



# **Family Law (Superannuation) (Provision of Information — NSW Parliamentary Contributory Superannuation Scheme) Determination 2010<sup>1</sup>**

*Family Law (Superannuation) Regulations 2001*

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I, ROBERT McCLELLAND, Attorney-General, make this Determination under subregulations 64 (7) and (7B) of the *Family Law (Superannuation) Regulations 2001*.

Dated 21 December 2010

ROBERT McCLELLAND  
Attorney-General

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## Contents

1	Name of Determination	2
2	Commencement	2
3	Definitions	2
4	Application of Determination	2
5	Provision of information by trustee	3

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### 1 Name of Determination

This Determination is the *Family Law (Superannuation) (Provision of Information — NSW Parliamentary Contributory Superannuation Scheme) Determination 2010*.

### 2 Commencement

This Determination commences on the day after it is registered.

### 3 Definitions

(1) In this Determination:

***M & F Approval*** means the *Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Approval 2003*.

***PCS Act*** means the *Parliamentary Contributory Superannuation Act 1971* (NSW).

***PCS Scheme*** means the Parliamentary Contributory Superannuation Scheme established by the PCS Act.

***Regulations*** means the *Family Law (Superannuation) Regulations 2001*.

(2) For this Determination, a reference to ‘the relevant date’ in the definition of a factor in the M & F Approval mentioned in column 4 of an item of the table in section 5 is to be read as if it were a reference to ‘the appropriate date’.

### 4 Application of Determination

This Determination applies to a superannuation interest in the PCS Scheme for which a method and factors have been approved under Part 10 of Schedule 2 to the M & F Approval.

## 5 Provision of information by trustee

In relation to a superannuation interest mentioned in an item in the following table:

- (a) for paragraphs 64 (7) (a) and (7B) (a) of the Regulations, the trustee of the PCS Scheme is not required to provide the information about the interest mentioned in column 3 of the item; and
- (b) for paragraphs 64 (7) (b) and (7B) (b) of the Regulations, the trustee of the PCS Scheme must provide the information about the interest mentioned in column 4 of the item.

Item	Superannuation Interest	Information not required to be provided	Information that must be provided
1	An interest mentioned in clause 2 of Part 10 of Schedule 2 to the M & F Approval	The information mentioned in paragraphs 64 (4) (a) to (i) of the Regulations	
2	An interest mentioned in clause 10 of Part 10 of Schedule 2 to the M & F Approval	The information mentioned in subparagraphs 64 (3) (b) (ii), (iv) and (v) of the Regulations	The following information: <ul style="list-style-type: none"> <li>(a) <b>CP</b> and <b>R</b> (as those terms are defined in the table in clause 10 of Part 10 of Schedule 2 to the M &amp; F Approval);</li> <li>(b) the date of birth of the person who has the interest</li> </ul>
3	An interest mentioned in clause 11 of Part 10 of Schedule 2 to the M & F Approval	The information mentioned in subparagraphs 64 (3) (b) (ii), (iv) and (v) of the Regulations	The following information: <ul style="list-style-type: none"> <li>(a) <b>P</b> and <b>R</b> (as those terms are defined in the table in clause 11 of Part 10 of Schedule 2 to the M &amp; F Approval);</li> <li>(b) the date of birth of the person who has the interest</li> </ul>
4	An interest mentioned in clause 12 of Part 10 of Schedule 2 to the M & F Approval	The information mentioned in paragraphs 64 (4A) (a) to (c) of the Regulations	The following information: <ul style="list-style-type: none"> <li>(a) <b>P</b> and <b>R</b> (as those terms are defined in the table in clause 12 of Part 10 of Schedule 2 to the M &amp; F Approval);</li> <li>(b) the date of birth of the person who has the interest</li> </ul>
5	An interest mentioned in clause 13 of Part 10 of Schedule 2 to the M & F Approval		The following information: <ul style="list-style-type: none"> <li>(a) <b>CP</b>, <b>P</b> and <b>R</b> (as those terms are defined in the table in clause 13 of Part 10 of Schedule 2 to the M &amp; F Approval);</li> <li>(b) the date of birth of the person who has the interest</li> </ul>

## Section 5

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Item	Superannuation Interest	Information not required to be provided	Information that must be provided
6	An interest mentioned in clause 14 of Part 10 of Schedule 2 to the M & F Approval		The following information: (a) <b>P</b> and <b>R</b> (as those terms are defined in the table in clause 14 of Part 10 of Schedule 2 to the M & F Approval); (b) the date of birth of the person who has the interest

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### Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.