

Family Law Legislation Amendment (Superannuation Valuation and Information) Instrument 2022

I, Michaelia Cash, Attorney‑General, make the following instrument.

Dated 25 March 2022

Michaelia Cash

Attorney‑General

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1 Name

This instrument is the *Family Law Legislation Amendment (Superannuation Valuation and Information) Instrument 2022*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | 29 April 2022. | 29 April 2022 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraph 38(1)(c) and subregulation 64(7AA) of the *Family Law (Superannuation) Regulations 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Approval 2003

1 Subclause 1(1) of Part 2 of Schedule 6 (definition of *Rules*)

Omit “Division 9”, substitute “Division 4”.

2 Subclause 1(1) of Part 2 of Schedule 6 (definition of *trust deed*)

Repeal the definition, substitute:

***trust deed*** means the declaration of trust dated 8 February 1988, made by Host‑Plus Pty Ltd, as amended and in force on 29 April 2022.

3 Subclause 1(2) of Part 2 of Schedule 6

Omit:

• Member’s Credit

4 Clause 2 of Part 2 of Schedule 6 (table item 1, column headed “Method or factor”, definition of *AB*)

Omit “Member’s Credit’, substitute “member’s accumulation benefit”.

Family Law (Superannuation) (Provision of Information—SA Local Government Superannuation Scheme) Determination 2003

5 After section 2

Insert:

2A Authority

This Determination is made under subregulation 64(7AA) of the *Family Law (Superannuation) Regulations 2001*.

6 Section 3 (definition of *Member’s Credit*)

Repeal the definition.

7 Section 3 (definition of *Rules*)

Omit “Division 9”, substitute “Division 4”.

8 Section 3 (definition of *trust deed*)

Repeal the definition, substitute:

***trust deed*** means the declaration of trust dated 8 February 1988, made by Host‑Plus Pty Ltd, as amended and in force on 29 April 2022.

9 Section 5

Omit “paragraph 64(7)(b)”, substitute “the purposes of paragraph 64(7AA)(c)”.

10 Paragraph 5(a)

Omit “Member’s Credit”, substitute “member’s accumulation benefit”.