

Taxation Administration (Meaning of End Benefit) Instrument 2024

I, Stephen Jones, Assistant Treasurer and Minister for Financial Services, make the following instrument.

Dated 1 February 2024

Stephen Jones

Assistant Treasurer  
Minister for Financial Services

Contents

Part 1—Preliminary 1

1 Name 1

2 Commencement 1

3 Authority 1

4 Schedules 1

5 Definitions 1

Part 2—Meaning of *end benefit* 3

6 Specified superannuation benefits that are not end benefits 3

Schedule 1—Repeals 4

Taxation Administration Act 1953 (Meaning of End Benefit) Instrument 2013 4

Part 1—Preliminary

1 Name

This instrument is the *Taxation Administration (Meaning of End Benefit) Instrument 2024*.

2 Commencement

(1) Each provision of 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. |  |

Note: This table relates only to the provisions of this instrument as originally made.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 *Taxation Administration Act 1953*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

Note: Expressions have the same meaning in this instrument as in the *Taxation Administration Act 1953*as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

In this instrument:

***end benefit*** has the meaning given by the *Income Tax Assessment Act 1997*.

***family law superannuation payment*** has the meaning given by the *Income Tax Assessment Act 1997*.

***superannuation benefit*** has the meaning given by the *Income Tax Assessment Act 1997*.

***the Act*** means the *Taxation Administration Act 1953*.

Part 2—Meaning of *end benefit*

6 Specified superannuation benefits that are not end benefits

Under subsection 133-130(2) in Schedule 1 to the Act, all of the following superannuation benefits are specified for the purposes of paragraph 133‑130(1)(d) in Schedule 1 to the Act:

(a) family law superannuation payment.

Note: A superannuation benefit specified for the purposes of paragraph 133‑130(1)(d) in Schedule 1 to the Act is excluded from being an end benefit.

Schedule 1—Repeals

Taxation Administration Act 1953 (Meaning of End Benefit) Instrument 2013

The whole of the instrument

Repeal the instrument.