



THE HON. CHRISTIAN PORTER MP
Attorney-General

Media Release

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Breakthrough on super-splitting for WA de facto couples

Separated de facto couples in Western Australia will soon be able to achieve a fair split of their superannuation assets in property settlements.

“De facto couples in the West have, for too long, had to put up with a situation regarding the treatment of super assets in property settlements which is different to the rest of the country,” the Attorney-General, Christian Porter, said.

“This has disadvantaged many people, particularly women, in property settlements. It has resulted in inequitable splits of property, especially in situations where superannuation is the main asset – as occurs often when housing property is heavily mortgaged.”

The Attorney-General said the Morrison Government would amend the *Family Law Act 1975* as soon as possible to allow for the move, ending a decade-old stalemate between the WA and Commonwealth Governments.

“This will at last mean that separating de facto couples in Western Australia can be treated fairly by the courts and, in terms of superannuation, consistently with de facto couples across the country,” the Attorney-General said.

“All other states long ago fully referred powers to the Commonwealth, which allowed superannuation and other assets to be split in family law property settlements.

“The Morrison Government will accept the limited referral provided by Western Australian to ensure superannuation can be split. Other aspects of property division will still be kept within WA state law.

“The limited nature of the referral complicates the legislative process, but I would hope that the necessary legislative amendments can be dealt with through 2019 to allow for the super-splitting to take effect from the beginning of the following year.”