

***SMSFR 2010/1A1 - Addendum - Self Managed Superannuation Funds: the application of subsection 66(1) of the Superannuation Industry (Supervision) Act 1993 to the acquisition of an asset by a self managed superannuation fund from a related party***

⚠ This cover sheet is provided for information only. It does not form part of *SMSFR 2010/1A1 - Addendum - Self Managed Superannuation Funds: the application of subsection 66(1) of the Superannuation Industry (Supervision) Act 1993 to the acquisition of an asset by a self managed superannuation fund from a related party*

⚠ View the [consolidated version](#) for this notice.



---

## Addendum

---

### **Self Managed Superannuation Funds Ruling**

### Self Managed Superannuation Funds: the application of subsection 66(1) of the *Superannuation Industry (Supervision) Act 1993* to the acquisition of an asset by a self managed superannuation fund from a related party

This Addendum amends SMSFR 2010/1 to incorporate law change.

SMSFR 2010/1 is amended as follows:

**1. Paragraph 68**

- (a) Omit 'fewer than 5 members'; substitute 'no more than the maximum number of allowable members'.
- (b) Omit the wording of footnote 38; substitute:

Paragraph 66(2)(b). A former SMSF will not qualify for this exception if it has more than the maximum number of allowable members. From 1 July 2021 the maximum number of members increased from 4 to 6. See *Treasury Laws Amendment (Self Managed Superannuation Funds) Act 2021*.

**2. Paragraph 85**

- (a) In the second dot point, omit 'fewer than five'; substitute 'no more than the maximum number of'.
- (b) Omit the wording of footnote 56; substitute:

A former SMSF will not qualify for this exception if it had more than 4 members prior to 1 July 2021 or more than 6 members on or after that date.

**3. Paragraph 117**

- (a) Omit 'fewer than five'; substitute 'no more than the maximum number of'.
- (b) Omit the wording of footnote 74; substitute:

A former SMSF will not qualify for this exception if it had more than 4 members prior to 1 July 2021 or more than 6 members on or after that date.

This Addendum applies from 1 July 2021.

# SMSFR 2010/1

---

---

**Commissioner of Taxation**

15 November 2023

---

ATO references

NO: 1-W971PM6

ISSN: 1835-2146

BSL: SEO

---

© AUSTRALIAN TAXATION OFFICE FOR THE COMMONWEALTH OF AUSTRALIA

You are free to copy, adapt, modify, transmit and distribute this material as you wish (but not in any way that suggests the ATO or the Commonwealth endorses you or any of your services or products).