



Retirement Savings Accounts Amendment Regulations 2011 (No. 2)

Select Legislative Instrument 2011 No. 148

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Retirement Savings Accounts Act 1997*.

Dated 4 August 2011

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

BILL SHORTEN
Minister for Financial Services and Superannuation

1 Name of Regulations

These Regulations are the *Retirement Savings Accounts Amendment Regulations 2011 (No. 2)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Retirement Savings Accounts Regulations 1997*

Schedule 1 amends the *Retirement Savings Accounts Regulations 1997*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 3.05

omit

An RSA

insert

(1) An RSA

[2] Regulation 3.05

insert

(2) Subregulation (1) does not apply if, under a law of the Commonwealth, a State or a Territory mentioned in the table, a court makes a forfeiture order (however called) forfeiting part or all of the benefits of the RSA holder to the Commonwealth, a State or a Territory.

Item	Law	Provision(s)
<i>Commonwealth</i>		
1.1	<i>Proceeds of Crime Act 2002</i>	Section 47 Section 48 Section 49 Section 92
<i>New South Wales</i>		
2.1	<i>Confiscation of Proceeds of Crime Act 1989</i>	Subsection 18 (1)
2.2	<i>Criminal Assets Recovery Act 1990</i>	Section 22
<i>Victoria</i>		
3.1	Confiscation Act 1997	Division 1 of Part 3 Section 35 Part 4 Subsection 157 (6)
<i>Queensland</i>		
4.1	<i>Criminal Proceeds Confiscation Act 2002</i>	Section 58 Section 58A Section 151 Part 5 of Chapter 3
<i>Western Australia</i>		
5.1	<i>Criminal Property Confiscation Act 2000</i>	Section 30, to the extent that it applies to confiscation under section 6 in satisfaction of a person's liability under section 20 Section 30, to the extent that it applies to confiscation under section 7
<i>South Australia</i>		
6.1	<i>Criminal Assets Confiscation Act 2005</i>	Section 47
<i>Tasmania</i>		
7.1	<i>Crime (Confiscation of Profits) Act 1993</i>	Section 16

Item	Law	Provision(s)
<i>Australian Capital Territory</i>		
8.1	<i>Confiscation of Criminal Assets Act 2003</i>	Section 54 Section 58 Section 62 Section 67
<i>Northern Territory</i>		
9.1	<i>Criminal Property Forfeiture Act 2002</i>	Section 75 Section 76 Section 80 Section 96 Section 97 Section 99

[3] After subregulation 4.20 (1)

insert

- (1A) Subregulation (1) does not apply if, under a law of the Commonwealth, a State or a Territory mentioned in the table, a court makes a forfeiture order (however called) forfeiting part or all of the benefits of the RSA holder to the Commonwealth, a State or a Territory.

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9.1	<i>Criminal Property Forfeiture Act 2002</i>	Section 75 Section 76 Section 80 Section 96 Section 97 Section 99

[4] Subregulation 4.26 (1)

after

Subject to

insert

subregulation (1A) and

[5] After subregulation 4.26 (1)

insert

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