



Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Act 2015

No. 173, 2015

**An Act to amend the law relating to family
assistance, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

Contents

1	Short title.....	2
2	Commencement.....	2
3	Schedules.....	2
	Schedule 2—Family tax benefit Part B rate	3
	<i>A New Tax System (Family Assistance) Act 1999</i>	3



Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Act 2015

No. 173, 2015

**An Act to amend the law relating to family
assistance, and for related purposes**

[Assented to 11 December 2015]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Act 2015*.

2 Commencement

- (1) Each provision of this Act 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. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	11 December 2015
3. Schedule 2	1 July 2016.	1 July 2016

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 2—Family tax benefit Part B rate

A New Tax System (Family Assistance) Act 1999

4 At the end of Subdivision AA of Division 1 of Part 4 of Schedule 1

Add:

28D Member of a couple whose youngest FTB child has turned 13

- (1) Despite Subdivisions A and B, an individual's Part B rate is nil if:
 - (a) the individual is a member of a couple; and
 - (b) the youngest FTB child of the individual has turned 13 years of age.
- (2) Subclause (1) does not apply if the individual is a grandparent or great-grandparent of that FTB child.
- (3) In determining, for the purposes of this clause, whether an individual is a *grandparent* or *great-grandparent* of another person, treat the following relationships as if they were biological child-parent relationships:
 - (a) the relationship between an adopted child and his or her adoptive parent;
 - (b) the relationship between a step-child and his or her step-parent;
 - (c) the relationship between a relationship child and his or her relationship parent.
- (4) In this clause:

adoptive parent, of a person (the *child*), means the person who adopted the child under a law of any place (whether in Australia or not) relating to the adoption of children.

step-parent, of a person (the *child*), means the person who:

- (a) is the current or former partner of the biological parent, adoptive parent or relationship parent of the child; and

(b) is not the biological parent, adoptive parent or relationship parent of the child.

10 Application and transitional provisions

- (1) The amendments made by this Schedule apply in relation to working out the rate of family tax benefit for days on or after the commencement of this Schedule.
-

*[Minister's second reading speech made in—
House of Representatives on 21 October 2015
Senate on 30 November 2015]*

(183/15)
