

**Coal and Oil Shale Mine Workers
(Superannuation) Amendment
Bill 2006**

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Coal and Oil Shale Mine Workers (Superannuation) Act 1941* to repeal the prohibition of employment of a mine worker beyond the age of 60 and to provide for the minimum contribution to be made by an owner in respect of a mine worker to be 9% of a mine worker's ordinary time earnings.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the proposed Act to commence, or be taken to have commenced, on 1 July 2006.

Clause 3 is a formal provision that gives effect to the amendments to the *Coal and Oil Shale Mine Workers (Superannuation) Act 1941* (the **Principal Act**) set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

Schedule 1 Amendments

Schedule 1 [4] omits Part 2 of the Principal Act to repeal the prohibition of employment of a mine worker beyond the age of 60.

Schedule 1 [1]–[3] and [5]–[7] make consequential amendments.

Schedule 1 [8] amends section 19 of the Principal Act to provide that if the total contributions otherwise payable by an owner for a mine worker under that section are less than 9% of a mine worker's ordinary time earnings then the contribution payable by the owner for the mine worker is 9% of the mine worker's ordinary time earnings. Certain amounts required to be paid by an owner for crediting to Part 3 of the Fund are excluded from this provision.

Schedule 1 [11] amends section 19 of the Principal Act to define **ordinary time earnings** as having the same meaning it has in section 6 (1) of the *Superannuation Guarantee (Administration) Act 1992* of the Commonwealth.

Schedule 1 [10] amends section 19 of the Principal Act to provide for superannuation contributions under the Principal Act to be paid not later than 21 days after the end of each month, instead of after the end of the relevant pay period, as currently provided. **Schedule 1 [9]** makes a consequential amendment.

Schedule 1 [12] amends section 19AC of the Principal Act to provide for information to be provided to the Corporate Trustee by an owner no later than 21 days after the end of each month, instead of at the end of each week, as currently provided.

Schedule 1 [13] inserts a power to make consequential savings and transitional regulations.

Schedule 1 [14] inserts savings and transitional provisions.