



# **Superannuation Industry (Supervision) Amendment Regulations 2004 (No. 9)<sup>1</sup>**

**Statutory Rules 2004 No. 249<sup>2</sup>**

---

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Superannuation Industry (Supervision) Act 1993*.

Dated 5 August 2004

P. M. JEFFERY  
Governor-General

By His Excellency's Command

MALCOLM BROUGH  
Minister for Revenue and Assistant Treasurer

---

**1 Name of Regulations**

These Regulations are the *Superannuation Industry (Supervision) Amendment Regulations 2004 (No. 9)*.

**2 Commencement**

These Regulations commence on 20 September 2004.

**3 Amendment of *Superannuation Industry (Supervision) Regulations 1994***

Schedule 1 amends the *Superannuation Industry (Supervision) Regulations 1994*.

**Schedule 1 Amendments**

(regulation 3)

**[1] Subregulation 1.03 (1), definition of *market linked income stream***

*omit*

or subregulation 1.06 (8).

*insert*

of subregulation 1.06 (8).

**[2] Subparagraph 1.05 (2) (f) (iii)**

*substitute*

(iii) if the eligible termination payment resulting from the commutation is transferred directly for the purpose of purchasing another benefit provided under:

(A) a contract that meets the standards of this subregulation or subregulation (3), (9) or (10); or

- (B) rules that meet the standards of subregulation 1.06 (2), (3), (7) or (8); or
- (C) terms and conditions that meet the standards of subregulation 1.07 (3A) of the RSA Regulations; or

**[3] Subparagraph 1.06 (2) (e) (iii)**

*substitute*

- (iii) if the eligible termination payment resulting from the commutation is transferred directly for the purpose of purchasing another benefit provided under:
  - (A) rules that meet the standards of this subregulation or subregulation (3), (7) or (8); or
  - (B) a contract that meets the standards of subregulation 1.05 (2), (3), (9) or (10); or
  - (C) terms and conditions that meet the standards of subregulation 1.07 (3A) of the RSA Regulations; or

**Notes**

1. These Regulations amend Statutory Rules 1994 No. 57, as amended by 1994 Nos. 189 and 432; 1995 Nos. 47, 64, 142, 158, 159, 240, 293, 384 and 430; 1996 Nos. 44, 57, 122 and 344; 1997 Nos. 69, 117, 152, 153, 221, 243, 293, 309, 343 and 415; 1998 Nos. 76, 83, 108, 175, 177, 193, 240 and 312; 1999 Nos. 14, 31, 115, 239, 317 and 356; 2000 Nos. 119, 151, 185, 280 and 281; 2001 Nos. 37, 352 and 353; 2002 Nos. 21, 91, 150, 171, 200 and 353; 2003 Nos. 42, 170, 171, 196 (disallowed by the Senate on 18 September 2003) and 251; 2004 Nos. 12, 84, 113, 148, 152, 153, 154 and 155.
2. Notified in the *Commonwealth of Australia Gazette* on 12 August 2004.