

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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 VIIIB or VIIIC 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.