



Determination of annual performance assessment

Superannuation Industry (Supervision) Act 1993

To: Energy Industries Superannuation Scheme Pty Ltd ABN 72 077 947 285 ('the Trustee'), as the trustee of Energy Industries Superannuation Scheme-Pool A ABN 22 277 243 559 ('the Fund')

Since:

- (a) the Fund is a regulated superannuation fund (other than a regulated superannuation fund with fewer than 5 members); and
- (b) the Fund offers Balanced (MySuper), Unique Identifier 22277243559311 ('the Assessed Product'), which is a Part 6A product; and
- (c) the Assessed Product is in the class of Part 6A product specified in relation to a financial year under subregulation 9AB.9(2) of the Regulations; and
- (d) information available to APRA on 15 August 2021 shows the performance measure for the Assessed Product for the assessment year does not equal or exceed -0.005,

I, Katrina Ellis a delegate of APRA, under subsection 60C(2) of the Act, DETERMINE that the requirement in subsection 60D(1) of the Act has not been met for the Assessed Product in relation to the assessment year.

Dated: 27 August 2021

A handwritten signature in black ink, appearing to read 'Katrina Ellis'.

Katrina Ellis

General Manager
Superannuation Division

Interpretation

In this determination:

Act means *Superannuation Industry (Supervision) Act 1993*.

assessment year means the 2020-21 financial year.

Part 6A product has the meaning given in subsection 60B(a) of the Act.

performance measure has the meaning given in subregulation 9AB.10(3) of the Regulations.

regulated superannuation fund has the meaning given in section 19 of the Act.

Regulations means the *Superannuation Industry (Supervision) Regulations 1994*.

Notes

Note 1: For the purposes of subsection 60D(1) of the Act, subregulation 9AB.10(2) of the Regulations specifies a requirement for all specified classes of Part 6A product in relation to the assessment year.

Note 2: In accordance with section 60E of the Act, the Trustee must ensure that each beneficiary of the Fund who holds the Assessed Product is given notice of this determination no later than 28 days after APRA gives the notification of this determination or, if APRA or ASIC informs the Trustee of a later day in accordance with subsection 60E(4) of the Act, no later than that later day. The notification of the fail assessment must be in form, and contain the information of a kind, specified in regulation 9AB.19 of the Regulations.

