

EXPOSURE DRAFT



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Taxation Administration (Meaning of End Benefit) Instrument 2024

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

Dated 2024

Stephen Jones **[DRAFT ONLY—NOT FOR SIGNATURE]**

Assistant Treasurer

Minister for Financial Services

EXPOSURE DRAFT

EXPOSURE DRAFT

Contents

Part 1—Preliminary	1
1 Name	1
2 Commencement	1
3 Authority.....	1
4 Schedules	1
5 Definitions	1
Part 2—Meaning of <i>end benefit</i>	3
6 Specified superannuation benefits that are not end benefits.....	3
Schedule 1—Repeals	4
<i>Taxation Administration Act 1953 (Meaning of End Benefit) Instrument 2013</i>	4

EXPOSURE DRAFT

Preliminary **Part 1**

Section 1

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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 benefit has the meaning given by the *Income Tax Assessment Act 1997*.

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

EXPOSURE DRAFT

Part 1 Preliminary

Section 5

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.

EXPOSURE DRAFT

Schedule 1 Repeals

Schedule 1—Repeals

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

The whole of the instrument

Repeal the instrument.