



SUPERANNUATION INDUSTRY (SUPERVISION) ACT 1993 - SECT 17B

Definition of self managed superannuation fund--remuneration of trustees etc.

(1) [Paragraphs](#) 17A(1)(f) and (2)(c) do not apply to remuneration for any duties or services performed by a trustee of a [fund](#), if:

- (a) the trustee performs the duties or services other than in the capacity of trustee; and
- (b) the trustee is appropriately qualified, and holds all necessary licences, to perform the duties or services; and
- (c) the trustee performs the duties or services in the ordinary course of a business, carried on by the trustee, of performing similar duties or services for the public; and
- (d) the remuneration is no more favourable to the trustee than that which it is reasonable to expect would apply if the trustee were dealing with the relevant other party at arm's length in the same circumstances.

(2) [Paragraphs](#) 17A(1)(g) and (2)(d) do not apply to remuneration for any duties or services performed by a director of a body corporate that is a trustee of a [fund](#), if:

- (a) the director performs the duties or services other than:
 - (i) in the capacity of director; and
 - (ii) in connection with the body corporate's capacity of trustee; and
- (b) the director is appropriately qualified, and holds all necessary licences, to perform the duties or services; and
- (c) the director performs the duties or services in the ordinary course of a business, carried on by the director, of performing similar duties or services for the public; and
- (d) the remuneration is no more favourable to the director than that which it is reasonable to expect would apply if the director were dealing with the relevant other party at arm's length in the same circumstances.