

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

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*(As read a first time)*

**SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION  
AMENDMENT BILL 1992**

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**SCHEDULE 1**

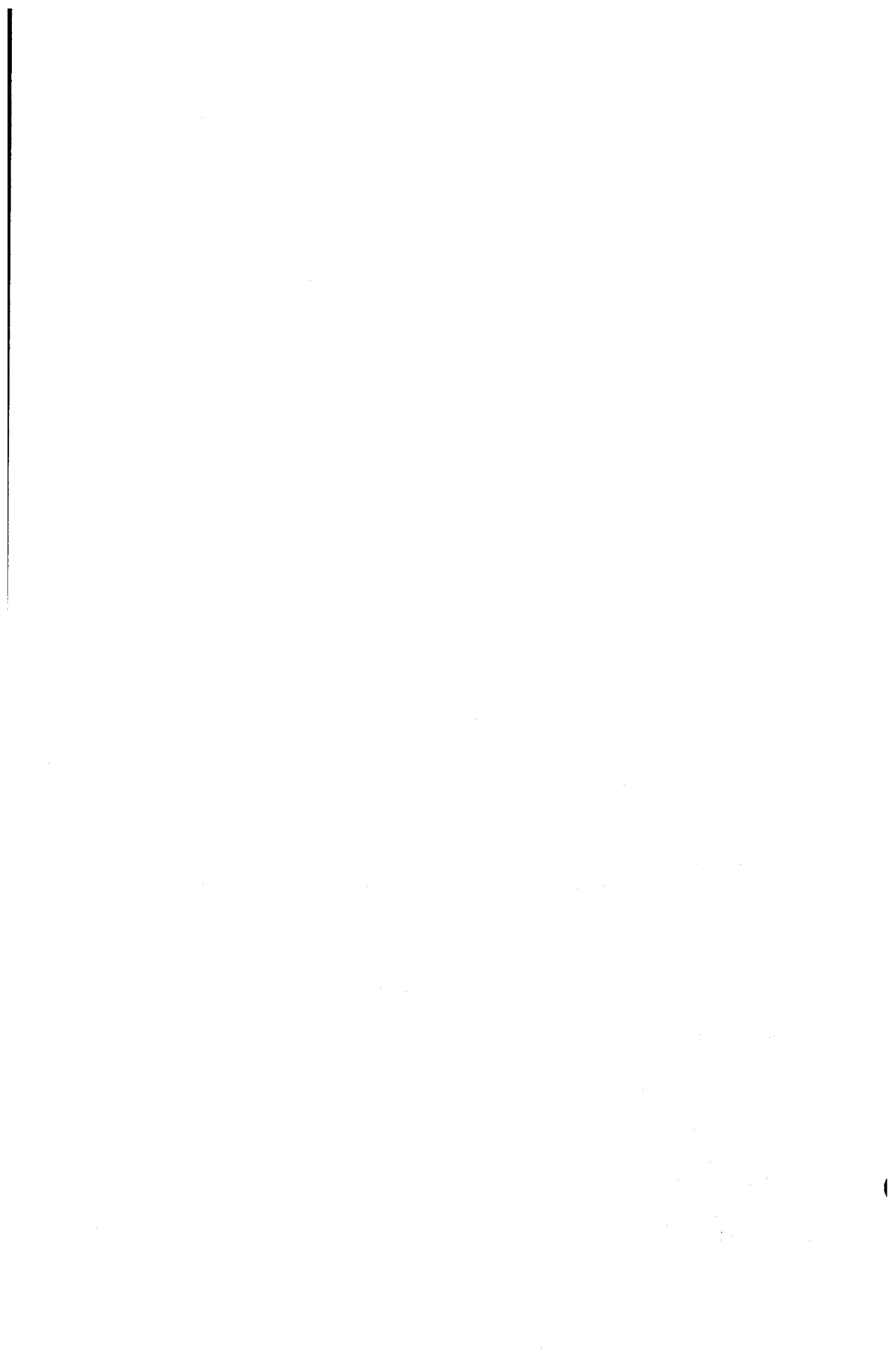
**AMENDMENTS OF THE SOCIAL SECURITY ACT 1991 RELATING TO  
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**AMENDMENTS OF THE VETERANS' ENTITLEMENTS ACT 1986  
RELATING TO CHILD AMOUNTS**



1990-91-92

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

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Presented and read a first time, 26 February 1992

(*Minister for Social Security*)

## A BILL

FOR

**An Act to amend the *Social Security Act 1991* and the *Veterans' Entitlements Act 1986*, and for related purposes**

The Parliament of Australia enacts:

### PART 1—PRELIMINARY

#### Short title

1 This Act may be cited as the *Social Security and Veterans' Affairs  
5 Legislation Amendment Act 1992*.

#### Commencement

2.(1) Part 1, sections 4 and 8 and Part 3 commence on the day on  
which this Act receives the Royal Assent.

10 (2) Section 7 is taken to have commenced on 20 March 1992,  
immediately after the commencement of Division 5 of Part 2 of the

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*Social Security Legislation Amendment Act (No. 3) 1991 and Division 2 of Part 2 of the Social Security Legislation Amendment Act (No. 4) 1991.*

(3) Sections 5 and 6 commence, or are taken to have commenced, on 2 April 1992. 5

### **Application**

3.(1) The amendments made by section 7 apply to payments that fall due on or after 20 March 1992.

(2) The amendments made by section 8 apply to payments that fall due on or after 3 April 1992. 10

(3) The amendments made by section 10 apply to payments that fall due on or after 16 April 1992.

## **PART 2—AMENDMENTS OF THE SOCIAL SECURITY ACT 1991**

### **Principal Act**

4. In this Part, “**Principal Act**” means the *Social Security Act 1991*<sup>1</sup>. 15

### **How to work out a person's family allowance rate**

5. Section 855 of the Principal Act is amended:

(a) by omitting from subsection (1) “The” and substituting “Subject to subsections (1A) and (1B), the”; 20

(b) by inserting after subsection (1) the following subsections:

*Family allowance payable for 2 April 1992 includes family allowance bonus—individuals*

“(1A) If:

(a) family allowance is payable to a person (other than an institution) for the family payment payday that falls on 2 April 1992; and 25

(b) the person's family allowance for that payday is paid:

(i) to the credit of a bank account, credit union account or building society account maintained in Australia; or 30

(ii) otherwise paid in Australia;

the rate at which family allowance would otherwise be payable to the person is to be increased by the amount per fortnight of the family allowance bonus.

Note: a person will get the family allowance bonus if family allowance is payable to the person for 2 April 1992 even though payment is not made until later because, for example, of backdating under section 844.

“(1B) To work out the amount of family allowance bonus payable to a person work out which item in the following Family Allowance 35

Bonus Table applies to the person: the corresponding amount in column 3 is the amount of family allowance bonus payable to the person for the family payment payday that falls on 2 April 1992.

FAMILY ALLOWANCE BONUS TABLE		
column 1 item	column 2 number of FA children	column 3 amount of family allowance bonus payable to person
1.	One FA child	\$125.00
2.	2 FA children	\$175.00
3.	3 FA children	\$200.00
4.	4 FA children	\$225.00
5.	5 or more FA children	\$250.00

Note: the amount in column 3 is the total amount payable to a person and not an amount per child.

*Family allowance bonus payable once only*

5       “(1C) Subsection (1A) applies only to family allowance for the family payment payday that falls on 2 April 1992 and not to any subsequent payday.”;

      (c) by omitting from subsection (2) “The” and substituting “Subject to subsections (3) and (4), the”;

10       (d) by adding at the end the following subsections:

*Family allowance payable for 2 April 1992 includes family allowance bonus—approved care organisations*

15       “(3) If family allowance is payable to an approved care organisation for a child for the family payment payday that falls on 2 April 1992, the rate at which family allowance would otherwise be payable to the organisation is to be increased by \$125.00 per fortnight for that child.

*Family allowance bonus payable once only*

20       “(4) Subsection (3) applies only to family allowance for the family payment payday that falls on 2 April 1992 and not to any subsequent payday.”.

**Lump sum payable in some circumstances**

6. Section 889 of the Principal Act is amended:

      (a) by omitting “If” and substituting “Subject to subsections (2) and (3), if”;

- (b) by omitting "section" and substituting "subsection";
- (c) by adding at the end the following subsections:

"(2) If:

- (a) a person is qualified for payments under this Subdivision in relation to the death of a dependent child; and
- (b) the first available bereavement adjustment payday occurs before the end of the bereavement period; and
- (c) the family payment payday immediately before the first available bereavement adjustment payday falls on 2 April 1992;

disregard the family allowance bonus payable under subsection 855(1A) in working out the lump sum payable to the person.

"(3) If:

- (a) a person is qualified for payments under this Subdivision in relation to the death of the dependent child; and
- (b) the first available bereavement adjustment payday occurs before the end of the bereavement period; and
- (c) 2 April 1992 falls within the bereavement lump sum period;

the lump sum that would otherwise be payable to the person is to be increased by the difference between:

- (d) the family allowance bonus payable to the person under subsection 855(1A); and
- (e) the family allowance bonus that would have been payable to the person under that subsection if the dependent child had not died."

**Removal of some rent assistance waiting periods**

7. The provisions of the Principal Act specified in Schedule 1 are amended as set out in that Schedule.

**Increases in child amounts**

8. The provisions of the Principal Act specified in Schedule 2 are amended as set out in that Schedule.

**PART 3—AMENDMENTS OF THE VETERANS' ENTITLEMENTS ACT 1986**

**Principal Act**

9. In this Part, "Principal Act" means the *Veterans' Entitlements Act 1986*<sup>2</sup>.

**Increases in child amounts**

10. The provisions of the Principal Act specified in Schedule 3 are amended as set out in that Schedule.

**SCHEDULE 1**

Section 7

**AMENDMENTS OF THE SOCIAL SECURITY ACT 1991  
RELATING TO RENT ASSISTANCE**

**Section 1066A (Pension Rate Calculator D—point 1066A-EA2):**

Omit “points 1066A-EA3 and 1066A-EA4”, substitute “point 1066A-EA3”.

**Section 1066A (Pension Rate Calculator D—points 1066A-EA4 to 1066A-EA9):**

Omit the points.

**Section 1066A (Pension Rate Calculator D—point 1066A-EB2):**

Omit “points 1066A-EB4 and 1066A-EB5”, substitute “point 1066A-EB4”.

**Section 1066A (Pension Rate Calculator D—points 1066A-EB5 to 1066A-EB10):**

Omit the points.

**Section 1066B (Pension Rate Calculator E—point 1066B-EA2):**

Omit “points 1066B-EA3 and 1066B-EA4”, substitute “point 1066B-EA3”.

**Section 1066B (Pension Rate Calculator E—points 1066B-EA4 to 1066B-EA9):**

Omit the points.

**Section 1066B (Pension Rate Calculator E—point 1066B-EB2):**

Omit “points 1066B-EB4 and 1066B-EB5”, substitute “point 1066B-EB4”.

**Section 1066B (Pension Rate Calculator E—points 1066B-EB5 to 1066B-EB10):**

Omit the points.

**Section 1067 (Benefit Rate Calculator A—before paragraph 1067-F5(a)):**

Insert:

“(aa) the person is a member of a couple; or”.

**Section 1068 (Benefit Rate Calculator B—point 1068-F1):**

Omit “, 1068-F4 and 1068-F6”, substitute “and 1068-F4”.

**SCHEDULE 1—continued**

**Section 1068 (Benefit Rate Calculator B—points 1068-F6 to 1068-F11):**

Omit the points.

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**SCHEDULE 2**

Section 8

**AMENDMENTS OF THE SOCIAL SECURITY ACT 1991  
RELATING TO CHILD AMOUNTS**

**Section 1064 (Pension Rate Calculator A—point 1064-C3—**

**Table C—columns 3 and 4):**

Omit the columns, substitute:

“

column 3 rate per year	column 4 rate per fortnight
\$1,580.80	\$60.80
\$2,233.40	\$85.90
\$884.00	\$34.00

”

**Section 1065 (Pension Rate Calculator B—point 1065-C3—**

**Table C—columns 3 and 4):**

Omit the columns, substitute:

“

column 3 rate per year	column 4 rate per fortnight
\$1,580.80	\$60.80
\$2,233.40	\$85.90
\$884.00	\$34.00
\$746.20	\$28.70

”



**SCHEDULE 2—continued**

**Section 1066 (Pension Rate Calculator C—point 1066-C2—  
Table C—columns 3 and 4):**

Omit the columns, substitute:

“

column 3 rate per year	column 4 rate per fortnight
\$1,580.80	\$60.80
\$2,233.40	\$85.90
\$884.00	\$34.00

”

**Section 1066A (Pension Rate Calculator D—point 1066A-D3—  
Table D—columns 3 and 4):**

Omit the columns, substitute:

“

column 3 rate per year	column 4 rate per fortnight
\$1,580.80	\$60.80
\$2,233.40	\$85.90
\$884.00	\$34.00

”

**Section 1066B (Pension Rate Calculator E—point 1066B-D3—  
Table D—columns 3 and 4):**

Omit the columns, substitute:

“

column 3 rate per year	column 4 rate per fortnight
\$1,580.80	\$60.80
\$2,233.40	\$85.90
\$884.00	\$34.00
\$746.20	\$28.70

”

**SCHEDULE 2—continued**

**Section 1067 (Benefit Rate Calculator A—point 1067-E2—Table E—column 3):**

Omit the column, substitute:

“

column 3 amount per fortnight
\$60.80 \$85.90 \$34.00

”

**Section 1068 (Benefit Rate Calculator B—point 1068-E2—Table E—column 3):**

Omit the column, substitute:

“

column 3 amount per fortnight
\$60.80 \$85.90 \$34.00

”

**Section 1070 (Family Allowance Supplement Rate Calculator—point 1070-B1—Table B—column 3):**

Omit the column, substitute:

“

column 3 amount per fortnight
\$60.80 \$85.90 \$34.00

”

**SCHEDULE 3**

Section 10

**AMENDMENTS OF THE VETERANS' ENTITLEMENTS  
ACT 1986 RELATING TO CHILD AMOUNTS**

**Section 42 (Service Pension Rate Calculator Where There Are  
Dependent Children—point 42-C3—Table C-2—columns 3 and 4):**

Omit the columns, substitute:

“

column 3 rate per year	column 4 rate per fortnight
\$1,580.80	\$60.80
\$2,233.40	\$85.90
\$884.00	\$34.00

”

**Section 43 (Service Pension Rate Calculator for Blinded Veterans—  
point 43-C3—Table C-2—columns 3 and 4):**

Omit the columns, substitute:

“

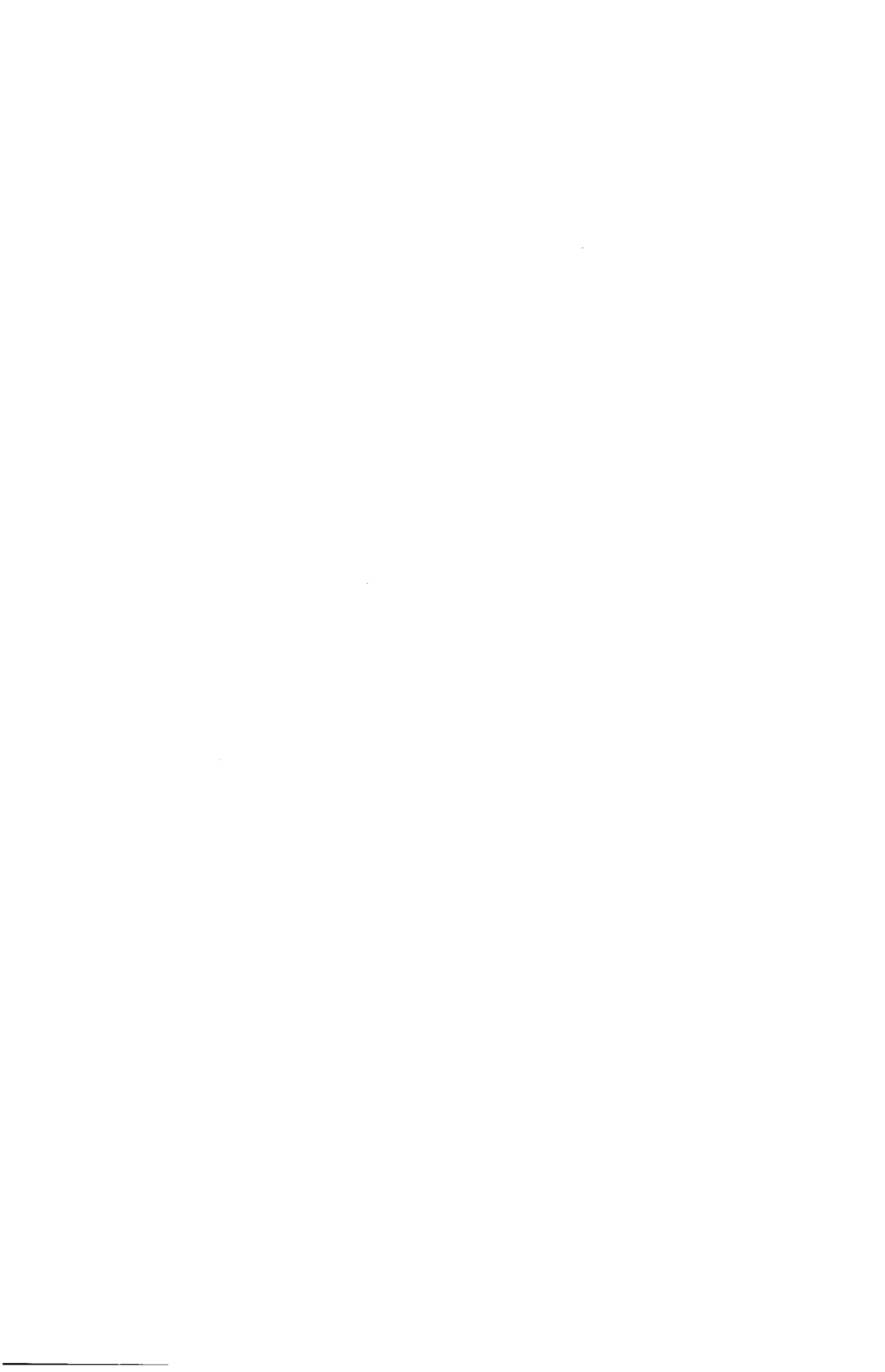
column 3 rate per year	column 4 rate per fortnight
\$1,580.80	\$60.80
\$2,233.40	\$85.90
\$884.00	\$34.00
\$746.20	\$28.70

”

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**NOTES**

1. No. 46, 1991, as amended. For previous amendments, see Nos. 68, 69, 70, 73, 74, 115, 116, 141, 175, 194 and 208, 1991.
2. No. 27, 1986, as amended. For previous amendments, see Nos. 106 and 130, 1986; Nos. 78, 88 and 130, 1987; Nos. 13, 35, 75, 99, 134 and 135, 1988; Nos. 59, 83, 84, 93, 163 and 164, 1989; Nos. 56, 84 and 119, 1990; Nos. 2, 72, 73, 74 and 208, 1991.









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