



Tax and Superannuation Laws Amendment (2014 Measures No. 4) Regulation 2014

Select Legislative Instrument No. 211, 2014

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),
Governor-General of the Commonwealth of Australia, acting with the
advice of the Federal Executive Council, make the following regulation.

Dated 11 December 2014

Peter Cosgrove
Governor-General

By His Excellency's Command

Mathias Cormann
Minister for Finance
for the Treasurer

OPC60947 - D

Contents

1	Name	1
2	Commencement	1
3	Authority	1
4	Schedules.....	1
Schedule 1—Pass Through of Employee Details		2
<i>Superannuation Industry (Supervision) Regulations 1994</i>		<i>2</i>
Schedule 2—Operation Highroad		4
<i>Income Tax Regulations 1936</i>		<i>4</i>

1 Name

This is the *Tax and Superannuation Laws Amendment (2014 Measures No. 4) Regulation 2014*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under the following Acts:

- (a) the *Superannuation Industry (Supervision) Act 1993*;
- (b) the *Income Tax Assessment Act 1936*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Pass Through of Employee Details

Superannuation Industry (Supervision) Regulations 1994

1 After regulation 7.07E

Insert:

7.07EA Employee details may be passed through default fund

- (1) An employer may comply with regulation 7.07E by giving to a default fund for the employer information that would otherwise be required by that regulation to be given to any other regulated superannuation fund.
- (2) If the employer gives information as mentioned in subregulation (1), the employer:
 - (a) must give the information on the same day that the information would otherwise be required to be given to the other regulated superannuation fund; and
 - (b) in doing so, must comply with any applicable Standards made under subsection 34K(3) of the Act.
- (3) The default fund must pass the information on to the other regulated superannuation fund and, in doing so, comply with any applicable Standards made under subsection 34K(3) of the Act.
- (4) In this regulation:

default fund, in relation to an employer, means an RSE licensee:

 - (a) authorised to offer a MySuper product under section 29T of the Act; and
 - (b) to which the employer mentioned in subregulation (1) makes contributions for the benefit of any of its employees in compliance with subsection 32C(2) of the *Superannuation Guarantee (Administration) Act 1992*.

2 Regulation 7.07F

Repeal the regulation, substitute:

7.07F Information and contributions sent electronically

- (1) A regulated superannuation fund must be able to receive the following electronically:
 - (a) contributions sent to the fund by an employer;
 - (b) information sent to the fund under regulation 7.07A in relation to a contribution;
 - (c) information sent to the fund under regulation 7.07E or 7.07EA;
 - (d) any other information relating to a contribution sent to the fund.
- (2) Subregulation (1) does not apply if:
 - (a) the fund is a self managed superannuation fund and the information or contribution is sent by a related party of the fund; or
 - (b) the information or contribution is not sent in accordance with any applicable Standards made under subsection 34K(3) of the Act.

Note: Standards made under subsection 34K(3) of the Act may set out additional requirements for how information and contributions are to be received by the fund.

3 At the end of Part 14

Add:

Division 14.5—Transitional arrangements arising out of the Tax and Superannuation Laws Amendment (2014 Measures No. 4) Regulation 2014

14.06 Arrangements

The amendments of these Regulations made by items 1 and 2 of Schedule 1 to the *Tax and Superannuation Laws Amendment (2014 Measures No. 4) Regulation 2014* apply on and after 1 July 2015.

Schedule 2—Operation Highroad

Income Tax Regulations 1936

1 At the end of regulation 7A

Add:

- ; (d) duty with the Defence Force on Operation Highroad in Afghanistan, including within the land territory, internal waters, airspace and superjacent airspace of Afghanistan, after 31 December 2014 and before the end of 30 June 2015.