



Superannuation in Family Law

- Superannuation interests in Australia are treated as property interests and needs to be identified and valued.
- In most cases, the superannuation will not be available to the parties as they have not yet reached a relevant retirement age and/or retired from the workforce.
- However, that does not prevent the Court from effectively valuing and treating the superannuation interests as notional property of that party today.
- Each party can agree to keep their own superannuation interests at current values, or alternatively, there are provisions to allow the splitting of superannuation interests between the parties.
- The splitting of superannuation interests is not straightforward and legal advice should be sought to assist with the drafting and implementation of such arrangements.