

1985

PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

SOCIAL SECURITY LEGISLATION AMENDMENT BILL 1985

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for  
Social Security, the Hon Brian Howe MP)

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## OUTLINE

This Bill would amend -

- (1) the Nursing Homes Assistance Act 1974, to prevent the approval of any additional services provided by the proprietor of a nursing home after 21 August 1985; and
- (2) the Social Security Act 1947, to prevent the payment of a family allowance in respect of a student child who had attained the age of 18 years, as from 1 November 1985. There would be some limited exceptions to the rule.

## FINANCIAL IMPACT STATEMENT

It is expected that measure (1) will save \$0.5m in the remainder of the 1985-86 financial year, and \$0.5m in the 1986-87 financial year. Savings in later financial years will accumulate at the rate of \$0.5m per year.

It is difficult to quantify the precise savings which would result from measure (2). However, savings would be in the order of \$20m in the 1985-86 financial year, and \$30m in the 1986-87 financial year.

## SOCIAL SECURITY LEGISLATION AMENDMENT BILL 1985

### PART I - PRELIMINARY

#### Clause 1: Short title

By this clause, the amending Act would be cited as the "Social Security Legislation Amendment Act 1985".

#### Clause 2: Commencement

This clause would provide that the amending Act would come into operation on the day on which it receives the Royal Assent.

### PART II - AMENDMENTS OF THE NURSING HOMES ASSISTANCE ACT 1974

#### Clause 3: Principal Act

This clause would provide that the Nursing Homes Assistance Act 1974 would be referred to as the Principal Act in this Part of the Bill.

#### Clause 4: Approval of additional services

Section 6 of the Principal Act provides for the approval of additional services provided by the proprietor of a nursing home. Where the statutory criteria for such an approval are met, sub-section 6(2) makes the approval mandatory.

Clause 4(a) would amend sub-section 6(2) to make it subject to a new sub-section 6(3A).

Clause 4(b) would insert a new sub-section 6(3A) which would prevent the approval of additional services on or after 21 August 1985.

### PART III - AMENDMENT OF THE SOCIAL SECURITY ACT 1947

#### Clause 5: Principal Act

This clause would provide that the Social Security Act 1947 would be referred to as the Principal Act in this Part of the Bill.

#### Clause 6: Family allowance

This clause would insert a new section 98 into the Principal Act.

New sub-section 98(1) would prevent, on or after 1 November 1985, the payment of a family allowance to a person or an institution in respect of a child who is over the age of 18 years (ie a student child).

New sub-section 98(2) would operate to prevent new sub-section 98(1) applying in specific circumstances.