





# **Social Services and Other Legislation Amendment (More Support in the Safety Net) Act 2024**

**No. 66, 2024**

**An Act to amend the law relating to social security,  
family assistance and veteran entitlements, and for  
related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation  
(<https://www.legislation.gov.au/>)



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**An Act to amend the law relating to social security,  
family assistance and veteran entitlements, and for  
related purposes**

*[Assented to 9 July 2024]*

The Parliament of Australia enacts:

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*No. 66, 2024      Social Services and Other Legislation Amendment (More Support in  
the Safety Net) Act 2024      1*

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## 1 Short title

This Act is the *Social Services and Other Legislation Amendment (More Support in the Safety Net) Act 2024*.

## 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.

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Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day this Act receives the Royal Assent.	9 July 2024

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Note: This table relates only to the provisions of this Act as originally enacted.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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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 1—Increased support for Commonwealth rent assistance recipients**

### *A New Tax System (Family Assistance) Act 1999*

**1 Subparagraph 38C(1)(f)(i) of Schedule 1**

Omit “\$4,807.05”, substitute “\$5,000.50”.

**2 Subparagraph 38C(1)(f)(ii) of Schedule 1**

Omit “\$7,102.90”, substitute “\$7,391.25”.

**3 Subparagraphs 38C(1)(f)(iii) and (iv) of Schedule 1**

Omit “\$4,807.05”, substitute “\$5,000.50”.

**4 Subparagraph 38C(1)(fa)(i) of Schedule 1**

Omit “\$3,657.30”, substitute “\$3,803.30”.

**5 Subparagraph 38C(1)(fa)(ii) of Schedule 1**

Omit “\$5,945.85”, substitute “\$6,186.75”.

**6 Subparagraphs 38C(1)(fa)(iii) and (iv) of Schedule 1**

Omit “\$3,657.30”, substitute “\$3,803.30”.

**7 Clause 38D of Schedule 1 (table)**

Repeal the table, substitute:

**Schedule 1** Increased support for Commonwealth rent assistance recipients

**Rent assistance payable to individual who has at least one FTB child and who is not a relevant shared carer**

**(Part A—Method 1)**

Column 1 Family situation	Column 2 Rate A	Column 3 Rate B	Column 3A	Column 3B
			1 or 2 rent assistance children	3 or more rent assistance children
1 Not member of a couple	$\left( \frac{\text{Annual rent} - \$5,000.50}{4} \right) \times 3$	\$6,343.70	\$6,343.70	\$7,168.60
2 Member of a couple other than a person who is partnered (partner in gaol) or a member of an illness separated couple, a respite care couple or a temporarily separated couple	$\left( \frac{\text{Annual rent} - \$7,391.25}{4} \right) \times 3$	\$6,343.70	\$6,343.70	\$7,168.60
3 Person who is partnered (partner in gaol) or a member of an illness separated couple or a respite care couple	$\left( \frac{\text{Annual rent} - \$5,000.50}{4} \right) \times 3$	\$6,343.70	\$6,343.70	\$7,168.60
4 Member of a temporarily separated couple	$\left( \frac{\text{Annual rent} - \$5,000.50}{4} \right) \times 3$	\$6,343.70	\$6,343.70	\$7,168.60

**8 Clause 38E of Schedule 1 (table)**

Repeal the table, substitute:

<b>Rent assistance payable to individual who is a relevant shared carer or who has only one or more regular care children</b>		
<b>(Part A—Method 1 or 3)</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Family situation</b>	<b>Rate A</b>	<b>Rate B</b>
1 Not member of a couple	$\left( \frac{\text{Annual rent} - \$3,803.30}{4} \right) \times 3$	\$5,431.20
2 Member of a couple other than a person who is partnered (partner in gaol) or a member of an illness separated couple, a respite care couple or a temporarily separated couple	$\left( \frac{\text{Annual rent} - \$6,186.75}{4} \right) \times 3$	\$5,099.05
3 Person who is partnered (partner in gaol) or a member of an illness separated couple or a respite care couple	$\left( \frac{\text{Annual rent} - \$3,803.30}{4} \right) \times 3$	\$5,431.20
4 Member of a temporarily separated couple	$\left( \frac{\text{Annual rent} - \$3,803.30}{4} \right) \times 3$	\$5,099.05

***Social Security Act 1991***

**9 Subsection 1070L(2) (table)**

Repeal the table, substitute:

**Schedule 1** Increased support for Commonwealth rent assistance recipients

<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate A</b>	<b>Rate B</b>
1	Not a member of a couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
2	Partnered and partner does not have rent increased pension	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{4}$	\$195.00
3	Partnered and partner: (a) is receiving a social security pension; and (b) has rent increased pension	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{8}$	Half the rate specified in column 4 of item 2
4	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and (b) has rent increased pension; and (c) does not have a dependent child or dependent children	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{8}$	Half the rate specified in column 4 of item 2
5	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and	$3 \times \frac{(\text{Fortnightly rent} - \$284.00)}{8}$	\$122.40

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<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate A</b>	<b>Rate B</b>
	(b) has rent increased pension; and (c) has 1 or 2 dependent children		
6	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and (b) has rent increased pension; and (c) has 3 or more dependent children	$3 \times \frac{(\text{Fortnightly rent} - \$284.00)}{8}$	\$137.20
7	Partnered—member of an illness separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
8	Partnered—member of a respite care couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
9	Partnered—member of a temporarily separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$195.00
10	Partnered (partner in gaol)	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00

**10 Subsection 1070M(2) (table)**

Repeal the table, substitute:

**Schedule 1** Increased support for Commonwealth rent assistance recipients

<b>Rate of rent assistance</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Rate A</b>	<b>Rate B</b>
1	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00

**11 Subsection 1070N(2) (table)**

Repeal the table, substitute:

<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate A</b>	<b>Rate B</b>
1	Not a member of a couple and: (a) in disability accommodation; or (b) independent	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
2	Partnered and partner does not have rent increased pension	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{4}$	\$195.00
3	Partnered and partner: (a) is receiving a social security pension; and (b) has rent increased pension	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{8}$	Half the rate specified in column 4 of item 2

<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate A</b>	<b>Rate B</b>
4	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and (b) has rent increased pension; and (c) does not have a dependent child or dependent children	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{8}$	Half the rate specified in column 4 of item 2
5	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and (b) has rent increased pension; and (c) has 1 or 2 dependent children	$3 \times \frac{(\text{Fortnightly rent} - \$284.00)}{8}$	\$122.40
6	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and (b) has rent increased pension; and (c) has 3 or more dependent children	$3 \times \frac{(\text{Fortnightly rent} - \$284.00)}{8}$	\$137.20

**Schedule 1** Increased support for Commonwealth rent assistance recipients

<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate A</b>	<b>Rate B</b>
7	Partnered—member of an illness separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
8	Partnered—member of a respite care couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
9	Partnered—member of a temporarily separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$195.00
10	Partnered (partner in gaol)	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00

**12 Subsection 1070P(2) (table)**

Repeal the table, substitute:

<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate A</b>	<b>Rate B</b>
1	Not a member of a couple and: (a) in disability accommodation; or (b) living away from the person's parental home permanently or indefinitely	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00

<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate A</b>	<b>Rate B</b>
2	Partnered and partner does not have rent increased pension	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{4}$	\$195.00
3	Partnered and partner: (a) is receiving a social security pension; and (b) has rent increased pension	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{8}$	Half the rate specified in column 4 of item 2
4	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and (b) has rent increased pension; and (c) does not have a dependent child or dependent children	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{8}$	Half the rate specified in column 4 of item 2
5	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and (b) has rent	$3 \times \frac{(\text{Fortnightly rent} - \$284.00)}{8}$	\$122.40

**Schedule 1** Increased support for Commonwealth rent assistance recipients

<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate A</b>	<b>Rate B</b>
	increased pension; and (c) has 1 or 2 dependent children		
6	Partnered and partner: (a) is receiving a service pension, income support supplement or a veteran payment; and (b) has rent increased pension; and (c) has 3 or more dependent children	$3 \times \frac{(\text{Fortnightly rent} - \$284.00)}{8}$	\$137.20
7	Partnered—member of an illness separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
8	Partnered—member of a respite care couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
9	Partnered—member of a temporarily separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$195.00
10	Partnered (partner in gaol)	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00

**13 Subsection 1070Q(2) (table)**

Repeal the table, substitute:

<b>Rate of rent assistance</b>			
<b>Column 1 Item</b>	<b>Column 2 Person's family situation</b>	<b>Column 3 Rate A</b>	<b>Column 4 Rate B</b>
1	Not a member of a couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
2	Partnered—partner does not have rent increased benefit	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{4}$	\$195.00
3	Partnered—partner has rent increased benefit	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{8}$	Half the rate specified in column 4 of item 2
4	Partnered—member of an illness separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
5	Partnered—member of a respite care couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
6	Partnered—member of a temporarily separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$195.00
7	Partnered (partner in gaol)	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00

**14 Subsection 1070R(2) (table)**

Repeal the table, substitute:

**Schedule 1** Increased support for Commonwealth rent assistance recipients

<b>Rate of rent assistance</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Person's family situation</b>	<b>Rate of rent assistance</b>	<b>Maximum rate</b>
1	Partnered—partner does not have rent increased benefit	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{4}$	\$195.00
2	Partnered—partner has rent increased benefit	$3 \times \frac{(\text{Fortnightly rent} - \$236.60)}{8}$	Half the rate specified in column 4 of item 1
3	Partnered—member of an illness separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
4	Partnered—member of a respite care couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00
5	Partnered—member of a temporarily separated couple	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$195.00
6	Partnered (partner in gaol)	$3 \times \frac{(\text{Fortnightly rent} - \$146.00)}{4}$	\$207.00

**15 Subsection 1070T(1)**

Omit “\$140.40”, substitute “\$146.00”.

**16 Subsection 1070T(3) (example)**

Omit “\$140.40” (wherever occurring), substitute “\$146.00”.

***Veterans’ Entitlements Act 1986***

**17 Point SCH6-C6 of Schedule 6 (table C-1)**

Repeal the table (not including the notes), substitute:

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**Table C-1—Rent threshold rates**

<b>Column 1 Item</b>	<b>Column 2 Person’s family situation</b>	<b>Column 3 Rate per year \$</b>	<b>Column 4 Rate per fortnight \$</b>
1	Not a member of a couple A member of an illness separated couple A member of a respite care couple Partnered—partner without a rent increased pension	3,796.00	146.00
2	Partnered—partner with a rent increased pension	3,075.80	118.30

**18 Subpoint SCH6-C8(1) of Schedule 6 (table C-2)**

Repeat the table (not including the notes), substitute:

**Table C-2—Rate of rent assistance**

<b>Column 1 Item</b>	<b>Column 2 Person’s family situation</b>	<b>Column 3 Rate A \$</b>	<b>Column 4 Rate B \$</b>
1	Not a member of a couple  A member of an illness separated couple A member of a respite care couple Partnered—partner without a rent increased pension	$3 \times \frac{(AR - RTR)}{4}$	5,382.00
2	Partnered—partner with a rent increased pension	$3 \times \frac{(AR - 2RTR)}{8}$	2,535.00

## 19 Application of amendments

### *A New Tax System (Family Assistance) Act 1999*

- (1) The amendments of the *A New Tax System (Family Assistance) Act 1999* made by this Schedule apply in relation to working out a person's Part A rate of family tax benefit for days occurring on or after 20 September 2024.
- (2) For the purposes of indexing an amount specified in a table of the *A New Tax System (Family Assistance) Act 1999*, as inserted by this Schedule, on 20 September 2024, the current figure for the amount immediately before 20 September 2024 is taken to be that specified amount.

### *Social Security Act 1991*

- (3) The amendments of the *Social Security Act 1991* made by this Schedule apply in relation to working out:
  - (a) the rate of a person's social security payment for days occurring on or after 20 September 2024; and
  - (b) the rate of a person's farm household allowance under the *Farm Household Support Act 2014* for days occurring on or after 20 September 2024.
- (4) For the purposes of indexing an amount specified in subsection 1070T(1) of the *Social Security Act 1991* as amended by this Schedule, or in a table of that Act as inserted by this Schedule, on 20 September 2024, the current figure for the amount immediately before 20 September 2024 is taken to be that specified amount.

### *Veterans' Entitlements Act 1986*

- (5) The amendments of the *Veterans' Entitlements Act 1986* made by this Schedule apply in relation to working out the rate of a person's service pension, income support supplement or veteran payment for days occurring on or after 20 September 2024.
- (6) For the purposes of indexing an amount specified in a table of Schedule 6 to the *Veterans' Entitlements Act 1986*, as inserted by this Schedule, on 20 September 2024, the current figure for the amount

immediately before 20 September 2024 is taken to be that specified amount.

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## Schedule 2—Increasing jobseeker payments for certain recipients who have a partial capacity to work

### *Social Security Act 1991*

#### 1 Subsection 16B(3)

Omit “or subsection (2),”, substitute “, subsection (2) or point 1068-B1AA,”.

#### 2 At the end of subsection 16B(3)

Add:

Note: Point 1068-B1AA deals with a person who has a partial capacity to work that prevents the person from doing 15 hours per week of work independently of a program of support within the next 2 years.

#### 3 At the end of subsection 16B(4)

Add “or point 1068-B1AA”.

#### 4 Point 1068-B1 (table B)

Repeal the table (not including the notes), substitute:

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Table B—Maximum basic rates			
Column 1	Column 2	Column 3 Rate	
Item	Person’s family situation	Column 3A Person with dependent child	Column 3B Person without dependent child
4A	Not member of couple and: (a) person receives jobseeker payment; and (b) person has not turned 55; and (c) point 1068-B1AA does not apply to person	\$816.90	\$762.70

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<b>Table B—Maximum basic rates</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	
		<b>Rate</b>	
<b>Item</b>	<b>Person’s family situation</b>	<b>Column 3A</b>	<b>Column 3B</b>
		<b>Person with dependent child</b>	<b>Person without dependent child</b>
4B	Not member of couple and: (a) person receives jobseeker payment; and (b) person has turned 55; and (c) person has not been receiving one, or a combination, of social security pension or social security benefit or service pension, income support supplement or veteran payment for a continuous period of at least 9 months; and (d) point 1068-B1AA does not apply to person	\$816.90	\$762.70
5	Not member of couple and: (a) person has turned 55; and (b) person has been receiving one, or a combination, of social security pension or social security benefit or service pension or income support supplement for a continuous period of at least 9 months; and (c) point 1068-B1AA does not apply to person	\$816.90	\$816.90
6	Not member of couple and: (a) person receives jobseeker payment; and (b) point 1068-B1AA applies to person	\$816.90	\$816.90

**Schedule 2** Increasing jobseeker payments for certain recipients who have a partial capacity to work

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**Table B—Maximum basic rates**

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	
		<b>Rate</b>	
<b>Item</b>	<b>Person’s family situation</b>	<b>Column 3A</b>	<b>Column 3B</b>
		<b>Person with dependent child</b>	<b>Person without dependent child</b>
7	Partnered	\$698.30	\$698.30
9	Member of illness separated couple	\$816.90	\$816.90
11	Partnered (partner in gaol)	\$816.90	\$816.90

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**5 After point 1068-B1**

Insert:

*Partial capacity to work—less than 15 hours per week of work*

1068-B1AA This point applies to a person if:

- (a) the person is receiving jobseeker payment; and
- (b) the person has a partial capacity to work because of an impairment; and
- (c) the Secretary is satisfied that:
  - (i) the impairment of itself prevents the person from doing 15 hours per week of work independently of a program of support within the next 2 years; and
  - (ii) no training activity (within the meaning of section 16B) is likely (because of the impairment) to enable the person to do 15 hours per week of work independently of a program of support within the next 2 years.

Note 1: For *partial capacity to work* see section 16B.

Note 2: In deciding whether the Secretary is satisfied, the Secretary must comply with any guidelines made by the Minister under section 16B (see subsection 16B(3)).

1068-B1AB In point 1068-B1AA, *15 hours per week of work* means work:

- (a) that is for at least 15 hours per week on wages that are at or above the relevant minimum wage; and

- (b) that exists in Australia, even if not within the person's locally accessible labour market.

**6 Point 1068-C3 (table items 1 and 4, column headed  
"Recipient's family situation for maximum basic rate")**

After "5," insert "6,".

**7 Application of amendments**

- (1) The amendments of the *Social Security Act 1991* made by this Schedule apply in relation to working out the rate of a person's jobseeker payment for days occurring on or after 20 September 2024.
- (2) For the purposes of indexing an amount specified in table B in point 1068-B1 of the *Social Security Act 1991*, as inserted by this Schedule, on 20 September 2024, the current figure for the amount immediately before 20 September 2024 is taken to be that specified amount.

## Schedule 3—Providing flexibility to carers

### *Social Security Act 1991*

#### **1 After subsection 198AC(3B)**

Insert:

*Rule if limit on subsection (1), (1A) or (2) is exceeded*

(3C) If:

- (a) a person ceases to be qualified for carer payment because the person exceeds the limit set out in subsection (3) or (3A) in a calendar year; and
- (b) the person resumes providing care for the care receiver or care receivers on a day in the calendar year;

the person:

- (c) is not precluded from qualifying again for carer payment in relation to that day or any later day in the calendar year for which the person provides care for the care receiver or care receivers merely because the person has exceeded the limit; but
- (d) is not qualified for carer payment on any later day in that calendar year when the person is not providing that care.

Note: A person must also meet the other qualification requirements in order to qualify for carer payment.

#### **2 Subsection 198AC(4) (heading)**

Omit “*training etc.*”, substitute “*paid work*”.

#### **3 Paragraph 198AC(4)(b)**

Omit “training, education, unpaid voluntary work or paid employment”, substitute “paid work”.

#### **4 Paragraph 198AC(4)(c)**

Omit “25 hours per week”, substitute “a total of 100 hours over a 4 week period”.

**5 Subsection 198AC(5) (heading)**

Omit “*training etc.*”, substitute “*paid work*”.

**6 Paragraph 198AC(5)(b)**

Omit “training, education, unpaid voluntary work or paid employment”, substitute “paid work”.

**7 Paragraph 198AC(5)(c)**

Omit “25 hours per week”, substitute “a total of 100 hours over a 4 week period”.

**8 After section 1061ZCA**

Insert:

**1061ZCB Extended qualification rule: former recipient of carer payment**

*Qualification*

- (1) Subject to subsections (7) and (8), a person is qualified for a pensioner concession card for the period of 26 weeks starting on the day on which this section begins to apply to the person.

*Application—temporary cessation of care limit exceeded*

- (2) Subject to subsection (5), this section applies to a person if:
    - (a) the person has been receiving carer payment; and
    - (b) the person temporarily ceases to provide care for a care receiver or care receivers (see section 198AC); and
    - (c) the person ceases to be qualified for carer payment because of the occurrence of an event or change of circumstances that results in the temporary cessation of care exceeding the limit specified in:
      - (i) subsection 198AC(3); or
      - (ii) the definition of *limit* in subsection 198AC(3A); or
      - (iii) paragraph 198AC(4)(c) or (5)(c); and
    - (d) but for the occurrence of the event or change of circumstances, the person would still have been qualified for carer payment.
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*Application—income reduced rate nil*

- (3) Subject to subsection (5), this section applies to a person if:
- (a) the person has been receiving carer payment; and
  - (b) carer payment ceases to be payable to the person because the rate of the person's payment is nil; and
  - (c) the rate of the person's carer payment is nil because of the occurrence of an event or change of circumstances that results in the person's income reduced rate (see subsection (4)) being nil; and
  - (d) but for the person's income reduced rate being nil, carer payment would have continued to be payable to the person; and
  - (e) at the time of the cessation, the person's ordinary income (as used to work out the person's income reduced rate) includes income for paid work performed by the person in Australia.
- (4) For the purposes of subsection (3), a person's *income reduced rate* is the rate worked out at step 8 of the method statement in point 1064-A1 in Module A of Pension Rate Calculator A.

*Residency requirement*

- (5) This section only applies to a person while the person is residing in Australia.

Note: If the person is temporarily absent from Australia, the person continues to be qualified for a pensioner concession card for a maximum period of up to 6 weeks (see Division 4).

- (6) However, this section applies to a person in relation to a day if:
- (a) the person is in Australia on that day but not residing in Australia; and
  - (b) the carer payment that the person had been receiving was received solely because of the operation of the scheduled international social security agreement between Australia and New Zealand.

*No double qualification—person receiving certain other social security payments*

- (7) If, during the period of 26 weeks referred to in subsection (1), a person receives an instalment of a social security pension that relates to one or more days within that period, the person is not qualified under this section for a pensioner concession card on the day or days in relation to which the person receives the instalment.
- (8) If, during the period of 26 weeks referred to in subsection (1), a person receives an instalment of:
- (a) a youth allowance while subsection 1061ZA(2A) applies to the person; or
  - (b) a jobseeker payment while subsection 1061ZA(2B) applies to the person; or
  - (c) a benefit PP (partnered) while subsection 1061ZA(2D) applies to the person;
- that relates to one or more days within that period, the person is not qualified under this section for a pensioner concession card on the day or days in relation to which the person receives the instalment.

### **9 Subsection 1061ZEA(1)**

After “1061ZCA,”, insert “1061ZCB,”.

### **10 Subparagraph 1061ZUC(1)(a)(i)**

After “1061ZCA,”, insert “1061ZCB,”.

## ***Social Security (Administration) Act 1999***

### **11 After section 95C**

Insert:

#### **95CA Carer payment—suspension instead of cancellation under section 93 or 94**

*Application—temporary cessation of care limit exceeded*

- (1) This section applies if:

- (a) a person temporarily ceases to provide care for a care receiver or care receivers (see section 198AC of the 1991 Act); and
- (b) the person ceases to be qualified for carer payment because of the occurrence of an event or change of circumstances (the **event**) that results in the temporary cessation of care exceeding the limit specified in:
  - (i) subsection 198AC(3) of that Act; or
  - (ii) the definition of **limit** in subsection 198AC(3A) of that Act; or
  - (iii) paragraph 198AC(4)(c) or (5)(c) of that Act; and
- (c) because of a notice given to the person under subsection 68(2) of this Act, the person is required to inform the Department, within a specified period (the **notification period**), of the occurrence of the event; and
- (d) but for the occurrence of the event, the person would still have been qualified for carer payment; and
- (e) the person's payment is to be, or has been, cancelled under section 93 or 94 of this Act because the person ceased to be qualified for the reason mentioned in paragraph (b) of this subsection.

*Application—income reduced rate nil*

- (2) This section applies if:
  - (a) carer payment ceases to be payable to a person because the rate of the person's payment is nil; and
  - (b) the rate of the person's carer payment is nil because of the occurrence of an event or change of circumstances (the **event**) that results in the person's income reduced rate (see subsection (3)) being nil; and
  - (c) because of a notice given to the person under subsection 68(2), the person is required to inform the Department, within a specified period (the **notification period**), of the occurrence of the event; and
  - (d) but for the person's income reduced rate being nil, carer payment would have continued to be payable to the person; and

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- (e) the person's payment is to be, or has been, cancelled under section 93 or 94 because the payment ceased to be payable for the reason mentioned in paragraph (b) of this subsection; and
  - (f) at the time of the cessation, the person's ordinary income (as used to work out the person's income reduced rate) includes income for paid work performed by the person in Australia.
- (3) For the purposes of subsection (2), a person's *income reduced rate* is the rate worked out at step 8 of the method statement in point 1064-A1 in Module A of Pension Rate Calculator A of the 1991 Act.

*Suspension determination—event notified within notification period*

- (4) If:
- (a) the person informs the Department of the event mentioned in paragraph (1)(b) or (2)(b) within the notification period; and
  - (b) the person's carer payment has not yet been cancelled under section 93;
- the Secretary may determine that:
- (c) section 93 does not apply to cancel the person's carer payment; and
  - (d) the person's carer payment is suspended for a period of 26 weeks with effect from the day the carer payment would otherwise have ceased to be payable under section 93.
- (5) If:
- (a) the person informs the Department of the event mentioned in paragraph (1)(b) or (2)(b) within the notification period; and
  - (b) the person's carer payment has been cancelled under section 93; and
  - (c) within the period of 26 weeks after the cancellation, the person's circumstances (such as the person's provision of care or the person's amount of ordinary income) would not preclude the person from receiving carer payment;
- the Secretary may determine that:
- (d) the person is to be treated as if section 93 had not applied to cancel the person's carer payment; and
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- (e) the person's carer payment is suspended for a period of 26 weeks with effect from the day the carer payment had ceased to be payable under section 93.

*Suspension determination—event not notified within notification period*

- (6) If:
  - (a) the person does not inform the Department of the event mentioned in paragraph (1)(b) or (2)(b) within the notification period; and
  - (b) the person's carer payment has been cancelled under section 94; and
  - (c) the Department subsequently becomes aware of the event; and
  - (d) within the period of 28 weeks after the cancellation, the person's circumstances (such as the person's provision of care or the person's amount of ordinary income) would not preclude the person from receiving carer payment;the Secretary may determine that:
  - (e) the person is to be treated as if section 94 had not applied to cancel the person's carer payment; and
  - (f) the person's carer payment is suspended for a period of 28 weeks with effect from the day the carer payment had ceased to be payable under section 94.

*Residency requirement*

- (7) The Secretary must not make a determination under subsection (4), (5) or (6) unless the Secretary is satisfied that the person is residing in Australia.

*Resumption of carer payment after suspension*

- (8) If:
  - (a) the Secretary suspends a person's carer payment under subsection (4), (5) or (6); and
  - (b) within the period the suspension is in effect, the Secretary reconsiders the decision to suspend; and

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- (c) as a result of the reconsideration, the Secretary is satisfied that:
- (i) the person did not receive carer payment that was payable to the person; or
  - (ii) the person is not receiving carer payment that is payable to the person;
- the Secretary is to determine that carer payment was or is payable to the person, as the case requires.
- (9) The reconsideration referred to in paragraph (8)(b) may be a reconsideration on an application under section 129 or a reconsideration on the Secretary's own initiative.
- (10) A determination that carer payment was or is payable to the person under subsection (8) takes effect:
- (a) if the person applied for reconsideration under section 129—on the day the application was made; or
  - (b) in any other case—on the day the Secretary starts to reconsider the decision to suspend.

*Cancellation of carer payment after period of suspension*

- (11) If:
- (a) the Secretary suspends a person's carer payment under subsection (4), (5) or (6); and
  - (b) the suspension continues in effect throughout the period;
- then, at the end of the period, the determination granting the person carer payment is, by force of this subsection, revoked.

## **12 Application of amendments**

*Section 198AC of the Social Security Act 1991*

- (1) The amendments to section 198AC of the *Social Security Act 1991* made by this Schedule apply in relation to a person's qualification for carer payment on days occurring on or after 20 March 2025, whether the person's training, education, unpaid voluntary work, paid employment or paid work is undertaken before, on or after 20 March 2025.

- (2) However, for the purposes of calculating whether a person has exceeded the limit referred to in subsection 198AC(3) or (3A) of the *Social Security Act 1991* for the 2025 calendar year, disregard training, education or unpaid voluntary work undertaken before 20 March 2025.

***Section 1061ZCB of the Social Security Act 1991***

- (3) Section 1061ZCB of the *Social Security Act 1991*, as inserted by this Schedule, applies in relation to persons ceasing to be qualified for carer payment, or carer payment ceasing to be payable to persons, on or after 20 March 2025, whether:
- (a) the payment first became payable before, on or after 20 March 2025; and
  - (b) either:
    - (i) the person ceases to be qualified for carer payment due to the person's temporary cessation of care exceeding the relevant limit because of training, education, unpaid voluntary work, paid employment or paid work undertaken, or any other event or circumstance occurring, before, on or after 20 March 2025; or
    - (ii) carer payment ceases to be payable to a person due to an event or change of circumstances occurring before, on or after 20 March 2025 that results in the person's income reduced rate being nil on or after 20 March 2025.

- (4) However, for the purposes of calculating whether a person has exceeded the limit referred to in subsection 198AC(3) or (3A) of the *Social Security Act 1991* for the 2025 calendar year, disregard training, education or unpaid voluntary work undertaken before 20 March 2025.

***Section 95CA of the Social Security (Administration) Act 1999***

- (5) Section 95CA of the *Social Security (Administration) Act 1999*, as inserted by this Schedule, applies in relation to suspensions of a carer payment taking effect on or after 20 March 2025, whether:
- (a) the payment first became payable before, on or after 20 March 2025; and
  - (b) the cancellation to which the suspension relates would have been, or is, due to either:

- (i) training, education, unpaid voluntary work, paid employment or paid work undertaken, or any other event or circumstance occurring, before, on or after 20 March 2025; or
    - (ii) an event or change of circumstances occurring before, on or after 20 March 2025 that results in the person's income reduced rate being nil on or after 20 March 2025.
  - (6) However, for the purposes of calculating whether a person has exceeded the limit referred to in subsection 198AC(3) or (3A) of the *Social Security Act 1991* for the 2025 calendar year, disregard training, education or unpaid voluntary work undertaken before 20 March 2025.
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*[Minister's second reading speech made in—  
House of Representatives on 29 May 2024  
Senate on 24 June 2024]*

(63/24)

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