Act is to be administered in accordance with -

(a) the Surcharge Act and the Surcharge Collection Act; and

(b) a written agreement entered into by the Territory and the Commonwealth relating to exempt public sector superannuation schemes within the meaning of section 10 of the *Superannuation Industry (Supervision) Act 1993* of the Commonwealth.

"3B. SURCHARGE DEBT ACCOUNTS

"(1) The Treasurer must establish and maintain for the purposes of section 16 of the Surcharge Collection Act a surcharge debt account for each Administrator in relation to whom superannuation contributions surcharge is paid or payable by the Treasurer.

"(2) The Treasurer must debit to the surcharge debt account of an Administrator -

(a) superannuation contributions surcharge paid or payable by the Treasurer in respect of the Administrator; and

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- (b) interest paid or payable under the Surcharge Collection Act on the amount by which the account is in debit.

"(3) The Treasurer must credit to the surcharge debt account of an Administrator an amount paid under section 3C by the Administrator.

"3C. ADVANCE PAYMENTS TO REDUCE SUPERANNUATION CONTRIBUTIONS SURCHARGE

"(1) An Administrator may, on lodging an approved election form with the Treasurer, pay an amount to the Territory for the purpose of reducing the amount by which the Administrator's surcharge debt account is in debit.

"(2) A payment under this section may be made on a periodic or single payment basis.

"(3) An election form lodged under subsection (1) is to specify the amount to be paid and the manner of payment.

"(4) An Administrator may, on lodging an approved election form with the Treasurer —

- (a) vary in accordance with the form the amount or manner of payment of periodic payments; or
- (b) revoke an election under this section.

"(5) In this section, 'approved election form' means a form approved by the Treasurer.

"3D. PENSION MAY BE COMMUTED TO REPAY SURCHARGE PAID

"The Treasurer may commute part of a pension payable under this Act in relation to an Administrator to a lump sum for the purposes of paying to the Territory an amount equal to the balance of the Administrator's surcharge debt account."

5. AMENDMENTS TO REMOVE GENDER-SPECIFIC REFERENCES

The Principal Act is amended as set out in the Schedule.

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SCHEDULE

Section 5

Provision	Amendment	
	omit	substitute
Section 4	"he"	"he or she"
	"his" (wherever occurring)	"his or her"
	"him"	"him or her"
Section 5	"she or he"	"he or she"
	"he"	"he or she"
	"his" (twice occurring)	"his or her"
Section 7(2)	"he"	"he or she"
	"his"	"his or her"