



Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Amendment Approval 2023

I, Mark Dreyfus KC, Attorney-General, make the following approval.

Dated 9 May 2023

Mark Dreyfus KC
Attorney-General

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1 Name

This instrument is the *Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Amendment Approval 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	12 May 2023.	12 May 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Note: This table relates only to the provisions of this instrument as originally made.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 regulations 38 and 43A 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Part 22 of Schedule 10 (heading)

Omit “Energy Industries Superannuation Scheme”, substitute “Construction and Building Unions Superannuation Fund”.

2 Clause 1 of Part 22 of Schedule 10

Insert:

Cbus means the Construction and Building Unions Superannuation Fund established by the Trust Deed.

3 Clause 1 of Part 22 of Schedule 10 (definition of *Early Retirement Age*)

Omit “rule 1.1”, substitute “sub-clause 1.1”.

4 Clause 1 of Part 22 of Schedule 10 (definition of *EISS*)

Repeal the definition.

5 Clause 1 of Part 22 of Schedule 10 (definition of *Rules*)

Repeal the definition, substitute:

Rules means the rules set out in Annexure 1 of the Pool B Sub-Division Rules in the Defined Benefits Section of the Trust Deed.

6 Clause 1 of Part 22 of Schedule 10 (definition of *Trust Deed*)

Repeal the definition, substitute:

Trust Deed means the Trust Deed dated 29 May 1984, entered into by United Super Pty Ltd, as in force on 12 May 2023.

7 Clause 2 of Part 22 of Schedule 10 (heading)

Omit “the EISS”, substitute “Cbus”.

8 Paragraph 2(a) of Part 22 of Schedule 10

Omit “the EISS”, substitute “Cbus”.

9 Clause 2 of Part 22 of Schedule 10 (table item 1, column headed “Interest in the growth phase”)

Omit “the EISS if the person has elected to make provision for a benefit provided by rule 5.10”, substitute “Cbus if the person has elected to make provision for a benefit provided by sub-clause 5.10”.

10 Clause 2 of Part 22 of Schedule 10 (table item 1, column headed “Method or factor”, definition of *CFB*)

Omit “paragraph 5.10.8 (a)”, substitute “sub-clause 5.10(j)(i)”.

**11 Clause 2 of Part 22 of Schedule 10 (table item 1, column headed
“Method or factor”, definition of *EFB*)**

Omit “paragraph 5.10.8 (b)”, substitute “sub-clause 5.10(j)(ii)”.