



Superannuation Industry (Supervision) (related party assets) determination No. 1 of 2010

Superannuation Industry (Supervision) Act 1993

I, Keith Chapman, a delegate of APRA, under paragraph 66(2)(d) of the *Superannuation Industry (Supervision) Act 1993* (the Act), DETERMINE that the kinds of assets specified in the Schedule attached to this instrument may be acquired from a related party of a regulated superannuation fund in a class of regulated superannuation funds specified in the Schedule attached to this instrument.

This determination takes effect upon registration on the Federal Register of Legislative Instruments.

Dated 19 July 2010

[Signed]

Keith Chapman
Executive General Manager
Supervisory Support Division

Interpretation

Document ID: 184276

In this instrument

APRA means the Australian Prudential Regulation Authority.

Federal Register of Legislative Instruments means the register established under section 20 of the *Legislative Instruments Act 2003*.

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

related party has the meaning given in subsection 10(1) of the Act.

Note 1 This instrument is a legislative instrument for the purposes of the *Legislative Instruments Act 2003* (the LIA) (see paragraph 66(2B) of the Act and paragraph 6(d)(i) of the LIA).

Schedule - the kinds of assets which may be acquired from a related party

Units in a unit trust where:

- (i) the unit trust is registered as a managed investment scheme under subsection 601EB(1) of the *Corporations Act 2001*;
- (ii) the trustee of the unit trust is the responsible entity of the registered scheme;
- (iii) the trustee of the unit trust is a related party of the regulated superannuation fund;
and
- (iv) the units are acquired at market value,
are assets of a kind which may be acquired by a regulated superannuation fund from a related party of the fund.

Interpretation

In this Schedule

market value has the meaning given in subsection 10(1) of the Act.

Schedule - the class of regulated superannuation funds which may acquire assets of the specified kinds from a related party

This determination applies to all regulated superannuation funds other than self managed superannuation funds.

Interpretation

In this Schedule

self managed superannuation fund has the meaning given in section 17A of the Act.