



Superannuation Guarantee Charge Act 1992

Act No. 93 of 1992 as amended

This compilation was prepared on 1 July 2003
taking into account amendments up to Act No. 52 of 2002

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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Contents

1	Short title [<i>see</i> Note 1].....	1
2	Commencement.....	1
3	Incorporation of the Superannuation Guarantee (Administration) Act	1
4	Act binds Crown.....	1
5	Imposition of charge.....	1
6	Amount of charge.....	1
7	Severability.....	2

Notes

3

An Act to impose a charge on any shortfall in the amount contributed by employers to RSAs or superannuation funds for the benefit of employees

1 Short title [see Note 1]

This Act may be cited as the *Superannuation Guarantee Charge Act 1992*.

2 Commencement

This Act commences on 1 July 1992.

3 Incorporation of the Superannuation Guarantee (Administration) Act

The *Superannuation Guarantee (Administration) Act 1992* is incorporated and is to be read as one with this Act.

4 Act binds Crown

This Act binds the Crown in right of each State, the Australian Capital Territory and the Northern Territory.

5 Imposition of charge

Charge is imposed on any superannuation guarantee shortfall of an employer for a quarter.

6 Amount of charge

The amount of superannuation guarantee charge payable on a superannuation guarantee shortfall of an employer for a quarter is an amount equal to the amount of the shortfall.

7 Severability

It is the intention of the Parliament that if, but for this section, section 5 would impose a superannuation guarantee charge on a State that exceeds the legislative power of the Commonwealth, section 5 of this Act has effect as if it did not impose that charge.

Table of Acts**Notes to the *Superannuation Guarantee Charge Act 1992*****Note 1**

The *Superannuation Guarantee Charge Act 1992* as shown in this compilation comprises Act No. 93, 1992 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Superannuation Guarantee Charge Act 1992</i>	93, 1992	30 June 1992	1 July 1992	
<i>Retirement Savings Accounts (Consequential Amendments) Act 1997</i>	62, 1997	28 May 1997	2 June 1997 (<i>see</i> s. 2 and <i>Gazette</i> 1997, No. S202)	—
<i>Superannuation Guarantee Charge Amendment Act 2002</i>	52, 2002	29 June 2002	Schedule 1: 1 July 2003 Remainder: Royal Assent	Sch. 1 (item 3)

Table of Amendments

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ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Title.....	am. No. 62, 1997
Ss. 5, 6.....	am. No. 52, 2002

Table A

Table A

Application, saving or transitional provisions

Superannuation Guarantee Charge Amendment Act 2002 (No. 52, 2002)

Schedule 1

3 Application of amendments

The amendments made by this Schedule apply in relation to superannuation guarantee shortfalls under the *Superannuation Guarantee (Administration) Act 1992* for quarters that commence on or after 1 July 2003.