

SUPERANNUATION SPLITTING LEGISLATION

**362. Hon NICK GOIRAN to the parliamentary secretary representing the Attorney General:**

I refer to superannuation splitting laws that allow superannuation to be divided when a marriage or de facto relationship breaks down.

- (1) Is the Attorney General aware that de facto couples in Western Australia are not currently subject to superannuation splitting laws?
- (2) Is he aware that on 3 December 2020 our federal Parliament enacted the Family Law Amendment (Western Australia De Facto Superannuation Splitting and Bankruptcy) Act 2020 to allow superannuation splitting or transferring between de facto couples in Western Australia upon separation?
- (3) Will the McGowan government expedite the introduction of a bill to support the operation of this reform?
- (4) If yes to (3), when is this intended to occur?

**Hon MATTHEW SWINBOURN replied:**

I thank the member for some notice of the question. I provide the following response on behalf of the Attorney General.

- (1)–(4) The McGowan government is aware of the injustice stemming from the Family Court of Western Australia being unable to split superannuation for de facto couples. As a result of the WA Attorney General's approaches to commonwealth Attorneys-General dating back to 2017, the commonwealth government eventually acted to remedy the situation. The commonwealth Parliament passed the Family Law Amendment (Western Australian De Facto Superannuation Splitting and Bankruptcy) Act 2020, which received royal assent on 8 December 2020. Amendments to the Western Australian Family Court Act 1997 to facilitate the changes made by the commonwealth act will be introduced into the Parliament as soon as practicable.