

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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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