

LEGAL AFFAIRS — SUPERANNUATION SPLITTING

180. Hon Alison Xamon to the Leader of the House representing the Attorney General:

I refer to the lack of provision for superannuation splitting in Western Australia in circumstances where the relationship ends where that relationship was not covered under Commonwealth family law, and I ask:

- (a) will the Government move amendments to address this anomaly which in particular disadvantages women and people in same sex relationships;
- (b) if yes to (a), when; and
- (c) if no to (a), why not?

**Hon Sue Ellery replied:**

(a)–(c) The former Labor Government and the Hon Jim McGinty MLA referred these powers through the *Commonwealth Powers (De Facto Relationships) Act 2006* which were not taken up by the then Federal Government. The Attorney General has written to his Commonwealth counterpart, Senator George Brandis QC, and initiated bilateral discussions.

A number of policy positions and legislative amendments are currently under consideration and will be taken to Cabinet when it is possible to do so.

The Attorney General shares the Member's concerns that Western Australians are disadvantaged and is seeking to pursue equity for all couples.