



Family Law (Superannuation) Amendment (Unsplittable Interests) Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 16 October 2023

David Hurley
Governor-General

By His Excellency's Command

Mark Dreyfus KC
Attorney-General

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1 Name

This instrument is the *Family Law (Superannuation) Amendment (Unsplittable Interests) Regulations 2023*.

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	The day after this instrument is registered.	18 October 2023

Note: This table relates only to the provisions of this instrument as originally made.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 the *Family Law Act 1975*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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) Regulations 2001

1 At the end of subregulation 11(2)

Add:

- ; (c) a superannuation interest in the scheme constituted by the *Parliamentary Contributory Superannuation Act 1948*.

2 Part 8 (heading)

Repeal the heading, substitute:

Part 8—Application, saving and transitional provisions

3 Regulation 73

Omit “transitional”, substitute “application, saving and transitional”.

4 At the end of Part 8

Add:

75 Amendments made by Family Law (Superannuation) Amendment (Unsplittable Interests) Regulations 2023

Paragraph 11(2)(c), as added by the *Family Law (Superannuation) Amendment (Unsplittable Interests) Regulations 2023*, applies in relation to a superannuation interest identified in an agreement or a court order under Part VIII B or VIII C of the Act, that:

- (a) provides for a payment split in respect of that interest; and
- (b) is made on or after the commencement of that instrument.